

# Gloucester City Council

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| <b>Meeting:</b>         | <b>Overview and Scrutiny</b>  | <b>Date:</b>                    | <b>04.11.2019</b> |
|                         | <b>Cabinet</b>  |                                 | <b>06.11.2019</b> |
|                         | <b>Council</b>  |                                 | <b>21.11.2019</b> |
| <b>Subject:</b>         | <b>Supplementary Planning Documents for Podsmead Estate Regeneration and Matson Estate Regeneration</b> |                                 |                   |
| <b>Report Of:</b>       | <b>Andrew Gravells Portfolio Holder for Housing and Planning</b>  |                                 |                   |
| <b>Wards Affected:</b>  | <b>Podsmead/Matson</b>  |                                 |                   |
| <b>Key Decision:</b>    | <b>[Yes]</b>  | <b>Budget/Policy Framework:</b> | <b>[Yes]</b>      |
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| <b>Appendices:</b>      | <b>1. Summary of Responses by Topic</b>   |                                 |                   |
|                         | <b>2. Response Report Matson</b>  |                                 |                   |
|                         | <b>3. Response Report Podsmead</b>  |                                 |                   |
|                         | <b>4. Draft Supplementary Planning Document - Podsmead Estate Regeneration</b>                          |                                 |                   |
|                         | <b>5. Draft Supplementary Planning Document - Matson Estate Regeneration</b>                            |                                 |                   |

## FOR GENERAL RELEASE

### 1.0 Purpose of Report

- 1.1 To provide Members with a summary of comments received during the public consultation of the Matson and Podsmead Estate Regeneration Draft Supplementary Planning Documents (SPDs), the changes made to the draft SPDs in response to these comments, and to seek the adoption by Council of the draft SPDs.

### 2.0 Recommendations

- 2.1 Overview and Scrutiny Committee is asked to:

1. Consider the information contained in the report and make any recommendations to the Cabinet.

- 2.2 Cabinet is asked to:

1. **Endorse** the Response Report.
2. **Endorse** the proposed changes made as a result of consultation to the SPDs.
3. **Recommend** to the Council that it adopts the SPDs.

2.3 Council is asked to:

1. **Adopt** the SPD for the Matson Estate Regeneration.
2. **Adopt** the SPD for the Podsmead Estate Regeneration.
3. **Delegate** authority to the Head of Place, in consultation with the Cabinet member for Housing and Planning to make minor amendments to the SPDs.

### **3.0 Background and Key Issues**

- 3.1 In March 2017 the registered housing association Gloucester City Homes (GCH) were awarded £1.25 million from the Government to pursue the potential regeneration of the Matson and Podsmead estates. Part of this funding was used to appoint consultants to produce a SPD for each estate.
- 3.2 A joint Regeneration Vision Statement was signed between GCH, the MP, the City Council and the County Council.
- 3.3 The SPDs will provide additional guidance and be capable of being a material consideration in the determination of any future planning applications. They include detailed design guidance and guidance on the further work that will be required by any developer making a planning application.
- 3.4 In March 2019 Cabinet approved the draft SPDs for public consultation. A six-week consultation took place between 24<sup>th</sup> June and 5<sup>th</sup> August. This involved two events in each ward and an online campaign. Community Wellbeing Officers also held informal pop up events across the period. The consultation was undertaken in accordance with the Council's adopted Statement of Community Involvement (SCI) and in accordance with the statutory requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 3.5 A total of 27 questionnaire or email responses were received for Matson containing 204 individual comments.
- 3.6 A total of 40 questionnaires or email responses were received for Podsmead containing 162 individual comments.
- 3.7 The individual comments were sorted into key topic groups. Appendix 1 contains a summary of the responses organised by topic. For Matson almost 60% of the comments received were focussed on 'homes', 'community' and 'open space'. For Podsmead this was 50% of comments. All comments were considered equally regardless of the total numbers in each topic area.
- 3.8 Comments were wide ranging and included concerns over accessibility of flats for older people, the loss of open space, the tenure of future properties, antisocial behaviour, uncertainty over what would happen to residents and their homes (both for tenants and owner occupiers), parking, community facilities, shops and services. All comments received can be viewed in appendix 2 and 3 and on the council's website.
- 3.9 In accordance with the Town and Country Planning (Local Planning) (England) Regulations (as amended) 2012 Part 5, Section 12 all comments received have

been considered. A response for each comment has been provided in the attached Response Reports. Details of the proposed changes to be made to the text and images within the SPDs are also included in the Response Reports.

