

## KEY DECISION REPORT

<b>SERVICE AREA:</b>	<b>Economy and Environment</b> Housing, Planning and Economic Regeneration
<b>SUBJECT MATTER:</b>	<b>Residential Design Supplementary Planning Document (SPD)</b>
<b>DATE OF DECISION:</b>	2 <sup>nd</sup> March 2010
<b>DECISION TAKER</b>	Councillor Alan Whitehead
<b>DESIGNATION OF DECISION TAKER;</b>	Cabinet Deputy for Technical Services
<b>REPORTING OFFICER:</b>	Huw Davies – Assistant Executive Director (Housing, Planning and Economic Development).
<b>REPORT SUMMARY:</b>	<p>This report explains the steps taken to develop the Residential Design Supplementary Planning Document and seeks a Key Decision to adopt the Supplementary Planning Document as planning guidance.</p> <p>The document provides design advice and guidance for residential developers and home-owners wishing to extend their home. It sets out criteria by which the Council will assess planning applications.</p>
<b>RECOMMENDATIONS:</b>	<p>It is recommended to the Cabinet Deputy:</p> <ul style="list-style-type: none"> <li>a) That the Residential Design Supplementary Planning Document appended to this report be adopted, along with the analysis of comments at appendix 7 of the Consultation Statement.</li> <li>b) That the Sustainability Appraisal Report at appendix 2 be approved.</li> <li>c) To approve the determination that no environmental assessment is required because (a) the SPD is a minor modification of a plan or programme; and (b) is unlikely to have significant environmental effects and (c) the Sustainability Appraisal fully incorporates the requirements of the Strategic Environmental Assessment Directive.</li> <li>d) That the Habitats Screening opinion at appendix 4 be approved.</li> </ul>
<b>JUSTIFICATION FOR DECISION:</b>	As required under the Planning and Compulsory Purchase Act 2004, the Residential Design SPD has been deposited for a 7 week period of public consultation. Views and comments received during this period of consultation have been considered and appropriate amendments have been made to the SPD.

	Having under gone its period of public consultation and associated revisions, the SPD requires final approval to be adopted as planning policy guidance.
<b>ALTERNATIVE OPTIONS REJECTED (if any):</b>	<p>The preparation of this Supplementary Planning Document was listed in the approved Local Development Scheme and the Council has a responsibility to meet that publicly stated obligation.</p> <p>Without an updated Supplementary Planning Document the Council will not be providing developers and home-owners with up to date design and policy information, hindering its ability to encourage the development of high quality sustainable homes and challenge inappropriate developments.</p>
<b>CONSULTEES:</b>	<p>The Key Members related to planning and housing were consulted during September 2009 on the draft document.</p> <p>Numerous officers from services within Economy and Environment have been consulted at various stages in the production of this Supplementary Planning Document.</p> <p>The Supplementary Planning Document had a 7 week period of public consultation from 1<sup>st</sup> December 2009 to 19<sup>th</sup> January 2010. Details of this, together with comment and views received are outlined in the Consultation Statement at appendix 3</p> <p>All Members of the Council were notified in writing of the consultation period.</p>
<b>FINANCIAL IMPLICATIONS:</b> <b>(Authorised by Borough Treasurer)</b>	Costs associated with the production of the SPD are to be met from existing budgets.
<b>LEGAL IMPLICATIONS:</b> <b>(Authorised by Borough Solicitor)</b>	The Supplementary Planning Document has been prepared in accordance with the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Development) (England) Regulations 2004
<b>RISK MANAGEMENT:</b>	The purpose of the Supplementary Planning Document is to manage risk related to the design of residential developments, ensuring they are appropriately designed to meet the needs of existing and future residents.
<b>LINKS TO COMMUNITY PLAN:</b>	The Supplementary Planning Document will have a key role in fulfilling the objectives of a prosperous society and an attractive borough, with direct and indirect links to the other Community Strategy objectives.
<b>REFERENCE DOCUMENTS:</b>	<p>Tameside Adopted Unitary Development Plan (2004)</p> <p>Tameside Approved Local Development Scheme (2009)</p> <p>Town and Country Planning (Local Development) (England)</p>

Regulations 2004

The background papers relating to this report can be inspected by contacting the report writer:-



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## **1.0 PURPOSE OF THE REPORT**

- 1.1 The purpose of this report is to describe the work undertaken in developing the Residential Design Supplementary Planning Document (SPD) and to seek a Key Decision to adopt the SPD as planning guidance.

