

Cabinet

14th April 2023

Name of Cabinet Member:

Cabinet Member for Housing and Communities – Councillor D Welsh

Director Approving Submission of the report:

Director of Streetscene and Regulatory Services

Ward(s) affected:

All

Title:

Householder Design Guide (SPD) - Adoption

Is this a key decision?

No - Although the matters within the report affect all wards in the city, it is not anticipated that the impact will be significant

Executive Summary:

This report seeks to adopt the Householder Design Guide Supplementary Planning Document (SPD) following public consultation which was undertaken between 9th December 2022 and 27th January 2023.

SPDs add further detail to the policies in the development plan but cannot introduce new policy. SPDs provide additional guidance for development and are capable of being a material consideration when making decisions on planning applications.

This SPD provides design guidance for those proposing household extensions and other householder proposals which require planning permission to be sought within the city. Responses to the consultation have been analysed and taken account of when amending the SPD. The proposed final version is attached at Appendix 1 to the report, and a summary of representations along with responses and proposed amendments can be seen at Appendix 2 to the report.

Recommendations:

Cabinet is recommended to:

- 1) Adopt the Householder Design Guide Supplementary Planning Document (SPD).
- 2) Delegate to the Strategic Lead (Planning), following consultation with the Cabinet Member for Housing and Communities, for any necessary further non-substantive (minor) changes to the document.

List of Appendices included:

Appendix 1 - Householder Design Guide Supplementary Planning Document.
Appendix 2 - Consultation: summary of representations and responses
Appendix 3 - Strategic Environmental Assessment Screening Report
Appendix 4 - Equalities Impact Assessment

Background papers:

None

Other useful documents:

Local Plan: adopted December 2017
National Planning Policy Framework July 2021
Cabinet Member for Housing and Communities on 5th December 2022 - Householder Design Guide Supplementary Planning Document (SPD) Public Consultation Report

Has it been or will it be considered by Scrutiny?

No – However, the matter was considered by Communities and Neighbourhoods Scrutiny Board (4) at their meeting on 8th December 2022. The comments made by the Board are included in the representations in Appendix 2 to this report.

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title:

Householder Design Guide Supplementary Planning Document (SPD) - Adoption

1. Context (or background)

- 1.1 The National Planning Policy Framework (NPPF) defines Supplementary Planning Documents (SPDs) as 'documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues.... Supplementary Planning Documents are capable of being a material consideration in planning decisions but are not part of the development plan'.
- 1.2 It is good practice to update supplementary guides over time to ensure that they remain relevant and robust. This SPD is a comprehensive review and updating of the previous Household Design Guidance SPG from 2003 and will provide clear guidance for applicants considering works to existing dwellings within the city.
- 1.3 In particular the SPD approaches the design considerations and process that applicants must undertake when bringing forward applications to modify existing dwellings. Good design can have a significantly beneficial impact on residents, both of the existing dwellings and those nearby. Conversely, ill-thought-out design can have a detrimental effect and so it is important that these matters are addressed at the start of the planning process.
- 1.4 By setting out the key objectives and criteria, as well as providing examples of best practice across a range of design issues, the SPD will help drive up design quality standards.
- 1.5 Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for producing SPDs. This includes a minimum statutory public consultation period of four weeks: the Council's recently adopted Statement of Community Involvement however sets out a local standard that SPDs should be consulted on for six weeks. Consultation for this report took place between 9th December 2022 to 27th January 2023 for seven weeks, in order to account for the festive period.
- 1.6 It is also a legal requirement, as set out in the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations), to consider whether or not Strategic Environmental Assessment (SEA) of the SPD should be undertaken. The process for determining whether or not an SEA is required is called screening. This is to determine whether a plan will have significant environmental effects. The screening opinion undertaken is attached at Appendix 3 to the report. This concludes that no SEA is needed as the SPD elaborates on existing policy. This screening report must be consulted on so that three statutory bodies (Historic England, Natural England and the Environment Agency) can respond. The screening report was made publicly available for comment at the same time as the SPD was being consulted on.
- 1.7 Finally, an Equalities Impact Assessment (EIA) been undertaken, this is attached as Appendix 4 to the report and was publicly consulted on.
- 1.8 Responses have been analysed and the SPD amended accordingly. In line with the legislation, this Cabinet report will include a statement setting out the details of the consultation, a summary of the main issues raised and how they have been addressed. This is contained at section 3 and Appendix 2 to the report.

