



## **DRAFT PORTFOLIO HOLDER DECISION NOTICE**

### **PROPOSED INDIVIDUAL DECISION BY THE PORTFOLIO HOLDER FOR PLANNING**

#### **TOPIC:**

- **DRAFT DENMEAD VILLAGE DESIGN STATEMENT**
- **DRAFT ST BARNABAS WEST (TEG DOWN) NEIGHBOURHOOD DESIGN STATEMENT**

#### **PROCEDURAL INFORMATION**

The Access to Information Procedure Rules – Part 4, Section 22 of the Council's Constitution provides for a decision to be made by an individual member of Cabinet.

In accordance with the Procedure Rules, the City Secretary and Solicitor, the Chief Executive and the Director of Finance are consulted together with Chairman and Vice Chairman of the Principal Scrutiny Committee and all Members of the relevant Scrutiny Panel (individual Ward Members are consulted separately where appropriate). In addition, all Members are notified.

Five or more of these consulted Members can require that the matter be referred to Cabinet for determination.

**If you wish to make representation on this proposed Decision please contact the relevant Portfolio Holder and the following Committee Administrator by 5.00pm on Wednesday 30 August 2006**

#### **Contact Officers:**

##### **Case Officer:**

Steve Opacic, 01962 848 101, [sopacic@winchester.gov.uk](mailto:sopacic@winchester.gov.uk)

##### **Committee Administrator:**

Frances Maloney, 01962 848 155, [fmaloney@winchester.gov.uk](mailto:fmaloney@winchester.gov.uk)

#### **SUMMARY**

A draft Village Design Statement (VDS) has been produced for Denmead. Also a draft Neighbourhood Design Statement (NDS) has been produced for St Barbabas West (Teg Down), Winchester. In order for these documents to carry weight in the planning decision-making process they need to be adopted by the City Council as 'Supplementary Planning Documents'.

The procedures for adoption require formal consultation on draft Village/Neighbourhood Design Statements and this decision relates to the approval of the draft Denmead VDS and draft St Barnabas West NDS for consultation.

The draft VDS/NDSs have been produced with some assistance from consultants (Atkins), appointed by the City Council and funded from Planning Delivery Grant, to assist local groups in producing VDS/NDSs.

### **PROPOSED DECISION**

That the Portfolio Holder for Planning authorises the publication of the draft Denmead Village Design Statement and the draft St Barnabas West Neighbourhood Design Statement (amended as necessary to deal with editing/typographical corrections) for public consultation, such consultation to accord with the relevant requirements of the Town & Country Planning (Local Development) (England) Regulations 2004.

### **REASON FOR THE PROPOSED DECISION AND OTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

The City Council encourages the production of Village Design Statements and Neighbourhood Design Statements by local communities so as to improve the quality of development in local areas and public involvement in the planning process. In order to carry weight in determining planning applications, such Statements need to be adopted by the City Council as Supplementary Planning Documents (SPD). The Town and Country Planning (Local Development) (England) Regulations 2004 set out various requirements which must be followed when producing and adopting SPD, including in relation to public consultation on draft proposals. Failure to meet these requirements could either prevent the City Council from adopting the Village/Neighbourhood Design Statements as SPD or lead to their validity being challenged.

An alternative to formal adoption as SPD would be for the Council to informally adopt or endorse the VDS/NDS. This approach has been adopted for certain site-specific briefs/plans such as the Old Station Yard Sutton Scotney Development Brief and the Cathedral Close Masterplan. However, an informally adopted document will be a less weighty material consideration in determining planning applications and appeals as the formal adoption processes required of SPD have not been followed. While this may be an acceptable approach for a site-specific brief/plan such as those mentioned above, which have been produced by landowners/prospective developers, it would not confer sufficient weight to a document such as a VDS or NDS, which aims to influence planning applications and decisions by others, and to be a robust source of guidance for use, where necessary, in planning appeals. The option of informal adoption or endorsement is, therefore, not considered appropriate for Village Design Statements or Neighbourhood Design Statements.

#### Denmead VDS

The draft VDS has been produced by a group of local people in consultation with the Parish Council, local groups and residents. It has been drafted by the 'Denmead Future' group, which is also progressing other initiatives, such as a town Health Check. The group have had assistance from the Council's consultants, Atkins, Planning Aid South and City Council officers. After several drafts a version has been produced which officers are able to recommend as the basis for public consultation. Because of the size of the document, copies of the draft VDS are available for Members to view on the website at [www.winchester.gov.uk](http://www.winchester.gov.uk). The draft VDS generally accords with, and supplements the policies of the newly-adopted Winchester District Local Plan. It also meets other requirements for Supplementary Planning Documents, for example through the inclusion of a consultation statement and a Sustainability Appraisal.

St Barnabas West (Teg Down) NDS

This draft NDS has been produced by a group of local people, in consultation with residents, officers and Councillors. The group has also has some assistance from the Council's consultants, Atkins, Planning Aid South and City Council officers. The NDS has been through several drafts and is now in a form which officers are able to recommend for consultation. Because of the size of the document, copies of the draft VDS are available for Members to view on the website at [www.winchester.gov.uk](http://www.winchester.gov.uk). The draft NDS also generally accords with, and supplements the policies of the newly-adopted Winchester District Local Plan. It has a particular emphasis on public consultation early in the planning process, which is consistent with the emerging Statement of Community Involvement. It also meets other requirements for Supplementary Planning Documents, for example through the inclusion of a community involvement statement and a Sustainability Appraisal.

**FURTHER ALTERNATIVE OPTIONS CONSIDERED AND REJECTED FOLLOWING PUBLICATION OF THE DRAFT PORTFOLIO HOLDER DECISION NOTICE****DECLARATION OF INTERESTS BY THE DECISION MAKER OR A MEMBER OR OFFICER CONSULTED****DISPENSATION GRANTED BY THE STANDARDS COMMITTEE**

Approved by: (signature)

Date of Decision

Councillor Barry Lipscomb – Portfolio Holder for Planning and Transport