

Cabinet

15 May 2024



Shopfront Design Guide, Energy Efficiency, Renewables and the Historic Environment, Biodiversity and Non-designated Heritage Asset Supplementary Planning Documents

Ordinary Decision

Report of Corporate Management Team

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

Councillor Elizabeth Scott, Cabinet Portfolio Holder for Economy, and Partnerships

Electoral divisions affected:

Countywide.

Purpose of the Report

- 1 The purpose of this report is to seek Cabinet's approval to commence consultation on four Supplementary Planning Documents (SPDs). These are the second draft of the Shopfront Design Guide SPD and Energy Efficiency, Renewables, and the Historic Environment SPD, and the first draft of the Biodiversity SPD and Non-designated Heritage Asset (NDHA) SPD. All four documents support the County Durham Plan (CDP) adopted in October 2020.

Executive summary

- 2 The CDP 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 SPDs. SPDs are capable of being a material consideration in planning decisions but are not part of the development plan.
- 3 The Shopfront Design Guide SPD provides guidance for shopfront design, restoration, and refurbishment across County Durham.

- 4 The Energy Efficiency, Renewables and the Historic Environment SPD provides guidance to property owners considering making energy efficiency or renewable energy improvements within the historic environment.
- 5 The Biodiversity SPD is a key action in the council's Ecological Emergency Action Plan (EEAP). It provides guidance to improve biodiversity delivery within new developments.
- 6 The NDHA SPD sets out guidance defining what non-designated heritage assets are in the context of national and local planning policy and establishes a selection criteria against which the county's non-designated heritage assets are to be identified and assessed.
- 7 If agreed, consultation will be undertaken on the SPDs from 3 June 2024 to 14 July 2024. All consultation will be undertaken in accordance with the council's Statement of Community Involvement.

Recommendations

- 8 Cabinet is recommended to:
 - (a) agree the second draft of the Shopfront Design Guide SPD as detailed in Appendix 2 and the Energy Efficiency, Renewables and the Historic Environment SPD as detailed in Appendix 3 for consultation from 3 June to 14 July 2024;
 - (b) agree to delegate to the Corporate Director of Regeneration, Economy, and Growth, in consultation with the Portfolio Holder for Economy and Partnerships, the power to make minor modifications and adopt the documents following consultation (if significant changes are required then the SPD will need to return to Cabinet for adoption); and
 - (c) agree the first draft of the Biodiversity SPD as detailed in Appendix 4 and the NDHA SPD as detailed in Appendix 5 for consultation from 3 June 2024 to 14 July 2024.

Background

- 9 At a meeting of Full Council on 21 October 2020 the council adopted the CDP. 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 SPDs. SPDs are capable of being a material consideration in planning decisions but are not part of the development plan.

Shopfront Design Guide SPD

- 10 A shopfront is the first point of contact between a business and the public. A well-designed shopfront will entice customers inside. Shopfronts contribute to an immediate impression and can create a lasting image of a place.
- 11 The Shopfront Design Guide SPD sets out guidance to promote good shopfront design, restoration, and refurbishment. The aim is to improve the general standard of design across the county when carrying out general shopfront alterations and when bringing vacant buildings back into use. This is especially important in areas that are a designated as a conservation area or affect designated or non-designated heritage assets. The SPD includes the following sections:
- (a) policy context and considering heritage requirements;
 - (b) development management and pre-application enquiries;
 - (c) key elements of shopfront design, generally a shopfront should respond to the character of the local area and streetscene and reflect the traditional pattern of frontages; and
 - (d) design principles to ensure good design and how best to incorporate corporate logos, signage, canopies, lighting, maintenance, and security.
- 12 The first draft of the Shopfront Design Guide SPD was consulted on from 23 October 2023 to 3 December 2023. There were three consultees who made representations on the SPD. The document was generally supported however representations noted that it does not take into account modern shopfronts, the impact and opportunities around shutters, proper consideration of illumination, seating, and bins. A full statement of consultation is detailed in Appendix 6 and the key changes made following the consultation are:

- (a) an additional section has been added on modern shopfronts with good practice examples;
- (b) encourage retention and restoration over replacement, references included to emphasise this point;
- (c) a frames document already contains reference to this matter, the section has been amended however to reflect what can/cannot be controllable through planning;
- (d) document now contains numerous examples of 'good' design to show what can be achieved and would be encouraged; and
- (e) minor presentation and text amendments to improve accuracy and clarity.

