



Local Plan Committee

Item

8

7 February 2016

Report of	Head of Commercial Services	Author	Christopher Downes 01206 282476
Title	Unadoption of out-of-date supplementary planning documents		
Wards affected	All		

The Local Plan Committee is asked to agree to un-adopt the *Extending Your House?* SPD and *Planning Out Crime* SPD

1. Decision(s) Required

- 1.1 To agree to un-adopt the *Extending Your House?* and *Planning Out Crime* Supplementary Planning Documents (SPDs).

2. Reasons for Decision(s)

- 2.1 The Supplementary Planning Documents have become out-of-date and are therefore no longer suitable for their intended purposes.

3. Alternative Options

- 3.1 The Committee could decide not to un-adopt these planning guidance documents however this would result in the Council continuing to have adopted planning guidance which conflicts with other guidance as well as current planning legislation and national policy. This situation is likely to cause uncertainty for applicants, causing unnecessary delay and confusion in the planning process.

4. Supporting Information

Extending Your House? SPD

- 4.1 The *Extending Your House?* SPD is a planning guide for applicants which describes the principles of domestic development which might make proposals acceptable to the Council in planning terms. The purpose of the guide was not for planning professionals but rather as a short hardcopy pamphlet for applicants with little or no planning experience. The principles of domestic development referred to in the document relate to local design considerations as well as more general principles relating to the avoidance of overbearing, overshadowing and reduction of privacy in built up areas.
- 4.2 The document was originally adopted in 2001 as a guidance note but was later formalised as an SPD in 2005. Whilst the document was a

useful guide when it was originally adopted, much has changed within the planning system since it was published including successive changes to planning legislation and national policy. These changes have increased the types of development that can be carried out without planning permission including domestic extensions. Therefore parts of the *Extending Your House?* guide have fallen out-of-date as a result of recent legislative changes.

- 4.3 In addition to having fallen out-of-date with current planning legislation, the document also conflicts with the more comprehensive Essex Design Guide. In contrast to *Extending Your House?*, the Essex Design Guide is a comprehensive guidance document for planning professionals and covers all areas of development design from householder extensions right up to new settlement layouts and is used throughout the county to inform planning proposals. At the time of adopting *Extending Your House?* the Essex Design Guide was not available online, but now that all adopted guidance can be freely viewed on the Council's website, there is less need for a document designed as a pamphlet in place of comprehensive guidance.

Planning Out Crime SPD

- 4.4 The *Planning Out Crime* SPD was adopted by the Council in 2005 and sets out the principles of urban development included in the Government's *Safer Places: The Planning System and Crime Prevention* practice guidance which was published as a companion document to now withdrawn national planning guidance. The document essentially promotes good urban design to reduce the scope for criminal activity in new development including through the well-accepted principles of passive surveillance and good maintenance of public spaces.
- 4.5 Much of the development guidance contained in *Planning Out Crime* remains largely relevant however many of the references contained in the document are now out of date and refer to now defunct national policy. Moreover the principles of design contained in the document have been absorbed into later guidance documents such as the Essex Design Guide and the relationship between crime and good urban design is recognised in existing national policy.
- 4.6 Whilst both SPDs are now considered unfit for their intended purposes, the benefits of clear and simplified planning guidance are recognised and it is envisaged that the Council will produce updated planning guidance for applicants including those considering extending their homes. Updated planning guidance will be produced in conjunction with the emerging Local Plan, ensuring that applicants are signposted to relevant local planning policies where necessary. Updated guidance will also ensure that the latest changes to planning legislation and national policy are taken into consideration and suitably explained.

5. Proposals

- 5.1 It is proposed that the *Extending Your House?* and *Planning Out Crime* SPDs are un-adopted to ensure consistency with national policy and regional guidance and to provide clarity for applicants by removing the conflict currently contained between existing guidance.

6. Strategic Plan References

- 6.1 Effective strategic planning is essential to support the Strategic Plan Action Plan's commitment to make Colchester a vibrant, prosperous, thriving and welcoming place. The clarification of planning guidance for applicants encourages good design and contributes to an effective and efficient planning system.

7. Consultation

- 7.1 There is no consultation proposed however the proposal reflects feedback from planning applicants and planning professionals.

8. Publicity Considerations

- 8.1 It is unlikely the removal of these planning guidance documents will attract publicity however it will be important the Council advertises these changes clearly to ensure the documents are no longer referred to by applicants.

9. Financial Implications

- 9.1 There are no direct financial implications.

10. Equality, Diversity and Human Rights Implications

- 10.1 An Equality Impact Assessment has been prepared for the Local Development Framework and is available to view by clicking on this link: <http://www.colchester.gov.uk/article/4962/Strategic-Policy-and-Regeneration> or go to the Colchester Borough Council website www.colchester.gov.uk and follow the pathway from the homepage: Council and Democracy > Policies, Strategies and Performance > Equality and Diversity > Equality Impact Assessments > Strategic Policy and Regeneration and select Local Development Framework from the Strategic Planning and Research section.
- 10.2 There are no particular Human Rights implications.

11. Community Safety Implications

- 11.1 None

12. Health and Safety Implications

12.1 None.

13. Risk Management Implications

13.1 The provision of clear and nationally compliant planning guidance documents ensures applicants have a clear understanding of the Council's requirements when considering and preparing development proposals. This reduces the risk of delays and inefficiencies in the planning system.

14. Disclaimer

14.1 The information in this report was, as far as is known, correct at the date of publication. Colchester Borough Council cannot accept responsibility for any error or omission.