

## CABINET MEETING – 15 JUNE 2021

### EXECUTIVE SUMMARY SHEET – PART I

**Title of Report:**

Development Management Supplementary Planning Document

**Author(s):**

Executive Director of City Development

**Purpose of Report:**

The purpose of this report is to advise Cabinet of the outcomes of the consultation undertaken in respect of the Draft Development Management Supplementary Planning Document (DM SPD) and to seek approval for the adoption of the DM SPD.

**Description of Decision:**

It is recommended that Cabinet:

- I. Note the outcomes of the consultation set out in the Consultation Statement (Appendix 2) and Adoption Statement (Appendix 3); and
- II. Authorise the adoption of the DM SPD, as set out in Appendix 1, on 16 June 2021.

**Is the decision consistent with the Budget/Policy Framework?** Yes

**If not, council approval is required to change the Budget/Policy Framework**

**Suggested reason(s) for Decision:**

The decision is required to allow for adoption of the DM SPD in accordance with Part 2 (Local Development) Section 23 (Adoption of Local Development Documents) Planning and Compulsory Purchase Act 2004.

**Alternative options to be considered and recommended to be rejected:**

The option to proceed without adopting an SPD for Development Management purposes would limit the Council's ability to deliver well-designed development, implement updated parking standards and to ensure that advertisements are designed appropriately.

**Impacts analysed;**

**Equality**  **Privacy**  **Sustainability**  **Crime and Disorder**

The SPD will support and provide guidance on a range of planning matters, which will be of benefit to a wide range of interest groups.

An Equalities Impact Assessment has been undertaken for the Development Management SPD. In addition as part of the preparation of the Core Strategy and Development Plan, which this document supplements, an Equalities Impact Assessment and Sustainability Appraisal was also undertaken.

**Is the Decision consistent with the council's co-operative values?** Yes

|   |            |
|---|------------|
| <b>Is this a “Key Decision” as defined in the Constitution?</b> | <b>Yes</b> |
| <b>Is it included in the 28-day Notice of Decisions?</b>        | <b>Yes</b> |

## **DEVELOPMENT MANAGEMENT SUPPLEMENTARY PLANNING DOCUMENT**

### **Executive Director of City Development**

#### **1. Purpose of the Report**

- 1.1 The purpose of this report is to advise Cabinet of the outcomes of the consultation undertaken in respect of the Draft Development Management Supplementary Planning Document (DM SPD) and to seek approval for the adoption of the DM SPD.

#### **2. Description of Decision (Recommendations)**

2.1 It is recommended that Cabinet:

- I. Note the outcomes of the consultation set out in the Consultation Statement (Appendix 2) and Adoption Statement (Appendix 3); and
- II. Authorise the adoption of the DM SPD, as set out in Appendix 1, on 16 June 2021.

#### **3. Background**

##### **Development Plan**

- 3.1 On 29 January 2020, the Council approved the Core Strategy and Development Plan (CSDP) for adoption. The CSDP was subsequently adopted by the Council on 30 January 2020 and now forms part of the adopted Development Plan for the city.
- 3.2 Following the adoption of the CSDP, most of the Council's existing SPDs were revoked, as they either were no longer necessary due to the detail included within the CSDP itself, or as they expanded upon the policy guidance contained within Unitary Development Plan (UDP) policies which had been deleted.

##### **Development Management Interim Guidance**

- 3.3 To ensure that the Council continued to have some development management planning guidance in place once the CSDP was adopted Cabinet approved an Interim Development Management Planning Guidance note on 11 February 2020. The note is a material planning consideration in the determination of planning applications on a temporary basis.
- 3.4 The interim guidance comprises of 3 sections covering the following topic areas:
- Section 1 - Residential Design Guide
  - Section 2 – Householder Alterations and Extensions
  - Section 3 – Car and Cycle Parking Standards

- 3.5 The note was intended to be used as a material consideration until such time that the Council could adopt a replacement Development Management SPD which would provide up to date guidance.