## **2.0 BACKGROUND**

- 2.1 The design of residential development across the Borough is currently guided by the existing Residential Development Guidelines SPD, adopted in August 2005, allied with UDP policy H10. While this has worked with relative success, due to changes in permitted development rights, the need to incorporate new national & regional policies and guidance, provide further guidance on sustainable developments and give more focus to design, it was considered necessary to create a new document.
- 2.2 Once in use the document will provide design guidance to developers and home-owners wishing to submit planning applications and set out criteria against which the Council will assess these applications.
- 2.3 In March 2005 Full Council resolved to adopt the Local Development Scheme which schedules the production of Local Development Documents (including Supplementary Planning Documents). The Executive Cabinet resolved to delegate authority for approving amendments to the Local Development Scheme to the Executive Director (Economy and Environment), in consultation with the Cabinet Deputies for Technical Services, Economic Services and Community Services. An amended version of the Local Development Scheme was approved by the Executive Director (Economy and Environment) in July 2009 which scheduled the production of this Supplementary Planning Document subject to this report.
- 2.4 As Supplementary Planning Documents do not form part of the Development Plan, the document does not introduce new policies, but gives additional information and advice on the implementation of Unitary Development Plan Policies, particularly policy H10 Detailed Design of Housing Developments. Once adopted, the Supplementary Planning Document will complement the national framework of planning policy and guidance, conform with the Regional Spatial Strategy and support the saved policies of the adopted Tameside Unitary Development Plan. Guidance in adopted Supplementary Planning Documents can be viewed as a 'material consideration' when determining planning applications.

## **3.0 SUMMARY OF THE SUPPLEMENTARY PLANNING DOCUMENT**

- 3.1 The Residential Design SPD role is to ensure new residential developments and extensions are of the highest possible design quality. It highlights the importance of adopting a design led approach to create imaginative, safe, attractive and functional homes that respond appropriately with their surroundings.
- 3.2 The SPD provides a clear indication of the Council's expectations through residential design policies to assist homeowners and developers when designing schemes; and help the Council make consistent decisions when assessing planning applications.
- 3.3 The document provides general advice on the planning process and its requirements, together with information on what developments are permitted without needing planning permission. The main body is then broken in to two elements. One focusing on residential developments and the other focused on residential extensions.

- 3.4 In use it is anticipated the document and its policies, allied with regional and national policies and guidance, will help create high quality sustainable homes that meet the needs of current and future occupiers.

#### **4.0 STATUTORY PROCEDURE**

- 4.1 The Residential Design SPD was prepared for its 7 week period of public consultation in line with the Town and Country Planning (Local Development) (England) Regulations, 2004. The document was prepared having regard to the following:

- National planning policy
- The Regional Spatial Strategy (RSS) for the North West and the East Midlands
- The draft Tameside Sustainable Community Strategy
- The strategy prepared by the Regional Development Agency
- The local transport plan
- Policies prepared under Section 108(1) and (2) of the Transport Act 2000
- The resources likely to be available for implementing the policies
- Maintaining appropriate distances between establishments and residential areas, buildings and areas of public use, major transport routes, recreational areas and areas of particular natural sensitivity or interest.
- The objectives of preventing major accidents and limiting the consequences of them.
- The National Waste Strategy.

- 4.2 The document conforms with and makes specific reference to national Planning Policy Statement 3: Housing, which focuses on the development of high quality sustainable homes. It also details the revised householder General Permitted Development Order, as amended in October 2008.

