



Reigate & Banstead
BOROUGH COUNCIL
Banstead | Horley | Redhill | Reigate

SIGNED OFF BY	Head of Planning
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TO	Leader's Meeting
DATE	Monday, 11 November 2019
EXECUTIVE MEMBER	Portfolio Holder for Planning Policy

KEY DECISION REQUIRED	N
WARDS AFFECTED	(All Wards);

SUBJECT	<p>Reigate and Banstead draft Supplementary Planning Documents (SPDs) for consultation:</p> <ul style="list-style-type: none">a. Affordable Housing Supplementary Planning Documentb. Barn and Farm Conversions Supplementary Planning Documentc. Historic Parks and Gardens Supplementary Planning Documentd. Reigate Shop Front Design Supplementary Planning Document
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RECOMMENDATIONS

<ul style="list-style-type: none">(i) The Executive approve the updated draft Affordable Housing Supplementary Planning Document, Barn and Farm Conversions Supplementary Planning Document, Historic Parks and Gardens Supplementary Planning Document and Reigate Shop Front Design Supplementary Planning Document for public consultation.(ii) The Head of Planning in consultation with the Executive Member for Planning Policy, be authorised to make any necessary minor amendments to the draft updated Supplementary Planning Documents prior to consultation.

REASONS FOR RECOMMENDATIONS

Following the adoption of the Development Management Plan (DMP) in September 2019, four of the Council's Supplementary Planning Documents (SPDs) have been updated to reflect changes in national and local planning policy. These are the Affordable Housing Supplementary Planning Document (2014), the Historic Barns Supplementary Planning Guidance (1994), The Historic Parks and Gardens Supplementary Planning Guidance (2001) and the Reigate Shop Front Design Guide Supplementary Planning Guidance (1993, revised 1999).

Regulation 12(b) of the Town and Country Planning (Local Planning) (England) Regulations 2012 require public consultation on draft supplementary planning documents for at least 4 weeks prior to adoption

EXECUTIVE SUMMARY

This report provides the background to the preparation of the draft updated Affordable Housing Supplementary Planning Document (SPD), Barn and Farm Conversions Supplementary Planning Document, Historic Parks and Gardens Supplementary Planning Document and Reigate Shop Front Design Supplementary Planning Document, summarises the changes from the currently adopted versions and outlines the proposals for consultation.

Consultation on the draft supplementary planning documents is planned to be undertaken for 4 weeks in January 2020 with adoption anticipated in April 2020.

Upon the adoption of these SPDs the Executive will be asked to formally revoke existing guidance in accordance with section 25 of the Planning Act 2008 and Regulation 15 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

Executive has authority to approve the recommendations.

STATUTORY POWERS

1. The Council has no statutory obligation to produce supplementary planning documents (SPDs), but has powers under planning legislation to consult on and adopt SPDs as appropriate. The Planning Act 2008, Planning and Compulsory Purchase Act 2004 (as amended) and the associated Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), set out the requirements for the preparation of SPDs.
2. The relevant Regulations require a Consultation Statement to be prepared to summarise who has been informed in the preparation of SPDs, and to be made available during the public

consultation. These are provided as supporting documents.

3. A screening process has been undertaken to assess whether or not the SPDs requires a Strategic Environmental Assessment. The screening opinions are annexed to this report and conclude that the SPDs do not require SEA, a view that was confirmed by the three statutory consultation bodies.
4. The draft SPDs are compliant with the Human Rights Act 1998.

BACKGROUND

5. SPDs are documents which provide guidance to assist in implementing development plan policies. They may be used to provide further guidance for development on specific sites, or on particular issues such as design. They are material considerations in planning decisions.
6. The existing Affordable Housing Supplementary Planning Document (2014), the Appropriate Uses for Historic Barns Supplementary Planning Guidance (1994), Historic Parks and Gardens Supplementary Planning Guidance (2001) and the Reigate Shop Front Design Guide Supplementary Planning Guidance (1993, revised 1999) have been updated to reflect changes in both national and local planning policy. The intention is to revoke these documents in accordance with Section 25 of the Planning Act 2008 and Regulation 15 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) following the adoption of the updated documents.

KEY INFORMATION

Affordable Housing

7. The 2014 Affordable Housing SPD no longer reflects national policy nor the Council's approach to delivering affordable housing, and conflicts with the adopted development plan. The 2014 SPD provides guidance for the affordable housing provision delivered in accordance with Core Strategy Policy CS15 "Affordable Housing". Given that this policy has been superseded by DMP Policy DES6 "Affordable Housing" there is a need to update the existing Affordable Housing SPD.
8. The updated draft Affordable Housing SPD provides detail and guidance on how the Council will apply DMP Policy DES6. This policy requires all allocated greenfield urban extension sites to provide 35% affordable housing, and all developments providing 11 or more homes to provide 30% affordable housing. In exceptional circumstances, where it can be robustly justified, should the Council consider it would not be suitable or practical to provide affordable housing on site, the policy states that the Council may accept affordable housing to be

provided on an alternative site or as a payment in lieu.