3.10 The final version of each SPD incorporating these changes can be found in Appendix 4 and 5.

3.11 The following table contains a summary of the key changes proposed as a result of the consultation. Other detailed changes are proposed, and these are included within the Response Reports and can be viewed in the final SPDs.

| Proposed change  | Reason for change  |
|--|--|
| 1. More positive language around the positive aspects of the estates. <b>Both SPDs</b> | Both areas have many positive attributes that residents did not feel were represented in the SPDs.   |
| 2. Community assets. <b>Both SPDs</b>  | Respondents want to see the assets within the community mapped and fully understood. There are a lot of skills and assets within the existing communities. The SPD will now include reference to a community audit to be produced which will map these assets and capture the culture of the areas. Such a strategy will enable decision makers to assess if the requirements policy INF4 Social and Community Infrastructure of the JCS are met by any future applications.   |
| 3. Removal of the Framework Plans. <b>Both SPDs</b>                                    | The proposed framework plans submitted in the original SPDs show where GCH would like development to be concentrated. These plans, particularly for Podsmead, show a significant loss of open space that has not been subject to proper consideration or assessment by the council. It is felt that it is premature to show development areas at this stage as it may prejudice future decision making. The Framework plans provide uncertainty to residents some of whom are concerned that they are in an identified area, whilst others think that no redevelopment will happen near them. At this stage it is simply not known whether this is an accurate portrayal of future development as no planning applications have been made. The development is not being led by the council. It would be more appropriate to see such information in a masterplan submitted with a planning application by the developer. The Highways Authority also objected to the inclusion of the Framework Plans. |
| 4. Additional detail around what the Local Planning Authority requires in              | The SPDs already referred to the provision of a phasing strategy, rehousing strategy and a community facilities strategy. This has been expanded to include an economic action plan and  |

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| <p>terms of the rehousing strategy, phasing strategy, community facilities strategy. Addition of economic strategy, community strategy and local housing needs assessment for each phase. <b>Both SPDs</b></p> | <p>local housing needs assessment with each phase. More details have been included explaining what each of the strategies should contain. This information is required to enable decision makers to appropriately assess any future planning applications.</p>   |
| <p>5. Removal of the 'one move only' approach. <b>Both SPDs</b></p>  | <p>GCH have a 'one move only' approach for residents impacted by any proposed regeneration. Whilst this may be appropriate to some residents, others may be happy to move twice if the first move was temporary and it meant that they were going to be able to move into a new property on the second move, or back into their refurbished home, or back into the area of their old home next to their original neighbours who may have been unaffected by the regeneration. The one move approach has the potential to restrict creativity around the phasing and delivery of the overall project. It creates a situation where the only options available to the developer are to build on open space or move people out of the area. Removing the approach from the SPD would allow more options for the developer such as moving residents from a block of flats into vacant properties whilst a block is redeveloped. Those that wish to return could then move back in. A one move approach does not give residents the option to return to where they lived before. This poses a risk for residents if a developer proposes moving people from the estate.</p> |
| <p>6. Clarity over the approach to Public Open Space. <b>Both SPDs</b></p>   | <p>The draft SPDs contained figures detailing the amount of Public Open Space to be lost on each estate. This was 2.17 hectares for Matson and 3.71 hectares for Podsmead. Following comments received and after further consideration it is not felt appropriate to predetermine a set amount. The council have not agreed in principle to this approach, nor has it been demonstrated to be policy compliant. The Open Space Strategy has been used to justify this approach in that both wards have in excess of the minimum quantity standards for open space set by the city. However, the Fields in Trust guidance states 'Quantity guidelines should not be interpreted as maximum levels of provision...'. Therefore, this in itself cannot be used as a justification to reduce the amount of open space. More consideration needs to be given to the role open space plays in defining the character of each area and in terms of the health and</p>   |