- 4.3 As the region's overarching planning policy document the SPD must align and build on relevant policies in the North West Regional Spatial Strategy (RSS). The SPD makes specific reference to Policies L4 Regional Housing Provision, EM18 Decentralised Energy Supply and EM5 Integrated Water Management by proposing SPD policies and guidance that reflect elements of these. The SPD also aligns with Policy DP2 Promote Sustainable Communities, by promoting mixed use development and communities. Equally it aligns with policy DP7 Promote Environmental Quality, through the promotion of high quality design, an understanding of character, protecting and enhancing the historic environment and encouraging the efficient use of land. In July 2009 4NW published its Submitted Draft North West Plan Partial Review which proposed partial revisions to the Regional Strategy. The revisions relevant to the Residential Design SPD are the revisions to RSS Policy RT2, Regional Car Parking Standards, which now outlined regional standards for residential developments. These new standards have been included within the SPD, replacing the Greater Manchester Parking Standards.

- 4.4 Tameside borders the East Midlands region, as such the East Midlands Regional Plan (its RSS) must be considered when preparing an SPD. Although the Residential Design SPD will not have any influence on residential developments in the East Midlands, housing developments in Tameside could have an impact on the East Midlands. Despite having no influence, the SPD does align with the RSS's Policy 2 'Promoting Better Design'. Policy 9 of the East Midlands Regional Plan, 'Spatial Priorities outside the Peak District National Park' focuses on meeting local needs, whilst supporting the regeneration of the nearby conurbations. As such, it supports the regeneration of Greater Manchester and in turn Tameside. Policy 9 also details that the 'emphasis should be on restraining new housing development except where the local need for modest growth is identified.' As such, appropriate housing developments could help ease pressure on Peak National Park and settlements within Peak Sub-area by promoting appropriate housing growth in Tameside. This principle is supported in part by Policy 17 'Regional Priorities for Managing the

Release of Land for Housing', which states 'Local Authorities, developers and relevant public bodies should work across administrative boundaries ..... to ensure that the release of sites is managed to achieve a sustainable pattern of development.' Policy 8 of the Plan outlines the requirement to protect and enhance the Peak District National Park. While the SPD will not directly affect this, it supports this policy.

- 4.5 Planning legislation requires the Local Development Framework (LDF), of which the SPD is part, to take full account of the draft Tameside Sustainable Community Strategy. This is a document, produced by the Local Strategic Partnership, which is focused around six key themes, of which 'A Safe Tameside', 'A Prosperous Tameside' and 'An Attractive Tameside' will be aided by the adoption and implementation of the Residential Design Guide SPD.
- 4.6 The Residential Design SPD supports the objectives of the Greater Manchester Local Transport Plan. By promoting the development of sustainable mixed-use communities the SPD is helping to reduce the need for car based journeys by ensuring appropriate access is available to a range of services retail and employment opportunities. The SPD also supports 'Future Plans' detailed in the 'Tameside Appendix' of the document such as promoting Traffic Management, cycling and walking.
- 4.7 In addition to the Greater Manchester Local Transport Plan, the SPD aligns with the requirements of Section 108(1) and (2) of the Transport Act 2000 by promoting the development of high quality, sustainable housing developments; core elements of which relate to safe and efficient resident movement through and from the development. In achieving this the SPD highlights the importance of pedestrian and cyclist permeability, streets overlooked by development and the need to minimise the impact motor vehicles can have on housing developments, whilst still ensuring they can move effectively through a site. Coupled with this guidance developers must submit a transport assessment for developments comprising 50 to 80 dwellings and a transport assessment and travel plan for developments of over 80 dwellings.
- 4.8 The Regional Economic Strategy 2006 prepared by the North West RDA has three 'major drivers', one of which is to create the right conditions for sustainable growth and private sector investment – through investing in the region's environment, culture, infrastructure and communities. Housing development will play a part in this sustainable growth and private sector investment; as such the SPD supports this 'driver' of the Regional Economic Strategy.
- 4.9 The policies detailed within the SPD focus on developers and architects designing and delivering high quality housing developments. As such, the resources likely to be required to implement these policies will be found or funded by the developer, with existing Council resources used to assess these development proposal through the planning system.
- 4.10 The SPD sets out the Council's requirements related minimum privacy distances between existing dwellings and new development, and existing developments and household extensions. When residential developments are proposed close to a major transport route or an area of natural interest appropriate landscape buffers will be required.
- 4.11 The SPD has no direct influence on land uses that could utilise hazardous material, resulting in the potential for major accidents. As such the SPD does not make specific requirements related to limiting the consequences of such things. However, the SPD promotes the development of residential schemes, which in their nature should not involve processes that could lead to major accidents. If a major accident did occur, a development's road network coupled with any emergency access requirements would enable emergency vehicles to enter the site.