#### **4. Development Management Supplementary Planning Document**

- 4.1 As outlined above, to support the delivery of the development management policies contained in the CSDP and to provide additional guidance and clarity, Cabinet approved the preparation of a Development Management SPD on 11 February 2020. The Development Management SPD once adopted will supersede the interim guidance note and be a material consideration when determining planning applications.
- 4.2 The purpose of the SPD is to:
- Provide additional planning guidance to decision makers on specific development management issues, building upon the policies contained within the adopted CSDP;
  - Assist applicants to bring forward good quality developments which are policy compliant; and
  - Refresh and update the Council's parking standards

#### **Consultation on the Draft Development Management Supplementary Planning Document**

- 4.3 In September 2020, Cabinet approved consultation on the DM SPD Scoping Report. Consultation on the DM SPD Scoping Report was carried out in line with the Council's Statement of Community Involvement (SCI). Due to the exceptional circumstances regarding Covid 19, arrangements were put in place to ensure consultation on the SPD was carried out in line with Government guidance and social distancing requirements. As normal, the consultation included sending letters to all contacts on the Local Plan database, informing all statutory bodies and Duty to Cooperate partners and making the relevant material available in accessible locations including online and in paper format. Consultation commenced on Monday 21 September 2020 and closed on Monday 19 October 2020. In total the Council received 4 responses. The Consultation Statement included in Appendix 2 summarises each representation received in relation to the Scoping Report and details the Council's response.
- 4.4 In December 2020, Cabinet approved consultation on the Draft DM SPD. Consultation on the Draft DM SPD was carried out in line with the Council's Statement of Community Involvement (SCI). As above, due to the exceptional circumstances regarding Covid 19, arrangements were put in place to ensure consultation on the SPD was carried out in line with Government guidance and social distancing requirements. As normal, the consultation included sending letters to all contacts on the Local Plan database, informing all statutory bodies and Duty to Cooperate partners and making the relevant material available in accessible locations including online and in paper format. Consultation commenced on Friday 18 December 2020 and concluded on Friday 12 February 2021. In total the Council received 11 responses on the Draft DM SPD. The Consultation Statement included in Appendix 2 summarises each representation received and details the Council's response.

## **Current Position**

- 4.5 The Council has taken into consideration all representations and where necessary amendments have been made to the SPD. A consultation statement has been prepared (Appendix 2) to reflect the representations received and details the Council's response.
- 4.6 In accordance with Regulation 11 of the Town and Country Planning (Local Planning) (England) Regulation 2012 (as amended), the Council, subject to Cabinet approval, will publish an Adoption Statement (Appendix 3). Any person aggrieved by the decision to adopt the DM SPD may apply to the High Court for leave to apply for judicial review of the decision to adopt the document within three months of the date of adoption.

## **5. Reasons for the Decision**

- 5.1 The decision is required to allow for the adoption of the SPD in accordance with Part 2 (Local Development), Section 23 (Adoption of Local Development Documents), Planning and Compulsory Purchase Act 2004.

## **6. Alternative Options**

- 6.1 The option to proceed without adopting an SPD for Development Management purposes would limit the Council's ability to deliver well-designed development, implement updated parking standards and to ensure that advertisements are designed appropriately.

## **7. Impact Analysis**

- (a) **Equalities** – An Equalities Impact Assessment has been undertaken for the SPD (Appendix 4)
- (b) **Sustainability** – As part of the preparation of the CSDP a Sustainability Appraisal was undertaken at all stages.
- (c) **Reduction of Crime and Disorder – Community Cohesion/Social Inclusion** – The SPD will seek to provide further guidance on good design which may have positive benefits in terms of community cohesion.

## **8. Other Relevant Considerations/Consultations**

- (i) **Financial Implications** – The costs associated with the adoption of the SPD will be met through existing Planning Policy budgets.
- (ii) **Risk Analysis** – It is not considered that a risk analysis is necessary.
- (iii) **Legal Implications** – The applicable legislation has been adhered to throughout the process. The legislative provisions relating to adoption of the SPD are set out in the report.
- (iv) **Policy Implications** – The SPD would provide new planning policy guidance which would be a material planning consideration in the determination of planning applications within the city.

- (v) **Implications for Other Services** – The SPD would be used in the determination of planning applications and therefore would not have any direct implications for Other Services.
- (vi) **The Public/External Bodies** – The Council has previously undertaken consultation on the SPD.

## **9. Background Papers**

9.1 N/A

## **10. List of Appendices**

- Appendix 1 DM SPD
- Appendix 2 DM SPD Consultation Statement
- Appendix 3 DM SPD Adoption Statement
- Appendix 4 DM SPD Equalities Impact Assessment

Copies are available online at

<https://www.sunderland.gov.uk/article/12733/Supplementary-Planning-Documents-SPDs->