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|   |                 | <p>wellbeing of residents. It may be possible to justify the loss of some open space if it can be done in a policy compliant way through the planning application process. However, there is no evidence at this stage to demonstrate that this can be achieved. The council must be mindful of setting a city-wide precedent on this issue.</p>   |
| 7. Phasing. <b>SPD</b>  | <b>Matson</b>   | <p>Planning permission has been granted for 420 homes on Winnycroft Farm, with a further 250 homes also being considered. Given the scale of the permitted development adjacent to Matson, and the fact that there is no local centre on the Winnycroft development, it would make sense to improve the linkages between Winnycroft and the Matson local centre at the earliest opportunity. This would provide an opportunity to create community cohesion and increased economic support for the existing shops and services in Matson. The SPD has been amended to recommend that this area of Matson is considered as a first phase of development.</p>                          |
| 8. Clarity over the purpose of the Blackbridge Sports Hub. <b>SPD</b>               | <b>Podsmead</b> | <p>This is to ensure that the community facilities and services required to serve the estate of Podsmead are appropriately located within the red line boundary of the SPD area. The Podsmead Road is considered a barrier between the estate and Blackbridge. The proposed Blackbridge hub is an additional city-wide facility and should not be considered a site for the replacement of Podsmead's local community facilities.</p>  |
| 9. Reference to materials in Matson changed from 'red brick' to render. <b>SPDs</b> | <b>Matson</b>   | <p>Although locally distinctive across much of Gloucester, red brick is not distinctive to Matson. The positive elements of the character of Matson are important to preserve. Respondents in general want to see Matson improved but also to still look like Matson.</p>  |
| 10. Inclusion of City Plan policies. <b>SPDs</b>                                    | <b>Both</b>     | <p>The policy section has been updated to reflect the recently approved pre-submission version of the City Plan. As with all developments across the city, planning applications in Matson and Podsmead must be policy compliant in order to receive planning permission. Particular reference is now made to A1 – Effective and efficient use of land and buildings, A2- Affordable housing, A3 – Estate regeneration, A6 – Accessible and adaptable homes, C1 – Active design and accessibility, C3 – Public open space, playing fields and sport facilities, C7 – Fall prevention from taller buildings, F3 – Community safety and F6 – Nationally described space standards.</p> |
| 11. Power of Three Community Economic Strategy. <b>SPD</b>                          | <b>Matson</b>   | <p>Details of this document have now been included. Disappointment was expressed through the consultation that GCH, a partner organisation in the Power of Three, have not used the process so far to</p>  |

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|                    | empower the community by training residents to be part of the consultation process, nor power sharing the process with residents. Stakeholder events have been held by GCH in Kingsholm rather than in local community facilities.  |
| 12. Ownership plan | This is to be updated to reflect 2019 data and include different house types such as the location of maisonettes and bungalows. The ownership plan is consider useful as it demonstrates the mix of house types and the complexities of land ownership which will be beneficial to the future masterplanning process. |

3.12 The key changes were presented to the Planning Policy Working Group at its meeting on 25<sup>th</sup> September 2019. No objections were received.

#### **4.0 Asset Based Community Development (ABCD) Considerations**

4.1 This has been a meaningful consultation process. Where appropriate, i.e. where the comment relates to the content of the SPDs, the comments have been carefully considered by the Principal Planning Policy Officer and the SPD amended as appropriate. The consultation process provided an opportunity for the community to be involved in the development of the SPDs.

#### **5.0 Alternative Options Considered**

5.1 It is a regulatory requirement to report the findings of the consultation and amend the SPD accordingly prior to adoption. It would be a discredit to those residents that took the time to engage in the process to not respond to their comments

5.2 Not adopting the SPDs has been considered. However, the SPDs are a valuable tool in the planning process providing clarity for developers and decision makers by adding guidance as to how the policy framework should be interpreted on the matter of estate regeneration.

5.3 No other options have been considered.

#### **6.0 Reasons for Recommendations**

6.1 The Response Reports illustrates to those that took the time to engage in the consultation process that their views have been fully considered and the SPDs amended accordingly as part of the statutory consultation process.

6.2 The adoption of the SPDs enables the Local Planning Authority to set clear guidelines around the redevelopment of the two neighbourhoods. This provides clarity to potential developers and to residents in terms of what is consider acceptable and therefore unacceptable. An adopted SPD is a useful tool for decision makers and will be used in the assessment of future planning applications. The SPD sets out a number of key points in terms of designing safer layouts, reducing crime and the fear of crime, the design of the built environment, the potential for improved access and connections, how open space should be dealt with.