9. The SPD provides guidance for the delivery of DMP Policy DES6. It outlines the financial contributions required for off-site provision of affordable housing; provides type, tenure, mix and size requirements for affordable housing; and provides design guidance for future developments of affordable housing. The SPD provides clarity and certainty for developers, registered providers, development management and others. Much of the content of the SPD is already common practice in planning determinations. Upon adoption it will be a material consideration in the determination of planning applications.

Barns and Farm Conversions

10. The Appropriate Uses for Historic Barns Supplementary Planning Guidance (1994) is no longer consistent with national nor local policy. The draft updated Barn and Farm Conversions SPD provides guidance on the principles of converting barns and other farm buildings in both rural and urban areas in a manner which would benefit and help to enhance the character and local distinctiveness of the surrounding natural and built environment.
11. The principles (both design and change of use) of conversion of barns and other farm buildings are established in Core Strategy Policy CS4 “Valued townscapes and the historic environment”, Core Strategy Policy CS10 “Sustainable Development”, DMP Policy DES1 “Design of new development”, DMP Policy NHE9 “Heritage Assets”, DMP Policy NHE6 “Reuse and Adaptation of Buildings in the Green Belt and in the Rural Surrounds of Horley” and DMP Policy EMP4 “Safeguarding Employment Land and Premises”.
12. The Barn and Farm Conversions SPD must therefore be in accordance with these policies. The SPD provides additional clarity and certainty for developers, development management and others. Much of the content of the SPD is already common practice. Upon adoption it will be a material consideration in the determination of planning applications.

Historic Parks and Gardens

13. Historic Parks and Gardens are important heritage assets that add substantial value to both the landscape and environmental quality within the borough. It is therefore important that such heritage assets are protected and that they are treated in accordance with the character and significance of their grading. Historic England maintains a list of nationally significant Historic Parks and Gardens and the Council also maintain its own lists of Historic Parks and Gardens of Special Borough Interest. As the Council is able to designate new local non-statutory heritage assets of borough importance at any time, the existing List of Historic Parks and Gardens Supplementary Planning Guidance no longer provides an up-to-date list of Historic Parks and Gardens in the Borough. The draft updated SPD provides an up-to-date

list and identifies characteristics for identifying new Historic Parks and Gardens.

14. As part of the consultation on this draft Historic Parks and Gardens SPD the Council is also consulting on amendments to the boundaries of Kingswood Warren Historic Park and Garden and the Banstead Place Historic Park and Garden. Following this consultation the amended boundaries will be taken to Planning Committee.
15. Upon the adoption of the revised SPD it will be capable of being a material consideration in planning determinations.

Reigate Shop Front Design

16. The existing Reigate Shop Front Design Guide Supplementary Planning Guidance (1993, revised 1999) is no longer consistent with national and local policy.
17. The draft updated Reigate Shop Front Design SPD provides detailed guidance on the design of shop fronts located within the Reigate Town Centre Conservation Area, with a view to preserving and enhancing its historic character. It provides design guidance in relation to all elements of shop fronts, including the frame and fascia, display area, signage, blinds, security and more. Much of the content of the SPD is already common practice, and the SPD will provide clarity and certainty for developers, development management and others.

Consultation

18. The preparation of the draft updated SPDs has been informed by discussion with the Council's Housing Services Team, Development Management Team, Senior Conservation Officer, Registered Providers of Affordable Housing and Surrey Gardens Trust. Details of people and organisation involved and their input into the draft SPDs is set out in the Initial Consultation Statements annexed to this report.
19. In accordance with Regulation 12(b) of the Town and Country Planning (Local Planning) (England) Regulations 2012, the draft SPDs will be subject to a statutory minimum four week public consultation before being recommended to the Executive for adoption. During the consultation, the Council will invite comments by emailing and writing to interested parties¹ and we will make the documents available on the Council website and in paper format at the Town Hall and the six libraries in the borough. This consultation is currently timetabled for January 2020.
20. Following the formal consultation stage, the draft SPDs will be amended to take account of consultation responses received and any further relevant information. The Initial Consultation Statements prepared to accompany the draft SPDs for the consultation will be updated with a

¹ Specific and general consultees, prescribed bodies for the Duty to Co-Operate and other individuals and organisations registered on the Planning Policy database for such purpose.

list of who we have consulted, a summary of the comments received and how those comments have been addressed in finalising the SPD.

Resource Implications

21. The consultation and work towards adoption of the SPDs will mainly come from the Planning Policy Team. A no Examination is required for SPDs costs will therefore be limited to Officer time, consultation and production costs, all within existing budgets.