2. Options considered and recommended proposal

- 2.1 Cabinet may choose not to adopt the SPD. However, this will mean that applicants and officers are deprived of the additional detail of the SPD which will help ensure that new householder proposals come forward with high quality design considerations. This option is therefore not recommended.
- 2.2 Cabinet may choose to adopt the SPD, with the changes as set out in Appendix 1 to the report. This will ensure that applicants and officers are clear regarding the requirements when applying for householder permissions for existing dwellings, as well as ensure high quality design is embedded in applications from an early stage. For these reasons, this is the recommended option.

3 Results of consultation undertaken

- 3.1 Public consultation was undertaken between 9th December 2022 and 27th January 2023. The minimum statutory period for SPD consultations is four weeks, the council's Statement of Community Involvement recommends six weeks, however, to account for the holiday period this consultation was extended to run for seven weeks.
- 3.2 The council made all consultation documentation available on its website and a notification email was sent to all consultees on the planning policy consultation database which provided background to the SPD consultation and explained where people could view the documents and the various ways in which they could provide comments.
- 3.3 Regulation 12 of the Local Planning Town and Country Planning (Local Planning) (England) Regulations 2012 states that, before a local planning authority can adopt an SPD it must first prepare a statement setting out the persons consulted during the preparation of the document, with a summary of the main issues raised and how they have been addressed in the SPD. This report addresses these requirements, and details of the comments submitted, the officer response and changes made to the SPD as a result can be viewed at Appendix 2 to the report.
- 3.4 Alongside the SPD, the SEA screening opinion and Equality Impact Assessment were made available for public comment as set out in section 1 of the report. In terms of the SEA screening, the statutory consultation bodies, Natural England and Historic England, concurred with the council's view that Strategic Environmental Assessment is not required. The Environment Agency did not respond. The screening assessment at Appendix 3 to the report has been updated to reflect this conclusion. The Equality Impact Assessment at Appendix 4 to the report has been updated as a result of internal guidance although no external responses were received on the matter.

4 Timetable for implementing this decision

- 4.1 The SPD will be adopted as soon as practicable.

5 Comments from Interim Chief Executive (Section 151 Officer) and Chief Legal Officer

- 5.1 Financial implications

There are no financial implications associated with this report.

5.2 Legal implications

- 5.1 There are no direct implications as a result of this report. Regulations 11 to 16 of The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for producing SPDs. The Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) also require the Council to consider whether or not Strategic Environmental Assessment (SEA) of the SPD should be undertaken.

6 Other implications

6.1 How will this contribute to achievement of the Council's Plan?

Planning policy documents and planning applications help deliver the aims and objectives of the One Coventry Corporate Plan by determining the type and quantum of development needed, where this should be located, areas which should be protected, enhanced or improved and the infrastructure which should be provided. In line with the Corporate Plan, this document focuses upon supporting local communities by creating an attractive, cleaner and greener city and enhancing the quality of the built environment.

6.2 How is risk being managed?

There are no risks associated with this report.

6.3 What is the impact on the organisation?

No direct impact.

6.4 Equalities Impact Assessment EIA

A full Equality and Impact Assessment (EIA) was undertaken as part of developing the Local Plan. As part of that analysis, the Council had due regard to its public sector equality duty under section 149 of the Equality Act (2010). The Supplementary Planning Document elaborates on Local Plan policy and so a further EIA has been undertaken (Appendix 4).

6.5 Implications for (or impact on) climate change and the environment

The design guidance provided within the SPD will help ensure that the positive environmental benefits that can be associated with high quality new householder proposals are achieved.

6.6 Implications for partner organisations?

There are no significant impacts for partner organisations.

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