

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

27 NOVEMBER 2013

**REPORT OF CORPORATE
MANAGEMENT TEAM**

CABINET DECISION/COUNCIL DECISION/KEY DECISION **Regeneration and Transportation – Lead Cabinet Member – Councillor Smith**

Local Development Framework

Shop Front Design and Advertisements Supplementary Planning Document

1. Summary

This report advises members that the 'Shop Front Design and Advertisements' Supplementary Planning Document, has fulfilled the requirements of the relevant regulations and can now progress to adoption by the Council. This document will provide additional information and guidance on the application of policies in the Core Strategy Development Plan Document adopted in March 2010. Following adoption, it will become available to guide applicants for planning permission and its contents will become material considerations in determining planning applications.

2. Recommendations

It is recommended that Cabinet: -

1. Note the contents of this report;
2. Approve the Shop Fronts and Advertisements Supplementary Planning Document; and
3. Delegate to the Head of Planning the authority to make any necessary minor amendments to the Shop Fronts and Advertisements Supplementary Planning Document prior to adoption.

3. Reasons for the Recommendations/Decision(s)

There is a statutory duty under the Planning and Compulsory Purchase Act 2004 for local authorities to adopt a development plan for their respective areas. The Shop Fronts and Advertisements Supplementary Planning Document will provide additional information and guidance on the application of policies in the Core Strategy Development Plan Document adopted in March 2010.

4. Members Interests

Members (including co-opted members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (paragraph

8) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgment of the public interest (paragraph 10 of the code of conduct).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting is being held, whilst the matter is being considered; not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (paragraph 12 of the Code).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc.; whether or not they are a member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting, and if their interest is prejudicial, they must also leave the meeting room during consideration of the relevant item.

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Local Development Framework

**Sustainable Design Guide Supplementary Planning Document
Parking Provision for Developments Supplementary Planning Document**

SUMMARY

This report advises members that the 'Shop Front Design and Advertisements' Supplementary Planning Document, has fulfilled the requirements of the relevant regulations and can now progress to adoption by the Council. This document will provide additional information and guidance on the application of policies in the Core Strategy Development Plan Document adopted in March 2010. Following adoption, it will become available to guide applicants for planning permission and its contents will become material considerations in determining planning applications.

RECOMMENDATIONS

It is recommended that Cabinet: -

1. Note the contents of this report;
2. Approve the Shop Fronts and Advertisements Supplementary Planning Document; and
3. Delegate to the Head of Planning the authority to make any necessary minor amendments to the Shop Fronts and Advertisements Supplementary Planning Document prior to adoption.

DETAIL

1. Supplementary Planning Documents (SPDs) are used to give further guidance and detail to applicants for planning permission and the wider community on policies set out in Development Plan Documents.
2. The Shop Fronts and Advertisements SPD is a revision of previous Supplementary Planning Guidance (SPG) on shop fronts which was first adopted in 2004, under the old Local Plan process. The SPD has been revised and updated to reflect changes in National Planning Guidance and to also expand and improve on other minor aspects as well as link it to the Core Strategy, particularly Core Strategy Policy CS3; Sustainable Living and Climate Change.
3. The SPD underwent public consultation from 30 July to 24 September 2012 alongside the consultation on Council's 'Preferred Options' draft of the Regeneration and Environment Local Development Document (LDD). Copies of the SPDs and a statement setting out how comments could be made (the 'SPD matters') were made available during normal office hours at the Council's Planning Office and at all libraries within the Borough and on the Council's

website. Letters were sent to organisations and individuals included on the Council's Local Development Framework consultation database informing them of the consultation period, the locations where the documents were available to view and the procedure for making comments. A statutory notice was also placed in the Herald and Post newspaper on 26 July 2012.

4. A number of comments were received regarding the document and these have been incorporated into the SPD as appropriate. Details of the consultation responses and the Council's response have been included in the Consultation Statement which is to accompany the SPD.
5. As required by the EC Habitats Directive Articles 6.3 and 6.4, a Habitats Regulations Assessment of the impact of all plans and projects on sites designated as of European importance for their nature conservation value was undertaken. Natural England, a statutory consultee on all LDF documents concluded that there was not likely to be any significant effects on the relevant sites from the adoption of this SPD.
6. Copies of the SPD, the Consultation Statement and Habitats Regulations Assessment Screening Report are available in the Members' Library and in the Electronic Members' Library (accessible through the Council Intranet)

THE NEXT STEPS

7. Following adoption, the SPD will be made available to guide applicants for planning permission and their contents will become material considerations in determining planning applications.

FINANCIAL IMPLICATIONS

8. The adoption and publication of the adopted Shop fronts design and advertisements Supplementary Planning Document can be met within existing budgetary arrangements.

LEGAL IMPLICATIONS

9. The Planning and Compulsory Purchase Act 2004 requires local planning authorities to produce Local Development Frameworks, which consist of a portfolio of local development documents (LDDs) setting out spatial planning policies for a defined area. This includes Supplementary Planning Documents which are used to give further guidance and detail to applicants for planning permission and the wider community on policies set out in Development Plan Documents.

RISK ASSESSMENT

10. The Shop front design and advertisements Supplementary Planning Document is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS

11. The Shop Front Design and Advertisement SPD sets out general principles and design advice to those who are considering new shop frontages or advertisements. The overall aim is to improve the quality of the street scene, create a sense of place and improve the vibrancy and vitality of retail areas.

EQUALITIES IMPACT ASSESSMENT

12. This Supplementary Planning Document has also been subject to an Equality Impact Assessment and has been judged to have a positive impact. No remedial actions are required.

CONSULTATION INCLUDING WARD/COUNCILLORS

13. The SPDs are equally applicable in all parts of the Borough, therefore there was no consultation with specific wards or ward councillors.

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Education related: No

Background Papers:

- National Planning Policy Framework
- Stockton on Tees Core Strategy
- Draft Shop Front Design and Advertisements Supplementary Planning Document

Ward(s) and Ward Councillors: ALL WARDS AND WARD COUNCILLORS

Property: N/A