

Gloucester City Council

Meeting:	Cabinet Council	Date:	11 November 2020 19 November 2020
Subject:	Revocation of Planning Briefs and Supplementary Planning Documents		
Report Of:	Cabinet Member for Planning and Housing Strategy		
Wards Affected:	All		
Key Decision:	No	Budget/Policy Framework:	Yes
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Appendices:	None		

FOR GENERAL RELEASE

1.0 Purpose of Report

- 1.1 To request that Members revoke several Planning Briefs, Supplementary Planning Guidance notes and Supplementary Planning Documents.

2.0 Recommendations

- 2.1 Cabinet is asked to consider the information contained in the report and make any recommendations to the Council.

- 2.2 Cabinet is asked to **RECOMMEND** to Council that:

- (1) the documents as set out in Table 1 of this report are revoked and withdrawn from publication.

- 2.3 Council is asked to **RESOLVE** to:

- (1) the documents as set out in Table 1 of this report are revoked and withdrawn from publication.

3.0 Background and Key Issues

- 3.1 Over past twenty years the council has produced several Planning Briefs, Supplementary Planning Guidance notes (SPG) (pre 2004), Supplementary Planning Documents (SPD) (post 2004), to help shape development, and set out clearly to developers what is considered acceptable and unacceptable in planning terms. These documents are a material consideration in decision making.

- 3.2 Many of these documents were produced in the early to mid-2000s as the Gloucester Local Plan 1983 became increasingly out of date and its various replacements (Local

Plan 1996, Second Stage Deposit City of Gloucester Local Plan 2002, Local Development Framework 2005) failed to proceed to full adoption.

- 3.3 Since that time changes have been made nationally to the planning system including the publication of Written Ministerial Statements (WMS) and the National Planning Policy Framework (NPPF) that have changed policy, advice and guidance.
- 3.4 In addition to these national changes, locally the Joint Core Strategy was fully adopted in 2017 and the new Local Plan, Gloucester City Plan, has significantly progressed to the point where it can be afforded limited to moderate weight.
- 3.5 It is now considered appropriate to review the current suite of documents and revoke any that are no longer relevant.
- 3.6 Where a document is revoked under the Town and Country Planning (Local Planning) (England) Regulations 2012 the Local Planning Authority (LPA) must cease to make the document available and can take any other steps it considers necessary to draw the revocation of the document to the attention of persons living or working in the LPA area.
- 3.7 It is proposed that the documents will be removed from the website and a statement detailing the revocation published on the website for a period of 8 weeks.
- 3.8 The documents that will be deleted from the website and no longer used for decision making purposes are:

Table 1 – Documents to be revoked

Document	Reason
Gloucester Docks planning brief (2006)	Development mainly complete.
Greater Blackfriars planning brief (2009)	Area subject to Local Development Order and partial constructed.
Greater Greyfriars planning brief (2010)	Development complete.
Industrial Sites - Bristol Road/Tuffley Crescent planning brief (2003)	Planning permission secured and development partially completed.
Kwiksave Site - Northgate Street planning brief (2004)	Development complete.
Land East of Waterwells Business Park planning brief (2009)	Out of date and partially developed.
Relocation of Court Sites to Great Western Road planning brief (2004)	No longer being pursued by Ministry for Justice.
SPG 1 – Sustainable urban drainage systems (2004)	Considered outdated by technical officers.
SPG 2 – Travel plans (2004)	County Council have more up to date guidance.
SPG3 – Standards for the sub-division of houses	Out of date. Written Ministerial Statement March 2015 introduced new optional national technical standards.
SPG5 – Lifetime homes	Out of date. Written Ministerial Statement March 2015 introduced new optional national technical standards.

Interim adoption 'Development Affecting Sites of the Historic (Archaeological) Environment SPD (August 2008)	Superseded by NPPF
Interim adoption 'Telecommunications Development' SPD (August 2008)	Superseded by NPPF.
Views of Robinswood Hill and other high ground from Hempsted" SPD (March 1996)	Superseded by JCS and evidence base including Landscape Characterisation Assessment and Sensitivity.

