

**Cabinet**

**17 May 2023**

**Parking and Accessibility  
Supplementary Planning Document**

**Ordinary Decision**



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## **Report of Corporate Management Team**

**Amy Harhoff, Corporate Director of Regeneration, Economy and Growth**

**Councillor Elizabeth Scott, Cabinet Portfolio Holder for Economic Regeneration and Partnerships**

### **Electoral division(s) affected:**

Countywide

### **Purpose of the Report**

- 1 The purpose of this report is to seek Cabinet's approval to commence consultation on the latest draft of the Parking and Accessibility Supplementary Planning Document. the document supports the County Durham Plan, adopted in October 2020.

### **Executive Summary**

- 2 The County Durham Plan seeks to ensure that County Durham is a successful place to live, work, invest and visit by focussing on supporting and creating vibrant communities. The Plan is a comprehensive document covering all aspects of planning however, to provide more detailed advice or guidance on the policies in the Plan, Government guidance allows the preparation of supplementary planning documents (SPDs). SPDs are capable of being a material consideration in planning decisions but are not part of the development plan.
- 3 The Parking and Accessibility SPD sets out the parking and accessibility requirements for developers and officers to have regard to in assessing planning applications. The SPD sets out comprehensive guidance on parking requirements at residential and non-residential development sites. The guidelines define what an accessible location is and how parking may be restricted at accessible destinations to encourage more active and sustainable travel. The document includes specific guidance for disabled persons parking, parking at residential

and non-residential development sites, and parking guidance for cycling and electric vehicles. These guidelines must be read in conjunction with County Durham Plan Policy 21, Councils Building for Life SPD, Residential Amenity SPD and the Highway Design Guide.

- 4 If agreed consultation will be undertaken on the SPDs from 29 May to 9 July 2023. All consultation will be undertaken in accordance with the Council's Statement of Community Involvement.

### **Recommendation**

- 5 Cabinet is recommended to:
  - (a) agree the draft of the Parking and Accessibility Supplementary Planning Document (Appendix 2) for consultation from 29 May to 9 July 2023; and
  - (b) agree to delegate to the Corporate Director of Regeneration, Economy and Growth in consultation with the Portfolio Holder for Economic Regeneration and Partnerships the power to make minor modifications and adopt the Parking and Accessibility Supplementary Planning Document following consultation.

## **Background**

- 6 At a meeting of Full Council on 21 October 2020 the Council adopted the County Durham Plan. The Plan seeks to ensure that County Durham is a successful place to live, work, invest and visit by focussing on supporting and creating vibrant communities. The Plan is a comprehensive document covering all aspects of planning however, to provide more detailed advice or guidance on the policies in the Plan, Government guidance allows the preparation of supplementary planning documents (SPDs).
- 7 SPDs are capable of being a material consideration in planning decisions but are not part of the development plan. SPDs can add weight in decision making but should be in conformity with the policies in the Plan rather than introduce new policy. It is also imperative that new SPDs do not increase the financial burden on the development industry over and above the burden that was tested through viability appraisal as part of the Local Plan Examination.

## **Parking and Accessibility Supplementary Planning Document**

- 8 The Council previously set out its parking and accessibility requirements in a guidance document for developers and officers to have regard to in assessing planning applications. During the Examination in Public hearings for the County Durham Plan, the planning inspector recommended that this guidance be reviewed and set out more formally as an SPD to support Policy 21 (Delivering Sustainable Transport) of the Plan. This recommendation was subsequently translated into a Main Modification which the inspector considered was necessary to make the Plan sound.
- 9 In order to comply with the relevant regulations<sup>1</sup> at least two rounds of consultation are required to prepare an SPD. This is the third consultation for the draft Parking and Accessibility SPD (Appendix 2) which seeks to incorporate suggested changes received during the previous two rounds of consultation. In response to the second round of consultation, a total of 42 comments were received from 20 separate organisations.
- 10 A detailed Statement of Consultation is attached at Appendix 3, but some of the key comments to come out of the consultation include concern that from community groups, National Highways, and housebuilders that the parking requirements on residential developments were too high. In particular, the housebuilding industry

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<sup>1</sup> Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012

considered it was unreasonable to not count garages over a certain size (6x3m) as parking spaces on residential developments.

11 Stakeholders also wanted more information on sustainable transport modes and how non-residential sites can reduce levels of car parking when located near public transport routes and walking and cycling links. There was also a request for more clarity on the number of Electric Vehicle spaces on all new developments and how many of the spaces on non-residential sites would be accessible for all.

