

Report to: **Hub Committee**

Date: **5 November 2019**

Title: **Plymouth and South West Devon
Supplementary Planning Document**

Portfolio Area: **Cllr Caroline Mott,
Strategic Planning / Joint Local Plan**

Wards Affected: **All**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: **Following Call In
13 November
2019**

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Recommendations: that Hub Committee

1. approves, for consultation purposes, the Plymouth and South West Devon Supplementary Planning Document and its two companion documents, the Developer Contributions Evidence Base and the Traditional Farm Buildings: Their adaptation and re-use (Barn Guide)
2. delegates authority to the Director of Place and Enterprise, in consultation with the Leader and Lead Member for Environment, for presentational and minor amendments to the SPD for consultation

1. Executive summary

- 1.1 The purpose of this report is to seek approval for consulting on the draft Plymouth and South West Devon Supplementary Planning Document (SPD). Approval has been granted by Plymouth City Council and is also needed by South Hams District Council (SHDC).
- 1.2 The purpose of the SPD is to add further detail and guidance to the policies in the adopted JLP. The SPD would be a material consideration when making decisions on planning applications in the JP area.

- 1.3 This draft SPD covers Development Management Policies, planning obligations and a limited number of specific policies for the Thriving Towns and Villages Policy Area and for the Plymouth Policy Area.
- 1.4 Once adopted the JLP SPD would supersede all currently adopted SPDs across the three authorities. In the interests of clarity, the Cornwall and West Devon Mining Heritage SPD would be retained as an SPD across the World Heritage Site area.
- 1.5 The SPD will require separate adoption by the three JLP Councils. This would follow public consultation, possible revisions and the final version being approved by Full Council.
- 1.6 To enable consultation on an identical SPD for the three JLP Councils delegated authority is sought for the Director of Place Making and Enterprise, in consultation with the Leader of the Council and the Lead Member for the Environment, to make presentational and minor amendments to the SPD ahead of consultation.

2. Background

- 2.1 The Plymouth and South West Devon Joint Local Plan (JLP) was adopted in March 2019 by the three JLP Authorities. It is necessary to prepare and adopt a Supplementary Planning Document to support the implementation of the JLP.
- 2.2 An SPD provides further detail and guidance with respect to the policies in a local plan. Once adopted the SPD is a material consideration when making a decision on a planning application pursuant to Part 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 2.3 The Plymouth and South West Devon Joint Local Plan SPD has been prepared by Officers at each of the three JLP authorities with input from Devon County Council (DCC) and in consultation with Members.
- 2.4 DCC has given advice and guidance with respect to its roles as the Minerals and Waste Planning Authority, the Highways Authority, the Education Authority and the lead Local Flood Authority. DCC also has a wide variety of responsibilities in relation to social care and infrastructure provision through which it engages with the planning system and it maintains the Historic Environment Record for South Hams and West Devon.
- 2.5 Once adopted the SPD will provide additional guidance with respect to:
 - all development management (DEV) policies in the JLP;

- the following Thriving Towns and Villages (TTV) Policy Area policies:
 - TTV1 - Prioritising growth through a hierarchy of settlements;
 - TTV2 - Delivering sustainable development in the Thriving Towns and Villages Policy Area;
 - TTV25 - Development in Sustainable Villages;
 - TTV26 - Development in the countryside;
 - TTV27 - Meeting housing needs in rural areas;
 - TTV28 - Horse related developments in the countryside; and
 - TTV29 - Residential extensions and replacement dwellings in the countryside.

Guidance has been incorporated from the previous East of Okehampton Masterplan SPD and the South and South West of Tavistock Masterplan SPD.

The following Plymouth Policy Area (PPA) policies:

- Improving Plymouth’s city centre (PLY6); and,
- Plymouth airport (PLY42).

