



## Cabinet 19 January 2011

### Recommendations from Sustainable Development Working Party: 18 January 2011 (Feb11/06)

*Cabinet Member: Cllr Terry Clements    Chairman of the Working Party:  
Cllr Richard Rout*

**1. Air Quality Management and New Development: Draft Supplementary  
Planning Document (Report B424)**

***RECOMMENDED:-***

***That the draft Air Quality Management and New Development  
Supplementary Planning Document, as contained in Appendix A to  
Report B424, be approved for public consultation.***

A draft Supplementary Planning Document (SPD) has been developed by the Suffolk Air Quality Management Group and is aimed for use by developers, their consultants and local authority staff within Suffolk. Following the guidance will help ensure consistency in the approach to dealing with air quality within Suffolk and ensure that it is addressed at the earliest opportunity. Air quality is a material consideration within the planning regime with the potential to affect and influence planning processes for both proposed developments within designated Air Quality Management Areas (AQMAs) or within a locality which may impact on an AQMA.

The draft document sets out the circumstances when an assessment may be required and provides details of the information required to undertake such an assessment. It is important that air quality considerations are taken into account early in the development control process.

The two principal aims of the Supplementary Planning Document on air quality are to:-

- (1) maintain and where possible improve air quality; and
- (2) ensure a consistent approach to local air quality management and new development across the County by:-
  - (a) identifying circumstances where an air quality assessment would be required to accompany an application;
  - (b) providing guidance on the requirements of the air quality assessment; and
  - (c) providing guidance on mitigation and offsetting of impacts.

Subject to the draft Supplementary Planning Document being approved, public consultation will be undertaken by Suffolk County Council on behalf of all Districts/Boroughs, commencing in February 2011 for a period of two months. Consultation will include all statutory consultees and other interested parties and will be carried out in accordance with the Council's Statement of Community Involvement. All responses to the consultation will be reported back to the Sustainable Development Working Party and if necessary, a modified version of the document will be put forward for final approval as Supplementary Planning Guidance.

**2. Replacement St Edmundsbury Borough Local Plan 2016: Development Brief for Land at The Green, Barrow (Report B406)**

***RECOMMENDED:-***

***That, subject to the approval of full Council, the Design Brief for the development of land at The Green, Barrow, as contained in Appendix A of Report B406, be adopted as non-statutory planning guidance for the determination of future planning applications.***

The adopted Replacement St Edmundsbury Borough Local Plan 2016 contains a requirement for a development brief or site-specific design guidance to be prepared for all major developments before planning permission can be granted (Policy DS5). Despite the adoption of the Local Development Framework Core Strategy in December 2010, Policies RA2 and DS5 of the Local Plan remain in force.

A protocol for the preparation of development briefs has been produced in order to clarify the process for site owners and developers. The protocol was approved by the then Sustainable Development Panel on 15 April 2008, Paper Y687 refers, and adopted in May 2008.

Agents acting on behalf of the owners of the site have prepared a Development Brief for the site in accordance with the Council's Protocol for the preparation of such documents. Following a period of consultation with stakeholders and neighbouring residents approval of the Design Brief as planning guidance is now being sought. There was general support for the principle of development. The Development Brief was amended to take account of concerns relating to disturbance during construction and potential overlooking and the need to pay regard to these issues.

As with all such developments of this size within the Borough, any application for the development of the site will be considered using the Commission for Architecture and the Built Environment (CABE) Building For Life standard.

**(This item was also considered by the Rural Area Working Party on 13 January 2011 and the recommendation emanating from that Working Party is detailed in Report B415 contained elsewhere on this Cabinet Agenda).**

**3. Replacement St Edmundsbury Borough Local Plan – Policy HAV2: Strategic Housing Site, North West Haverhill: Approval of Amendment to Masterplan**

***RECOMMENDED:-***

***That, subject to the approval of full Council, the amendments to the previously adopted North-West Haverhill Masterplan, as detailed in Appendix A to Report B425, be adopted as non-statutory planning guidance.***

On 29 June 2009, the Council adopted a Masterplan for the development of land identified for development by Policy HAV2 of the Replacement St Edmundsbury Borough Local Plan 2016 at North-West Haverhill (Full Council Minute 30 (B)(1) refers). The Masterplan was prepared by Bidwells Property Consultants on behalf of the consortium of landowners and was the subject of extensive consultation.

Following adoption, representations have been made by various interested parties to change the designation of one area at the eastern side of the site to lower the density and maximum height of any development. As the Masterplan has already been adopted, the Council is unable to require the landowners to make these changes, nor can it unilaterally agree to such a change. However, Bidwells have agreed to make the changes requested, but are required first, to undertake consultation in respect of the proposed changes, as detailed in the recommendation above.

Consultation commenced on 29 November 2010 and concluded on 31 December 2010, and no issues of concern have been raised.