- 6.3 Most importantly the SPDs calls for any development to be properly masterplanned and sets out that the LPA will require more information around the case for regeneration, rehousing, phasing, community assets, economic development, and local housing need in order to process any future planning applications. Without this information it would not be possible to assess if the application would result in a suitable development that met the requirements of the National Planning Policy Framework, the JCS, the Presubmission City Plan, or the Council's duty under the Equality Act 2010.

## **7.0 Future Work and Conclusions**

- 7.1 In accordance with Town and Country Planning (Local Planning) (England) Regulations (as amended) 2012 Part 14, as soon as reasonably practical officers will produce an Adoption Statement and submit this to any person who has asked to be notified of the adoption of the supplementary planning documents. The SPDs will also be made available at the council's offices and online in accordance with Part 35 of the same Regulations.
- 7.2 The SPDs will be used as a material consideration in the determination of any future major planning applications in the area outlined in Figure 2.4 of the SPDs.
- 7.3 If adopted the agreed text and images of the SPDs will be compiled into a properly designed document prior to publication.

## **8.0 Financial Implications**

- 8.1 None

(Financial Services have been consulted in the preparation this report.)

## **9.0 Legal Implications**

- 9.1 The preparation of an SPD is not a statutory requirement, but a decision for each local planning authority based upon demands for further information to assist in the delivery of sustainable development. An SPD cannot in itself establish land use, development management or site allocations policies, but can be used to provide further guidance for development on specific sites or on particular issues.
- 9.2 An SPD must contain a reasoned justification of the policies contained within it, must not conflict with the adopted development plan and must have regard to national policies and advice contained in guidance issued by the Secretary of State. In preparing an SPD for adoption the Council must provide a summary of the issues raised and how those issues have been addressed.
- 9.3 Once adopted, an SPD is capable of being a material consideration in the determination of planning applications. A Planning Authority can adopt an SPD either as originally prepared or as modified to take account of any representations made in relation to the SPD or any other matter they think is relevant.

(One Legal have been consulted in the preparation this report.)

## **10.0 Risk & Opportunity Management Implications**

- 10.1 The adoption of the SPDs provides an opportunity for clarity from the LPA on the matter of estate regeneration and the implementation of the policy framework.
- 10.2 This reduces risk at the pre planning and planning application stage as it allows officers to clearly communicate the expected outcomes of development in the areas. In the decision-making phase of an application the SPD may be used as material consideration in the granting or refusal of planning permission. In an appeal situation the SPD would therefore be a useful tool in defence of any decision issued by the Local Planning Authority.

## **11.0 People Impact Assessment (PIA) and Safeguarding:**

- 11.1 The Council must when making decisions of a strategic nature about how to exercise its functions have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage. It must also when exercising its functions have due regards to its public sector equality duty under section 149 of the Equality Act 2010.
- 11.2 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required. As set out in the SPDs one of the aims of regeneration is transforming the appearance and quality of the estates by providing homes to meet the needs of local people.

## **12.0 Other Corporate Implications**

### Community Safety

- 12.1 The draft SPDs outline a number of good urban design principles that should ensure that any planning applications are well designed in a manner that reduces crime and the fear of crime.

### Sustainability

- 12.2 There is an opportunity through the planning process to ensure that any potential development ensures the sustainability of the existing community, the housing stock, community facilities and open spaces upon which the SPDs provide guidance.
- 12.3 As outlined in the SPDs any potential applications will have to accord to the adopted Joint Core Strategy and Presubmission City Plan. This requires all developments to deliver improvements to green infrastructure and biodiversity and where appropriate mitigate against climate change.

### Staffing & Trade Union

- 12.3 Not applicable.

**Background Documents:**

The Environment Assessment of Plans and Programmes Regulations 2004 and The Conservation of Habitats and Species Regulations 2017, Screening Statement for the Draft Supplementary Planning Documents for Podsmead Estate Regeneration

The Environment Assessment of Plans and Programmes Regulations 2004 and The Conservation of Habitats and Species Regulations 2017, Screening Statement for the Draft Supplementary Planning Documents for Matson Estate Regeneration

Consultation version of the SPDs