4.12 The Council's waste and recycling policies align with the National Waste Strategy's aim of reducing the amount of waste going to landfill and increasing the amount of waste recycled. The Council runs a multi-bin system that collects segregated waste for recycling and reuse. The SPD supports this by ensuring that adequate provision is made for the storage of waste facilities and by also requiring the implementation of the Government's Code for Sustainable Homes scheme and CABI's Building for Life initiative, both of which focus on sustainable development and practices. Allied with this, the SPD supports the Greater Manchester Joint Waste Development Plan Document, which sets out the planning strategy for sustainable waste management across Greater Manchester.

4.13 The Council is also required to produce a sustainability appraisal report assessing the sustainability of the proposals. The document is appended to this report at appendix 2.

4.14 The Council is required to determine whether a policy is likely to have environmental effects. In coming to this view the Council has consulted:

- Natural England
- English Heritage
- Environment Agency

The sustainability appraisal report sets out the responses of the consultees and the Council's reasoning why this proposal does not require a full environmental assessment.

4.15 Under the Habitats directive the Council is required to formally assess whether the site will impact on any EU designated site. The opinion is attached at Appendix 4.

4.16 Lastly the SPD is required to be in conformity with existing formal planning policies. The Strategic Planning Manager formally confirms that in his opinion the policies in the DPD do conform with the UDP and other planning policies adopted by the Council.

## **5.0 CONSULTATION**

5.1 The Supplementary Planning Document (SPD) was subject to a 7 week period of public consultation from 1<sup>st</sup> December 2009 to 19<sup>th</sup> January 2010. This process aimed to inform the public and appropriate stakeholder of the draft document and encourage them to submit any views or comments they had on its content prior to it being adopted by the Council as planning guidance.

5.2 The Supplementary Planning Document and all supporting reports were deposited at all Council Libraries and Customer Service Centres and placed on the Council's Website for the seven week period during December 2009 and January 2010. A formal 'Public Notice Inviting Representations' was placed in local newspapers. A letter or email referring to the Website, libraries and Customer Service Centres was sent to all relevant Councillors, stakeholders and agencies on our prescribed list of consultees for planning policy documents and Council Services.

5.3 Prior to the period of public consultation the draft document was consulted internally amongst relevant Council Officers and key Members related to housing.

5.4 At the end of the consultation period, key Officers and Councillor Whitehead assessed all comments and views received and subsequent amendments were made to the SPD.

5.5 Full details of the SPD's consultation process including a précis of all comments received and the Council's response to them is outlined in the Consultation Statement appended to this report at appendix 3.

## **6.0 RECOMMENDATION**

- (1) To adopt the Residential Design Supplementary Planning Document as planning policy guidance.
- (2) That the Sustainability Appraisal Report at Appendix 2 be approved.
- (3) To approve the determination that no environmental assessment is required because (a) the SPD is a minor modification of a plan or programme; and (b) is unlikely to have significant environmental effects and (c) the Sustainability Appraisal fully incorporates the requirements of the Strategic Environmental Assessment Directive.
- (4) That the Habitats Screening opinion at Appendix 4 be approved.

Appendix 1: Residential Design Supplementary Planning Document

Appendix 2: Sustainability Appraisal Report

Appendix 3: Consultation Statement

Appendix 4: Habitats Screening Opinion