12 Following the second round of consultation and in response to the comments made, including those in paragraph 10 and 11 above, a number of amendments are now being proposed, some of which are significant. For this reason, the Council consider that a further round of consultation is appropriate. Some of the key amendments include:

- Amended the residential parking standards to the following:

<b>Number of bedrooms</b>	<b>Minimum allocated in curtilage, on driveway (including garages)</b>
1	1 per dwelling
2	2 per dwelling
3	2 per dwelling
4	3 per dwelling
5	3 per dwelling
6 plus	4 per dwelling

- The residential parking standards are now broadly similar to those being used in Northumberland. The inclusion of garages as counting towards a parking space responds directly to concerns of the house building industry as part of the consultation;
- Added text stating that the Council may consider removing permitted development rights to control the future loss of garages on a case by case basis;
- Change made to reflect a proposed change to DCCs Highways Design Guide that residential estate roads on sites under 100 dwellings should be a minimum width of 5.5 metres;

- Added a requirement that all new dwellings should have an EV chargepoint (minimum 7KW) in accordance with part S of the building regulations;
  - Public Transport Accessibility text in the existing 2019 Parking and Accessibility SPD, which was omitted from previous consultation version, has been updated and reinserted into residential guidance section;
  - New text inserted to reflect the opportunity to reduce car parking at destinations that are well served by walking and cycling links related to the development of our developing Local Cycling and Walking Infrastructure Plans (LCWIPs);
  - Short and long stay cycle parking guidance has been amended to reflect the guidance set out in DfT's Local Transport Note 1/20;
  - The guidance has been changed so that every destination car park should have an inclusive/accessible EV charging point and bay;
  - Amendment made to reflect that 25% of all parking bays on non-residential sites should have some level of EV provision, whether that be passive or active; and
  - The SPD will be known and be referred to as guidance (rather than standards) which allows more flexibility for decision makers.
- 13 Once adopted the Parking and Accessibility SPD will replace the current County Durham Parking and Accessibility Standards 2019. It is proposed that following consultation, this SPD can be approved under delegated powers as set in recommendation (b) above. However, if significant changes are required following the public consultation, then the SPD will need to return to Cabinet for adoption. The draft Parking and Accessibility SPD document, which reflects the amendments set out at paragraph 12 above is attached at Appendix 2.

### **Next Steps**

- 14 If agreed consultation will be undertaken on the SPD from 29 May to 9 July 2023. All consultations will be undertaken in accordance with the Council's Statement of Community Involvement. Subject to the scale of the changes required following the consultation the Parking and Accessibility SPD can be adopted using delegated powers.

### **Background papers**

- County Durham Plan – Adopted 2020

**Author**

Mike Allum

Tel: 03000 261906

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## **Appendix 1: Implications**

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### **Legal Implications**

The Town and Country Planning (Local Planning) (England) Regulations 2012 set out how to prepare development plan documents and supplementary planning documents. Before the SPDs can be adopted, it is necessary to undertake at least two rounds of public consultation.

### **Finance**

As the SPDs progress there will be some costs for appropriate evidence gathering, consultation and printing which will be met from the Spatial Policy budget.

### **Consultation**

The programme of consultation has been agreed with the Council's Corporate Communications Team and the Council's Consultation Officers Group and will be undertaken in accordance with the Statement of Community Involvement and the 2012 Local Plan Regulations.

### **Equality and Diversity / Public Sector Equality Duty**

The Council acknowledges that, in exercising its functions, it has a legal duty under the Equality Act 2010 to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations. This duty applies to all people defined as having protected characteristics under that legislation. An Equality Impact Assessment was prepared for the County Durham Plan which considered the impact of all of the Plan's objectives and policies, including those that relate to each of the SPDs for consideration.

### **Climate Change**

Climate change is a thread running through the County Durham Plan. The importance of tackling and adapting to climate change is recognised in the Plan's Vision, Objectives, Sustainable Development Statement, spatial strategy and a number of policies. As the SPDs sit below and reflect the policies and strategies of the County Durham Plan they similarly reflect this approach.

### **Human Rights**

Human Rights issues were considered as part of the preparation of the County Durham Plan and in particular Article 8 which protects people's right to respect for their private life, family life and home and Protocol 1, Article 1 which protects a person's right to enjoy their property peacefully. As the

SPDs sit below and reflect the policies and strategies of the County Durham Plan they similarly reflect its approach.

### **Crime and Disorder**

None.

### **Staffing**

None.

### **Accommodation**

None.

### **Risk**

Not applicable.

### **Procurement**

If required, consultants may need to be commissioned to deliver evidence studies. None have so far been used for the preparation of the SPD.



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## **Appendix 2: Parking and Accessibility SPD**

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See document attached separately.

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## **Appendix 3: Statement of Consultation – Parking and Accessibility SPD**

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See document attached separately.