***(This item was also considered by the Haverhill Area Working Party on 13 January 2011 (Agenda Item 11 refers) and the recommendations emanating from that Working Party are detailed in Report B418 contained elsewhere on this Cabinet Agenda.)***

**4. Joint Suffolk Section 106 Supplementary Planning Document (Report B426)**

***RECOMMENDED:- That,***

- (1) the draft Joint Suffolk Section 106 Guide to Infrastructure, attached as Appendix A to Report B426, and the Code of Practice Protocol, attached as Appendix B, be approved for public consultation; and***
- (2) delegated authority be given to the Corporate Director for Economy and Environment, in consultation with the Portfolio Holder for Transport and Planning, to agree any necessary minor typographical, factual or grammatical changes to the draft prior to publication for consultation purposes.***

Section 106 Obligations are an established part of the planning process, although there is an intention to supplement and largely supersede the process by introducing the Community Infrastructure Levy (CIL). Until that time the County Council and the local planning authorities in Suffolk are seeking to introduce a Joint Suffolk Section 106 (S106) documentation to provide greater clarity for developers.

As the lead authority, the County Council is seeking the approval of each of the Suffolk Borough/District Councils to work with them on the draft Joint Suffolk Section 106 documentation as planning guidance. Once agreement in principle has been established the document will be subject to county-wide public consultation. Prior to the formal adoption of the guidance a report detailing the responses received as a result of the external consultation will be brought to the Sustainable Development Working Party. Once adopted the guidance would be reviewed annually and amended to reflect changed circumstances.

Members expressed reservations about the timing of this work in view of the uncertainty about current infrastructure provision and identifying future infrastructure needs which had arisen as a consequence of Suffolk County Council's New Strategic Directions approach to providing services, the abolition of Primary Care Trusts and other changes in service provision.

Concern was also expressed that there was no provision in the documentation for developers to engage with Town/Parish Councils about their needs for infrastructure provision. Members acknowledged, however, there was no general guidance provided to developers about Section 106 obligations they may be required to enter into.

**5. St Edmundsbury Local Development Framework Local Development Update and Scheme (Report B427)**

***RECOMMENDED:- That,***

- (1) the Borough Council work with Forest Heath District Council to produce a joint Development Management Document;***
- (2) the initial consultation programme for the Bury St Edmunds Vision 2031, Haverhill Vision 2031 and Rural Masterplans, as set out Report B427 be agreed;***
- (3) subject to the approval of full Council, the indicated revisions to the Local Development Scheme be approved for formal submission to GO-East;***
- (4) subject to the approval of GO-East, the revised timetable as detailed in the revised Local Development Scheme be brought into operation with immediate effect; and***

- (5) *the Corporate Director for Economy and Environment, in consultation with the Portfolio Holder for Transport and Planning, be authorised to incorporate into the submitted Local Development Scheme any further minor changes as are necessary to update it and make any spelling, grammatical, factual, formatting and numbering corrections, provided they do not materially affect the substance or meaning of the document.***

The Local Development Scheme is a statutory document which has to be submitted to the Government Office for approval. Following the submission of a revised Local Development Scheme for St Edmundsbury to GO-East in 2009, the timetable for the preparation of some of the Local Development Framework (LDF) Documents require further amendment now that the Council has resolved to adopt the Core Strategy.

The proposed changes reflect the current situation in which consultation on the more detailed Local Development Framework Documents have been on hold pending a decision to adopt the Core Strategy. To proceed with the preparation of Documents before this would have potentially been abortive. Current planning legislation is given appropriate regard in the changes to the scheme.

The objectives of the Localism Bill, published on 13 December 2010, due to receive Royal Assent later this year, will be taken into account in preparing future Documents, however, the detail of how the Bill will be enacted is still emerging and may require further changes to the scheme at a later date. The Government wants local planning authorities to continue to work on LDF Documents and not to wait for changes to come into force.

The Bill set out a clear intention to maintain Local Development Schemes as one of the Documents within the Local Development Framework. It also proposes some amendments to the 2004 Planning Act, in respect of Local Development Schemes, which includes Councils no longer having to submit schemes to the Secretary of State for approval and to ensure that local planning authorities make available to the public the following:-

- (i) the up-to-date text of the scheme;
- (ii) a copy of any amendments made to the scheme, and
- (iii) up-to-date information showing if the authority is on target to meet the current timetable.

This information would be published on the Council's website following adoption of the revisions to Local Development Schemes.

## **6. Revised Planning Policy Guidance 13: Transport (Agenda Item 11)**

### ***RECOMMENDED:-***

***That officers seek to work with other Suffolk local planning authorities and the County Council, as the strategic transport planning authority, to review local residential car parking standards.***

On 4 January 2011 the Government published amendments to Planning Policy Guidance Note 13: Transport (PPG13) in relation to parking policies. The effect is to remove the requirement for a maximum limit on car parking spaces provided in residential development. Local planning authorities now have the freedom to decide how many parking spaces they want to see in new development in their area. The PPG states that local standards should be designed to be used as part of a package of measures to promote sustainable transport choices and the efficient use of land, enable schemes to fit into central urban sites, promote linked-trips and access to development for those without use of a car and to tackle congestion. Maximum thresholds remain for major commercial developments.

In addition the policy in PPG13 to set parking charges to encourage the use of alternative forms of transport, has now been deleted. Local authorities will now have the freedom to set parking charges to take account of the needs of their communities.

Whilst the latter change is not strictly a planning policy matter, the changes to the car parking standards will have an impact on policy and the determination of planning applications for new homes. Currently the local policy remains in the adopted Replacement Local Plan, which is a Suffolk wide adopted parking policy. The changes to PPG13 will be a material consideration in the determination of planning applications until such a time as new local policy is put in place.