3.9 The documents that will remain in place are:

Table 2 – List of SPDs that remain as a material consideration in decision making

Document	Reason for retention and future work
Matson Estate Regeneration Supplementary Planning Document (November 2019)	No changes. Ongoing potential for redevelopment.
Podsmead Estate Regeneration Supplementary Planning Document (November 2019)	No changes. Ongoing potential for redevelopment.
Interim adoption 'Public Realm Strategy' SPD (September 2017)	No changes. Still used to guide public realm works.
Interim adoption 'Designing safer places' SPD (August 2008)	To be amended to remove technical specification in relation to locks and doors as this has since been included as part of the Building Regulations. Otherwise all other content relevant.
Interim adoption 'Heights of Buildings' SPD (November 2008)	No changes. Used to protect views of the cathedral and historic church spires. Policy in City Plan.
Interim adoption 'Home Extension Guide' SPD (August 2008)	Used by Development Management for householder applications.
Shopfront Shutters and Signage Design Guide (November 2017)	No changes. Used to guide development. Policy in City Plan.
King's Quarter concept statement - Interim adoption (January 2013)	No changes. Development on going.
Fleece Hotel concept statement - Interim adoption (February 2012)	No changes. Development on going.
Interim Adoption 'Railway Corridor' Planning Brief (March 2011)	No changes. Partially developed but brief sets out requirement for linear green park which should be taken forward.
SUDS Design guide – Supplement to SPG (2013)	No changes. Still used by Development Management and Flood Management Environment Officers.
SPG6 –New Housing and open space (2001)	Used by technical officers to calculate open space contributions.

4.0 Social Value Considerations

- 4.1 The National Planning Policy Framework and the Localism Act 2011 enables local communities to form Neighbourhood Forums and pursue Neighbourhood Development Plans in order to create their own planning polices and shape development in their area.
- 4.2 Public consultation is an active and essential component of plan making. All of the documents that will be revoked or retained underwent public consultation which helped to shape the documents. Any new SPDs, Planning Briefs or Design Guides will also be written in consultation with the relevant community groups and stakeholders.

5.0 Environmental Implications

- 5.1 There are no environmental implications positive or negative to revoking the documents. Sustainable development remains at the centre of plan making and decision taking.

6.0 Alternative Options Considered

- 6.1 The documents could be left in perpetuity however this is likely to cause confusion and delay for applicants, members of the public, and decision makers including Planning Inspectors. It is considered more coherent and efficient to keep only relevant and useful documents published.

7.0 Reasons for Recommendations

- 7.1 To revoke outdated published planning documents in order to provide clarity for all users of the planning system.

8.0 Future Work and Conclusions

- 8.1 No further work or reports are proposed on this matter.

9.0 Financial Implications

- 9.1 None

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

10.0 Legal Implications

- 10.1 Section 25 of the Planning and Compulsory Purchase Act 2004 (“the Act”) provides that the Secretary of State may at any time revoke a local development document at the request of a local planning authority and may prescribe descriptions of local development documents which may be revoked by the authority themselves.
- 10.2 Regulation 15(2) of the Town and Country Planning (Local Planning) (England Regulations) 2012 provides that: a local planning authority may revoke any supplementary planning document. Regulation 15(3) goes on to state that where a supplementary planning document is revoked pursuant to section 25 of the Act the

local planning authority must as soon as reasonably practicable cease to make any documents relating to the revoked supplementary planning document available in accordance with regulation 35 (which provides for inspection copies and publication on the authority's website); and take such other steps as it considers necessary to draw the revocation of the supplementary planning document to the attention of persons living or working in their area.

- 10.3 The Regulations apply to SPDs and do not prescribe a process to be followed as regards the SPGs or Planning Briefs, but it is considered sensible to take the same approach as with the SPDs, with the revocation a decision taken by Council.
- 10.4 No consultation is required but the Council's website will be updated to raise awareness of the revocation; with the revoked documents removed from the website and a revocation statement published.

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

11.0 Risk & Opportunity Management Implications

- 11.1 No risks have been identified. Revoking and deleting the outdated documents provides an opportunity to clarify the LPA's position on a number of matters reducing the potential for risk.

12.0 People Impact Assessment (PIA) and Safeguarding:

- 12.1 The PIA Screening Stage was completed and did not identify any potential or actual negative impact, therefore a full PIA was not required.

13.0 Community Safety Implications

- 13.1 None

14.0 Staffing & Trade Union Implications

- 14.1 None

Background Documents: All documents are listed in Table 1 and 2 of this report and can be found online at <https://www.gloucester.gov.uk/planning-development/planning-policy/supplementary-planning-documents/> and <https://www.gloucester.gov.uk/planning-development/planning-policy/planning-briefs-and-concept-statements/>