
Cabinet Member for Housing and Communities

13 December 2022

Name of Cabinet Member:

Cabinet Member for Housing and Communities – Councillor D Welsh

Director Approving Submission of the report:

Director of Streetscene and Regulatory Services

Ward(s) affected:

All

Title:

Tall Buildings Design Guide and Three Spires View Management Framework Supplementary Planning Document (SPD) - Adoption

Is this a key decision?

No.

Although the matters within the report affect all wards in the city, it is not anticipated that the impact will be significant

Executive Summary:

This report seeks to adopt the Tall Buildings Design Guide and Three Spires View Management Framework Supplementary Planning Document (SPD) following public consultation which was undertaken between 03 August and 14 September 2022.

SPDs add further detail to the policies in the development plan but cannot introduce new policy. SPDs provide additional guidance for development and are capable of being a material consideration when making decisions on planning applications.

The city has seen an increase in tall building developments in the last few years, and the first part of the SPD – the Tall Buildings Design Guide - sets out the criteria and information that need to be provided alongside such applications.

The second part of the SPD – the Three Spires View Management Framework – details the protected view of Coventry's famous spires ensuring their preservation into the future. Responses to the consultation have been analysed and taken account of when amending the SPD. The proposed final version is attached at Appendix 1, and a summary of representations along with responses and proposed amendments can be seen at Appendix 2.

Recommendations:

1. That Cabinet adopts the Tall Buildings Design Guide and Three Spires View Management Supplementary Planning Document (SPD).
2. That Cabinet delegates authority to the Strategic Lead (Planning) following consultation with the Cabinet Member for Housing and Communities to make any necessary further non-substantive (minor) changes to the document.

List of Appendices included:

Appendix 1: Tall Buildings Design Guide & Three Spires View Management Framework Supplementary Planning Document.

Appendix 2: Consultation: summary of representations and responses

Appendix 3: Strategic Environmental Assessment Screening Report

Appendix 4: Equalities Impact Assessment

Background papers:

None.

Other useful documents:

Local Plan: adopted December 2017

National Planning Policy Framework July 2021

Has it been or will it be considered by Scrutiny?

No. Although this report will not be considered by Scrutiny, a report was considered by the Communities and Neighbourhoods Scrutiny Board (4) on 6 October 2022 as part of the consultation process.

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No.

Will this report go to Council?

No.

Report title: Tall Buildings Design Guide and Three Spires View Management Framework
Supplementary Planning Document SPD) - Adoption

1. Context (or background)

- 1.1 The National Planning Policy Framework (NPPF) defines Supplementary Planning Documents (SPDs) as 'documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues.... Supplementary Planning Documents are capable of being a material consideration in planning decisions but are not part of the development plan'.
- 1.2 The delivery of a Tall Buildings SPD is a provision of Policy CC7 of the City Centre Area Action Plan, adopted by the Council in 2017. Policy CC7 also establishes the protected views of the city's famous spires. Whilst the document is fairly technical in nature it will help ensure where tall buildings are developed they will integrate well and be positive contributors to the city.
- 1.3 The SPD has two parts. The first part deals with the information and considerations required for the application for a tall building anywhere within the city, including a clear definition of what a tall building is. It also sets the requirement for a Tall Buildings Statement to be submitted alongside a relevant application, and what should be detailed within it.
- 1.4 The second part of the SPD uses a range of visual tools to fully articulate the protected views of the three spires, established in the City Centre Area Action Plan, 2017. Each of the 17 views are articulated, and use of 3D imagery enhances this with a clearly defined corridor that must be protected. Furthermore, it identifies specific areas of constraint where heights are severely restricted in order to protect those valued views.
- 1.5 Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for producing SPDs. This includes a minimum statutory public consultation period of four weeks: the Council's recently adopted Statement of Community Involvement however sets out a local standard that SPDs should be consulted on for six weeks. Consultation for this report took place between 03 August to 14 September 2022.
- 1.6 It is also a legal requirement, as set out in the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations), to consider whether or not Strategic Environmental Assessment (SEA) of the SPD should be undertaken. The process for determining whether or not an SEA is required is called screening. This is to determine whether a plan will have significant environmental effects. The screening opinion undertaken is attached at Appendix 3. This concludes that no SEA is needed as the SPD elaborates on existing policy. This screening report must be consulted on so that three statutory bodies (Historic England, Natural England and the Environment Agency) can respond. The screening report was made publicly available for comment at the same time as the SPD was being consulted on.
- 1.7 Finally, an Equalities Impact Assessment (EIA) been undertaken, this is attached at Appendix 4 and was publicly consulted on.
- 1.8 Responses have been analysed and the SPD amended accordingly. In line with the legislation, this report includes a statement setting out the details of the consultation, a

summary of the main issues raised and how they have been addressed. This is contained at section 3 and Appendix 2 of this report.