OPTIONS

22. Recommendation 1: That the Executive approve the updated draft Affordable Housing Supplementary Planning Document, Barn and Farm Conversions Supplementary Planning Document, Historic Parks and Gardens Supplementary Planning Document and Reigate Shop Front Design Supplementary Planning Document for public consultation.
 - a. Option 1: Approve the draft updated SPDs for consultation. This option is recommended as it would enable the Council to move towards the adoption of up-to-date guidance to provide clarity and certainty for developers, registered providers, development management and others.
 - b. Option 2: Do not approve the draft Affordable Housing SPD, Barn and Farm Conversions SPD, Historic Parks and Gardens SPD and Reigate Shop Front Design SPD for public consultation. This option is not recommended as legislation² requires that Supplementary Planning Documents must not conflict with the adopted development plan.
23. Recommendation 2: That the Executive authorise the Head of Planning in consultation with the Executive Member for Planning Policy to make any necessary minor amendments to the draft updated Supplementary Planning documents prior to consultation.
 - a. Option 1: Agree to the suggested authorisation for making any minor amendments prior to consultation. This option is recommended.
 - b. Option 2: Do not agree to necessary minor amendments being made prior to consultation. This option is not recommended.

LEGAL IMPLICATIONS

24. The SPDs will come into effect on adoption and will become a material consideration in planning determinations where relevant. The current SPDs which in places conflict with the

² Regulation 8(3) Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

more recently adopted development plan and national planning policy will be formally revoked on adoption of the updated SPDs.

FINANCIAL IMPLICATIONS

25. As outlined above, the Affordable Housing SPD explains how new affordable housing policy will be implemented. This includes financial contributions in exceptional circumstances where it can be robustly justified, should the Council consider it would not be suitable or practical to provide affordable housing on site.
26. The draft updated SPD provides information about how the financial contributions process will be used. In all cases the Council will use contributions for the provision of affordable housing or to improve or make best use of the existing stock of affordable housing in the borough. The Council will monitor the collection and expenditure of contributions through its annual Housing Monitor.

EQUALITIES IMPLICATIONS

27. As required by the Environmental Assessment of Plans and Programmes Regulations 2004 and the Conservation of Habitats and Species Regulations 2017, the Council undertook Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening to determine whether the proposed SPDs should be subject to SEA and HRA Appropriate Assessment. This assessment is appended to this report, it concluded that there is not a need for SEA or a full Appropriate Assessment under the HRA.

COMMUNICATION IMPLICATIONS

28. As detailed in the section above, following Executive approval in accordance with Regulation 12(b) of the Town and Country Planning (Local Planning) (England) Regulations 2012, the draft SPDs will be subject to a statutory minimum four week public consultation before being recommended to the Executive for adoption. During the consultation, the Council will invite comments by emailing and writing to interested parties (Specific and general consultees, prescribed bodies for the Duty to Co-Operate and other individuals and organisations registered on the Planning Policy database for such purpose) and we will make the documents available on the Council website and in paper format at the Town Hall and the six libraries in the borough. This consultation is currently timetabled for January 2020.

RISK MANAGEMENT CONSIDERATIONS

29. No risk management considerations have been identified.

OTHER IMPLICATIONS

30. No further implications have been identified.

CONSULTATION

31. The preparation of the draft updated SPDs has been informed by discussion with the Council's Housing Services Team, Development Management Team, Senior Conservation Officer, Registered Providers of Affordable Housing and Surrey Gardens Trust. Details of people and organisation involved and their input into the draft SPDs is set out in the Initial Consultation Statements annexed to this report.

POLICY FRAMEWORK

32. SPDs are optional for the Council to produce. The updating of these four SPDs will provide supplementary guidance to assist in the implementation of Core Strategy and DMP policies. It is however not part of the Council's Policy Framework under the existing Constitution.

BACKGROUND PAPERS

1. [Planning and Compulsory Purchase Act 2004 \(as amended\)](#)
2. [Planning Act 2008 \(as amended\)](#)
3. Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

Annexes

Annex 1: Draft Affordable Housing SPD for consultation

Annex 2: Initial Consultation Statement for the draft Affordable Housing SPD

Annex 3: Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening Statement for the draft Affordable Housing SPD

Annex 4: Housing Needs Assessment 2019

Annex 5: Draft Historic Parks and Gardens SPD

Annex 6: Initial Consultation Statement for the draft Historic Parks and Gardens SPD

Annex 7: Draft Reigate Shop Front SPD

Annex 8: Initial Consultation Statement for the draft Reigate Shop Front SPD

Annex 9: Draft Barn and Farm Conversions SPD

Annex 10: Initial Consultation Statement for the draft Barn and Farm Conversions SPD

Annex 11: Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment
(HRA) Screening Statement for the Historic Parks and Gardens SPD, Reigate
Shop Front Design SPD, Barn and Farm Conversion SPD