- 2.6 The SPD also includes guidance with respect to Planning obligations, conditions, the Community Infrastructure Levy and development viability, expanding on the provisions and requirements of Policy DEL1.
- 2.7 The SPD has been prepared in the context of the declaration of a Climate and Biodiversity Emergency, which has been recently declared by each of the three Councils.
- 2.8 Once adopted the Joint Local Plan SPD will supersede the following SPDs which were previously adopted across the three local authorities:

Adopted SPD to be superseded	Adoption date
Plymouth	
Sustainable Design SPD	07/2009
Planning Obligations and Affordable Housing SPD 2 nd Review	07/2012
Shopping Centres SPD	07/2012
Development Guidelines SPD (First Review) including Coastal Planning	04/2013
South Hams	
Open Space, Sport and Recreation Supplementary Planning Document	06/2006
Affordable Housing Supplementary Planning Document	09/2008
Planning Obligations Supplementary Planning Document	12/2008

Adopted SPD to be superseded	Adoption date
West Devon	
Reuse of Rural Buildings SPD	03/2006
Infrastructure and Facilities to Support New Development SPD	06/2007
Affordable Housing Code of Practice	03/2012
Assessing the Impact of New Retail Development in West Devon SPD	04/2013
South and South West of Tavistock Masterplan SPD	04/2013
East of Okehampton Masterplan SPD	01/2014

3. Outcomes /outputs

- 3.1 The Joint Local Plan SPD is intended to be used when preparing or responding to planning applications. It will be used by all members of the community as well as those directly involved in the development industry.
- 3.2 For ease of use the SPD has been divided into the following sections, which mirrors the structure of the JLP itself:
- 1 Introduction
 - 2 The Joint Local Plan – A sustainable spatial strategy
 - 3 Healthy communities (DEV1-DEV6)
 - 4 Housing (DEV7-DEV13)
 - 5 Economy (DEV14-DEV19)
 - 6 Place shaping and heritage (DEV20-DEV22)
 - 7 Natural environment (DEV23-DEV28)
 - 8 Transport and infrastructure (DEV29-DEV31)
 - 9 Climate change, flooding, and coastal change (DEV32-DEV36)
 - 10 Detailed provisions relating to the Plymouth Policy Area
 - 11 Detailed provisions relating to the Thriving Towns and Villages Policy Area
 - 12 Planning obligations, the Community Infrastructure Levy and development viability (DEL1)
- 3.3 The SPD includes a set of appendices that provide detail and guidance with respect to the following specific topics:
- APPENDIX 1: Residential extensions and alterations
 - APPENDIX 2: Specific materials for the PPA and TTV Policy Area
 - APPENDIX 3: Shop fronts, including ATMs
 - APPENDIX 4: Primary shopping boundaries and frontages

APPENDIX 5: New work in conservation areas

APPENDIX 6: Additional guidance for DEV26

APPENDIX 7: Open space assessment form

- 3.4 Two background documents have also been produced (updated) to support the guidance in the SPD and will be available to inform the consultation. These are:
- Developer Contributions Evidence Base; and,
 - Traditional Farm Buildings: Their adaptation and re-use (Barn Guide)
- 3.5 The Developer Contributions Evidence Base document informs Section 12 (Planning obligations, conditions, the Community Infrastructure Levy and development viability of the SPD. It presents methodologies used to calculate the value of developer contributions, in particular via planning obligations, required to mitigate the impacts of new development proposals on key infrastructure provision, such as transport, education, health, green space.
- 3.6 The Barn Guide is previous guidance from SHDC and WDBC which aids developers looking to adapt or re-use traditional farm buildings which are common in rural areas. This document has only been amended so that it now also covers Plymouth. This is guidance which details how the buildings character and interest can be successfully conserved through the planning process.
- 3.7 The proposed consultation will provide an opportunity for all users of the SPD to comment on its detail.

4. Options available and consideration of risk

Options are available to the Council.

- 4.1 **Option 1** – West Devon Borough Council could chose not to adopt an SPD;
- 4.2 **Option 2** – South Hams District Council could chose to adopt an SPD covering the West Devon only;
- 4.3 **Option 3** – West Devon Borough Council could chose to adopt an SPD covering the South Hams and West Devon only;
- 4.4 **Option 4** – West Devon Borough Council could chose to adopt the proposed SPD, which covers the whole JLP area.

