

Additional / Supplementary Information for Council 25th July 2022

This summary is submitted to the Council for background information only, in order to help inform the debate when Council receives the recommendation from the Executive Mayor on SPD2 (Agenda Item 9).

Streets, Environment & Homes Scrutiny Sub-Committee: Croydon Suburban Design Guide Supplementary Planning Document (SPD2)

Lead officer: Simon Trevaskis – Senior Democratic Services & Governance Officer

1. BACKGROUND

- 1.1 This report summarises the discussion of the Streets, Environment & Homes Scrutiny Sub-Committee on the Croydon Suburban Design Guide Supplementary Planning Document (SPD2) Cabinet report, from the Sub-Committee meeting held on 20 July 2021.
- 1.2 The Streets, Environment & Homes Scrutiny Sub-Committee had asked to evaluate the work undertaken to prepare for the revocation of the Croydon suburban design guide supplementary planning document (SPD2).
- 1.3 The purpose of evaluating the report was to provide assurance that the Council has followed a robust process and understands the relevant risks of the revocation. The Sub-Committee also investigated plans for the replacement of SPD2.

2. DISCUSSION OF THE STREETS, ENVIRONMENT & HOMES SCRUTINY SUB-COMMITTEE ON REVOCATION OF THE CROYDON SUBURBAN DESIGN GUIDE SUPPLEMENTARY PLANNING DOCUMENT (SPD2)

- 2.1. The Sub-Committee considered the report which had been approved by the Executive Mayor at Cabinet on 22nd June 2022 and recommended the revocation of the Croydon suburban design guide supplementary planning document (SPD2) to Council. The report was introduced by the Cabinet Member for Planning and Regeneration by way of a short presentation prepared by the Head of Spatial Planning.
- 2.2. In response to questions from the Sub-Committee it was clarified that identification of areas of gentle intensification were designated within the Local Plan and not SPD2, even though the desire to move away from density driven targets was identified in the report as a reason for the proposed revocation.
- 2.3. The Sub-Committee queried why revocation was proposed before replacement supplementary planning documentation on residential extensions and alterations was ready to take its place, as was thought to be plan making best practice and carried reduced risk of poor quality residential extension and

alterations. It was further asked whether this alternative approach was considered. The Cabinet Member for Planning and Regeneration stated that once the political decision had been taken to fulfil this election promise, this was the best way to achieve it in the view of the Executive.

- 2.4. The Sub-Committee understood that since the SPD2 had been adopted in 2019, there had been a number of planning policy changes and that alterations to the document were needed. The Director of Planning & Sustainable Regeneration informed the Sub-Committee that legal advice had been that a partial revocation was not possible. Members were advised that new guidance on residential extensions and alterations would be written as soon as possible, taking into account planning policy changes on design codes and design guidance. The Sub-Committee were informed that policy on residential extensions and alterations was in place before SPD2 would now be the fall back position (including local planning policy and the London Plan) should SPD2 be revoked. The Head of Spatial Planning restated that there was still a development plan and guidance at a national and London Plan level in place that could be used in the absence of SPD2 to determine applications.
- 2.5. The Sub-Committee requested that the fall-back guidance, on the London Plan and national level, that would be used in the absence of SPD2 be shared noting that reasons for application refusals often referenced SPD2. It was stated that without this it was very difficult to ascertain what risk residents would be faced with if SPD2 was revoked without new residential extensions and alterations guidance to take its place. Members were advised that this risk had not been assessed but were reassured by the Director of Planning & Sustainable Regeneration that policy to determine applications was in place in the event that SPD2 was revoked. The Committee were informed that there had been a period of time, before the adoption of the Local Plan in 2018 and of the SPD2 in 2019, when determinations on residential extensions or alterations had been made using other planning guidance including the National Planning Policy Framework, the London Plan, Croydon masterplans and Croydon Planning Policy Framework.
- 2.6. Members highlighted significant upcoming changes in the planning sector with the new London Plan and the Levelling Up and Regeneration Bill (expected early 2023). The Director of Planning & Sustainable Regeneration clarified that upcoming planning changes in the Levelling Up and Regeneration Bill looked at building on the existing planning system rather than revolutionary change and would provide for transitional arrangements. The Chair asked the Cabinet Member for Planning and Regeneration whether now was the right time for producing new planning guidance when this could result in abortive costs as the draft Levelling Up and Regeneration Bill could result in SPDs becoming redundant. An additional consequence could be the waste of officer capacity that is already under strain. The Chair also highlighted that the cost of producing the document would be met by reserves earmarked for the Local Development Framework / Local Plan review and asked how risky this approach was, as it could leave the work needed to bring the new Local Plan to

adoption under-resourced. The Cabinet Member for Planning and Regeneration stated they felt there was a political mandate for the revocation of SPD2 but and that, in their opinion, there were equal risks to maintaining the SPD2 document and revoking it.

3. CONCLUSIONS AND RECCOMENDATIONS OF THE STREETS, ENVIRONMENT & HOMES SCRUTINY SUB-COMMITTEE ON REVOCATION OF THE CROYDON SUBURBAN DESIGN GUIDE SUPPLEMENTARY PLANNING DOCUMENT (SPD2)

Following the discussion, the Sub-Committee came to the following conclusions and recommendations to the Executive regarding the replacement of SPD2 with new supplementary planning documentation on residential extensions and alterations:

- 3.1 The Sub-Committee regretted that there had not been an opportunity for Pre-Decision Scrutiny on the report before it was considered at Cabinet.
- 3.2 The Sub-Committee were concerned that revocation of SPD2 was being recommended to Council without the replacement supplementary planning documentation on residential extensions and alterations ready to take its place as was thought to be best plan making practice which was the process that had been followed for the South Norwood Conservation Area Appraisal and Management Plan.

Recommendation 1: The Sub-Committee requested that the policy on residential extensions and alterations in national, regional and local planning framework that would be used to determine applications in the absence of SPD2 be provided to the Sub-Committee.

- 3.3 The Sub-Committee were advised by the Cabinet Member for Planning and Regeneration that there was a political mandate for the revocation of SPD2 but Members were of the view that the risks to residents of poor quality residential extensions and alterations in the absence of replacement guidance had not been appropriately assessed.

Recommendation 2: The Sub-Committee requested more information on the timescales in developing and adopting the new documentation on residential extensions and alterations be provided.

- 3.4 The Sub-Committee were concerned about the use of earmarked reserves for the Local Development Framework / Local Plan to develop the new documentation on residential extensions and alterations and the possibility of abortive costs that could leave the work needed to bring the new Local Plan to adoption under-resourced.

REPORT AUTHOR: Tom Downs –Democratic Services & Governance Officer -
Scrutiny

BACKGROUND DOCUMENTS: None