

# North Tyneside Council

## Report to Cabinet

Date: 14 May 2018

### ITEM 5(C)

**Title:** Approval to adopt the Proposed Design Quality Supplementary Planning Document

**Portfolio:**

**Housing and Transport**

**Cabinet Member:**

**Councillor John Harrison**

**Report from Service Area:**

**Environment, Housing and Leisure**

**Responsible Officer:**

**Phil Scott – Head of Environment, Housing and Leisure**

**Tel: (0191) 643 7295**

**Wards affected:**

**All Wards**

## PART 1

### 1.1 Executive Summary:

On the 12 February 2018 Cabinet approved a draft Design Quality Supplementary Planning Document (SPD) for engagement. The engagement on the draft SPD was undertaken from the 26 February to the 9 April 2018. This involved publication of the draft online supported by a press release and direct notification to key stakeholders involved in the development industry and public sector. The draft documents were also made available at main Libraries across North Tyneside.

Six stakeholders made representations relating to designing out crime, flood risk and water management, and highway design. Overall respondents were supportive of the draft SPD and some minor changes were suggested. Amendments have been made to the document to reflect the comments received. The schedule of all representations made and officer response is set out in Engagement Statement. This report presents the final proposed Design Quality SPD to be considered by Cabinet for adoption.

An updated SPD is required to replace the existing SPD adopted by Cabinet in September 2010. This update reflects the up-to-date local and national planning policy context, including adoption of the Local Plan, and supports the design quality of a wider range of development types. The programme for revision of the SPD was agreed by Cabinet at its meeting on the 17 October 2016.

The proposed SPD presented in this report includes additional general design advice for all developments and new detailed guidance for specific development types. The proposed SPD also sets out the links between good design and health and well being.

Adoption of the proposed SPD would provide guidance for applicants to understand the Authority's requirements for good design in development based on recognised best practice, and explains the details that the Authority will take into consideration when assessing planning proposals.

If adopted, the proposed SPD would be a material consideration when determining planning applications.

## **1.2 Recommendations:**

It is recommended that Cabinet:

- (1) Note the responses received to the engagement on the draft Design Quality Supplementary Planning Document authorised by Cabinet in February 2018; and
- (2) Agree to adopt the proposed Design Quality Supplementary Planning Document.

## **1.3 Forward Plan:**

Twenty eight days notice of this report has been given and it first appeared on the Forward Plan that was published on 13 April 2018.

## **1.4 Council Plan and Policy Framework**

This report links to the 'Our North Tyneside' Council Plan 2018-21, including:

- Our people will be listened to, ready for school, for work and life, be healthy and well.
- Our places will be great places to live, offer a good choice of quality housing; provide a clean, green health attractive safe and sustainable environment, have an effective transport and physical infrastructure and be a thriving place of choice for visitors.

High quality design involves a collaborative and multi-disciplinary process in order to shape the built environment of the borough. The proposed SPD therefore provides guidance for a range of topic areas and policies in the Local Plan. The key policies are:

- S1.2 Spatial Strategy for Health and Well-being
- DM6.1 Design of Development
- DM6.2 Extending Existing Buildings
- S6.4 Improving Image

These policies commit the Authority to deliver well designed development that creates successful places with healthy, inclusive communities. This is in line with national planning policy as set out in chapter 7 (Requiring good design) and 8 (Promoting healthy communities) of the National Planning Policy Framework (NPPF).

The programme for the SPD is included in the Authority's Local Development Scheme adopted by Cabinet at its meeting on the 17 October 2016.

## **1.5 Information:**

### **1.5.1 Design Quality SPD**

1.5.2 Planning decisions have taken into consideration a formal SPD since adoption of the Design Quality SPD by Cabinet in 2010. A revised Design Quality SPD is now required to reflect up-to-date local and national planning policy, provide general updates to design guidance and evolving best practice and to support the design quality of a wider range of development types. Cabinet agreed in February 2018 that a draft revised SPD should be published for public engagement in order to hear the views of the public and development industry on the proposed SPD.

1.5.3 The role of the proposed SPD is to set out the principles for well-designed places that new developments are expected to demonstrate. Following the same format as the existing adopted SPD the proposed SPD includes two key parts:

1. Design Principles: This sets out the overall design principles for well-designed development. This applies to all forms of development in order to create well designed, sustainable and healthy places.
2. Putting Principles into Practice: This examines different development types and the design principles that should be considered for each one. Examples include extensions to existing buildings, conversion of buildings, infill development and development on greenfield sites. The design principles for specific situations are intended to assist applicants in submitting schemes which are attractive, positive for the place and fit for purpose.

1.5.4 Within the proposed SPD the following additional guidance has been added to each of these sections, expanding the guidance provided and bringing the SPD up to date in accordance with the adopted Local Plan and latest national planning policy and guidance:

#### Design Principles

- Planning for healthy developments
- Designing out crime
- Quality of accommodation
- Updates to the Authority's approach to waste storage
- Revised guidance about the design of boundary treatments

#### Putting Principles into Practice

- Residential extensions
- Plot subdivision
- Sloping sites
- Tall buildings
- Business and retail parks
- Development in town centres

1.5.5 The proposed SPD is a relevant consideration for all types of development including new homes and extensions, commercial and retail development. The guidance in the proposed SPD will be applied flexibly having regard to site specific circumstances and material considerations of each case. As an adopted planning document it will be a material consideration when determining planning applications and may be used to refuse development on the grounds of poor design.