- 4.5 The majority of the policies within the JLP Supplementary Planning Document are those that apply across the whole Joint Local Plan area. The approach of covering all three Authority areas ensures consistency in planning decisions.
- 4.6 An SPD for a smaller geographical area could provide comprehensive and consistent guidance, but it would be more costly since an SPD would need to be prepared, consulted on and adopted for each area. Whilst efforts would be made to ensure consistency in interpretation, this approach is more likely to result in discrepancies over time, making the JLP less robust.
- 4.7 An SPD for a smaller geographical area could provide guidance for the policies specific to that area only. The cost of and time for preparing such a guide would be similar to that for a JLP wide approach, yet would not provide for comprehensive and consistent guidance.
- 4.8 For these reasons and given that the current draft covers the whole JLP area it is considered that Option 4 is the only appropriate option to be pursued.

5. Proposed Way Forward

- 5.1 Following approval by the three JLP Authorities there would be further discussions with key stakeholders and an opportunity for public involvement through a six week public consultation.
- 5.2 Amendments may be made to the SPD as a result of this process. The SPD would then be presented to Full Council in the spring of 2020 for formal adoption.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal / Governance	Y	The SPD covers the Council areas for South Hams, West Devon and Plymouth. Having adopted, in March 2019, the Plymouth and South West Devon Joint Local Plan, it is now incumbent on the authorities to adopt a joint SPD. The SPD will provide detail and guidance to support the implementation of the JLP. It is not mandatory to adopt an SPD. A joint Governance Agreement, however, requires the three Councils to work together to effectively and consistently implement the JLP.

Financial implications to include reference to value for money	Y	<p>The costs of preparing the Plymouth and South West Devon Supplementary Planning Document and public consultation are covered within the existing Joint Local Plan budget, through which costs are shared between the three councils.</p> <p>Setting out clear guidance on how to implement policies saves both time and money for the Councils as it adds clarity to the planning officer, the developer and planning inspectors.</p>
Risk	Y	<p>A key reason for seeking to adopt a JLP wide SPD is to improve the consistency and robustness in implementation / use of the JLP.</p> <p>A six week consultation period would follow a decision to proceed as proposed in the report. Engaging in consultation raises the expectancy that stakeholders and interested parties can influence the final form of the document. In order to ensure that those engaging feel they have had a fair hearing, consultation submissions will be documented and responses to them provided.</p>
Supporting Corporate Strategy	Y	The JLP SPD and the associated consultation process supports all corporate strategies
Comprehensive Impact Assessment Implications		
Equality and Diversity	Y	Consultation will follow the Councils community engagement guidelines. The SPD itself gives guidance to policies in the JLP which went through a rigorous process and included the production of an Equality Impact Assessment (EqIA) as part of an integrated assessment. The inspectors examining the JLP concluded that the Plan's approach met the Equality Act considerations
Safeguarding	Y	none
Community Safety, Crime and Disorder	Y	No direct implications. JLP SPD guidance includes requirements to address community safety, crime and disorder in planning proposals and decisions made on them.
Health, Safety and Wellbeing	Y	No direct implications. JLP SPD guidance includes requirements to address health, safety and wellbeing in planning proposals and decisions made on them.
Other implications	Y	The SPD provides guidance as to how the JLP strategy for sustainable development and a low carbon economy will be supported through the development management process. It acknowledges, up front, the recent declarations by

		<p>the three councils of a climate emergency, and provides guidance to ensure that relevant policies of the JLP are implemented in a way which supports the reduction of carbon and mitigates the unavoidable impacts of climate change. Additionally, it amplifies the policies of the JLP that require developers to implement low carbon building techniques (Policy DEV32), which enable the provision of local renewable energy projects (Policy DEV33), and support community-led energy efficiency and energy generation projects (Policy DEV34).</p>
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Supporting Information

Appendices:

Supplementary Planning Document and associated documents

Background Papers:

None