2. Options considered and recommended proposal

- 2.1 The Council could choose not to adopt the SPD. However, this will mean that applicants and officers are deprived of the additional detail of the SPD which will ensure that tall buildings come forward in appropriate locations within the city. This option is therefore not recommended.
- 2.2 The Council could choose to adopt the SPD, with the changes as set out in Appendix 1. This will ensure that applicants and officers are clear regarding the information requirements when applying for a tall building, and to effectively ensure that the valuable views of the three spires are maintained. For these reasons this is the recommended option.

3 Results of consultation undertaken

- 3.1 Public consultation was undertaken between 03 August and 14 September 2022. The minimum statutory period for SPD consultations is four weeks, the council's Statement of Community Involvement recommends six weeks.
- 3.2 The Council made all consultation documentation available on its website and in hard copy at the Council House and all libraries. A notification email was sent to all consultees on the planning policy consultation database which provided background to the SPD consultation and explained where people could view the documents and the various ways in which they could provide comments. The council also used its social media platforms and local press to publicise the consultation.
- 3.3 Regulation 12 of the Local Planning Town and Country Planning (Local Planning) (England) Regulations 2012 states that, before a local planning authority can adopt an SPD it must first prepare a statement setting out the persons consulted during the preparation of the document, with a summary of the main issues raised and how they have been addressed in the SPD. This report addresses these requirements, and details of the comments submitted, the officer response and changes made to the SPD as a result can be viewed at Appendix 2.
- 3.4 Alongside the SPD, the SEA screening opinion and Equality Impact Assessment were made available for public comment as set out in section 1 of this report. In terms of the SEA screening, the statutory consultation bodies Natural England and Historic England concurred with the council's view that Strategic Environmental Assessment is not required. The Environment Agency did not respond. The screening assessment at Appendix 3 has been updated to reflect this conclusion. The Equality Impact Assessment at Appendix 4 has been updated as a result of internal guidance although no external responses were received on the matter.

4 Timetable for implementing this decision

- 4.1 The SPD will be adopted as soon as practicable.

5 Comments from the Chief Operating Officer (Section 151 Officer) and the Chief Legal Officer.

5.1 Financial implications

There are no financial implications associated with this report.

5.2 Legal implications

There are no direct implications as a result of this report. Regulations 11 to 16 of The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for producing SPDs. The Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) also require the Council to consider whether or not Strategic Environmental Assessment (SEA) of the SPD should be undertaken.

6 Other implications

6.1 How will this contribute to achievement of the Council's Plan?

Planning policy documents and planning applications help deliver the aims and objectives of the One Coventry Corporate Plan by determining the type and quantum of development needed, where this should be located, areas which should be protected, enhanced or improved and the infrastructure which should be provided. In line with the Corporate Plan, this document focuses upon supporting local communities by creating an attractive, cleaner and greener city and enhancing the quality of public spaces.

6.2 How is risk being managed?

There are no risks associated with this report.

6.3 What is the impact on the organisation?

No direct impact.

6.4 Equalities Impact Assessment EIA

A full Equality and Impact Assessment (EIA) was undertaken as part of developing the Local Plan. As part of that analysis, the Council had due regard to its public sector equality duty under section 149 of the Equality Act (2010). The Supplementary Planning Document elaborates on Local Plan policy and so a further EIA has been undertaken (Appendix 4).

6.5 Implications for (or impact on) climate change and the environment

Climactic issues related to tall buildings are picked by the SPD and the Tall Building statement requires their identification, avoidance or mitigation to be demonstrated.

6.6 Implications for partner organisations?

There are no significant impacts for partner organisations.

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