#### 1.5.6 Public Engagement and Amendments

1.5.7 Cabinet agreed in February 2018 for public engagement on the draft SPD. The draft SPD was open to public engagement from the 26 February to 9 April 2018. The engagement was carried out in accordance with the statutory requirements of preparing SPDs.

1.5.8 Approximately 140 stakeholders were notified about the engagement. An article was provided to the local press and a press release was issued on the Authority's website, inviting views on the draft SPD. The draft SPD could be read and commented on via the Authority's online engagement portal. Comments were also invited by letter or email.

1.5.9 Six stakeholders made representations. The Engagement Statement in **Appendix 1** sets out the schedule of comments and the officer response. A summary of the key amendments to the SPD following the engagement are set out below.

- To assist with increasing surveillance and reducing anti-social behaviour.
- Additional waste storage guidance to avoid areas where stores can become a climbing aid either into secure areas or to higher windows.
- A new section has been added about 'designing out crime'.
- Additional information has been added about rear courtyard parking, on street parking and undercroft parking.
- The sustainable drainage section has been revised to take account of consultation responses.
- A new section has been added about the 'quality of accommodation'.

1.5.10 These changes are included in the proposed Design Quality SPD set out at **Appendix 2** that is proposed for adoption.

## **Additional boundary treatment guidance**

### **1.6 Decision options:**

The following decision options are available for consideration by Cabinet:

#### Option 1

Agree with the recommendations as set out at paragraph 1.2 of this report.

#### Option 2

Do not approve the recommendations as set out at paragraph 1.2 of this report.

Option 1 is the recommended option.

### **1.7 Reasons for recommended option:**

Option 1 is recommended for the following reasons:

- The proposed SPD will allow for the Authority to fulfil the requirements of local and national planning policy, ensuring that new development is of high quality design.

### **1.8 Appendices:**

Appendix 1: Engagement Statement, May 2018

Appendix 2: Proposed Design Quality Supplementary Planning Document, May 2018

### **1.9 Contact officers:**

Steven Lyttle, Senior Planning Officer (0191 643 6324)

Jackie Palmer, Planning Manager (0191 643 6336)

Martin Craddock, Principal Planning Officer (0191 643 6329)

Colin MacDonald, Senior Manager, Technical & Regulatory Services (0191 643 6620)

Alison Campbell, Senior Business Partner (0191 643 7038)

## **1.10 Background information:**

The following background information has been used in the compilation of this report and is available at the office of the author:

1. [Planning and Compulsory Purchase Act 2004](#)
2. [Planning Act 2008](#)
3. [Localism Act 2011](#)
4. [Town & Country Planning \(Local Planning\)\(England\) Regulations 2012](#)
5. [The North Tyneside Local Development Scheme \(October 2016\)](#)
6. [Statement of Community Involvement 2013](#)
7. [North Tyneside Local Plan \(2017\)](#)
8. [Draft Design Quality SPD, Cabinet Report, February 2018 \(pages 14-78\)](#)

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **2.1 Finance and other resources**

The staff, printing and other costs to publish the proposed SPD will be met from within the existing Authority budgets. All documents will be placed on the Authority's Web Site.

### **2.2 Legal**

The proposed SPD is an issue to be considered during the planning process.

In accordance with the Local Government Act 2000 and Regulations made under that Act, responsibility for determining this matter is the responsibility of Cabinet.

### **2.3 Consultation/community engagement**

#### **2.3.1 Internal Consultation**

The matter has been subject to dialogue with the Local Plan Steering Group (which includes the Deputy Mayor, Cabinet Member for Finance and Cabinet Member for Housing and Transport). Internal consultation was undertaken in September 2017 with key service areas and officers within the Authority.

#### **2.3.2 External Consultation/Engagement**

SPDs must be subject to statutory engagement. Cabinet approved the draft SPD for public engagement at the Cabinet meeting held on the 12<sup>th</sup> February 2018. Public engagement on the draft SPD ran from the 26 February to the 9 April 2018. The engagement methods are outlined in paragraph 1.5.8 of the report and complied with both the statutory engagement requirements and the requirements of the Authority's adopted Statement of Community Involvement.

### **2.4 Human rights**

There are no human rights implications directly arising from this report.

### **2.5 Equalities and diversity**

There are no direct implications arising from this report.

## 2.6 Risk management

The Cabinet Member has been involved in dialogue relating to the proposed SPD and is aware of the risks identified. The risks associated with the proposed SPD have previously been assessed.

## 2.7 Crime and disorder

The proposed SPD promotes natural surveillance alongside other good design principles which help to minimise crime and anti-social behaviour.

## 2.8 Environment and sustainability

The proposed SPD promotes healthy environments and encourages sustainable design.

A Strategic Environmental Assessment Screening Report draft concludes that the impact of the proposed SPD, through responses to the SEA Directive Criteria, would not result in any significant environmental effects beyond those already assessed as part of the preparation of the Local Plan. A full Strategic Environmental Assessment is therefore not required.

### PART 3 - SIGN OFF

- Deputy Chief Executive  X
- Head of Service  X
- Mayor/Cabinet Member  X
- Chief Finance Officer  X
- Monitoring Officer  X
- Head of Corporate Strategy  X