Energy Efficiency, Renewables, and the Historic Environment SPD

- 13 Taking steps to improve the energy efficiency of historic buildings is important and it is widely recognised that reduced energy costs can improve the appeal and perception of living within historic buildings, helping to avoid them becoming vacant and falling into disrepair. It is also recognised that the historic environment should play its part in decarbonising, supporting local and national net zero goals and adapting to climate change.
- 14 It is also important however that works are carefully managed so that the historic environment and the heritage assets directly affected by the proposals are conserved or enhanced in a manner appropriate to their significance. The Energy Efficiency, Renewables and the Historic Environment SPD therefore sets out guidance for property owners considering making energy efficiency or renewable energy improvements within the historic environment. This can include works to listed buildings, non-designated heritage assets and to properties within conservation areas. The document includes the following sections:
- (a) heritage and planning context;
 - (b) fundamental principles of energy efficiency;
 - (c) types of energy generation and opportunities around renewable energy systems;
 - (d) advice on planning requirements;
 - (e) detailed guidance on the types of building fabric that can be improved such as windows, doors, roofs, walls, and floors; and

- (f) detailed guidance on the types of renewable energy provisions such as solar, heat pumps, wind turbines, biomass and electric vehicle charging points.
- 15 The first draft of the Energy Efficiency, Renewables and the Historic Environment SPD was consulted on from 23 October 2023 to 3 December 2023. There were four consultees who made representations to the SPD. Representations noted support for the document and value the additional clarity it offers for development in historic environments. Suggestions were offered to further improve the document including through clearer guidance and emphasis on retention of traditional features, including a more nuanced grading system and clearer guidance on the relative suitability of technologies including, for example, battery storage and heat recover from ventilation. A full statement of consultation is detailed in Appendix 7 and the key changes made following the consultation are:
- (a) additional references have been added to encourage retention of existing traditional fabric;
 - (b) amendments have been made to the SPD to take into account feedback including reference to mechanical ventilation with heat recovery, batteries, and protected species; and
 - (c) the gradings have been revisited as recommended by Belmont Parish Council to better reflect the relative harm and acceptability of solar slates and roof mounted PV panels.

Biodiversity SPD

- 16 The council declared an ecological emergency in April 2022 and the Biodiversity SPD is a key action in the council's EEAP. The action plan is a key reporting tool against the council's strengthened biodiversity duty under the Environment Act 2021. The council must report against the biodiversity duty and this SPD is a deliverable action that complies with this duty.
- 17 The SPD provides guidance to improve biodiversity delivery within new developments; it sets out:
- (a) County Durham's ecological importance and the existing policy framework;
 - (b) what biodiversity net gain and the nature recovery network are in planning terms;
 - (c) what the council expects to be included and addressed within planning applications;

- (d) the information that needs to be submitted at each stage of the planning process; and
- (e) how to build biodiversity into development.

Non-designated Heritage Asset SPD

18 At its meeting on 15 November 2023 Cabinet agreed a local list of Non-designated Heritage Assets for eight pilot areas across the county, and for the development of internal governance arrangements for the further identification of NDHAs via the production of an SPD. Accordingly, the NDHA SPD sets out guidance defining what non-designated heritage assets are in the context of national and local planning policy and establishes a selection criteria against which the county's non-designated heritage assets are to be identified and assessed. It includes the following:

- (a) procedure for identifying non-designated heritage assets;
- (b) assessing the impact of development on non-designated heritage assets (decision making on planning applications);
- (c) identification criteria;
- (d) selection and ratification process;
- (e) access to information;
- (f) process for nominations and deletions; and
- (g) limitations to identification.

Next Steps

19 If agreed consultation will be undertaken on the SPDs from 3 June 2024 to 14 July 2024. All consultations will be undertaken in accordance with the council's Statement of Community Involvement. In appreciation of the technical nature of the documents, plain English summaries will be prepared for the consultation. Subject to the scale of the changes required following the consultation the Shopfront Design Guide SPD and Energy Efficiency, Renewables and the Historic Environment SPD can be adopted using delegated powers. The second drafts of the other SPDs will be consulted on later in 2024.

Background papers

County Durham Plan – Adopted 2020

Other useful documents

None

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Appendix 1: Implications

Legal Implications

The Town and Country Planning (Local Planning) (England) Regulations 2012 sets out how to prepare development plan documents and SPDs. Before the SPDs can be adopted, it is necessary to undertake 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 and Engagement

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 CDP that 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 CDP. 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 CDP they similarly reflect this approach.

Human Rights

Human rights issues were considered as part of the preparation of the CDP and, in particular, Article 8 which protects a person's right to respect 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 CDP they similarly reflect its approach.

Crime and Disorder

None.

Staffing

None.

Accommodation

None.

Risk

None.

Procurement

If required, consultants may need to be commissioned to deliver evidence studies.

Appendix 2: Shopfront Design Guide Supplementary Planning Document

Please refer to the attached Shopfront Design Guide SPD.

Appendix 3: Energy Efficiency, Renewables, and the Historic Environment Supplementary Planning Document

Please refer to the attached Energy Efficiency, Renewables, and the Historic Environment SPD.

Appendix 4: Biodiversity Supplementary Planning Document

Please refer to the attached Biodiversity SPD.

Appendix 5: Non-designated Heritage Asset Supplementary Planning Document

Please refer to the attached Non-designated Heritage Asset SPD.

Appendix 6: Shopfront Design Guide Supplementary Planning Document Statement of Consultation

Please refer to the attached Shopfront Design Guide SPD Statement of Consultation.

Appendix 7: Energy Efficiency, Renewables, and the Historic Environment Supplementary Planning Document Statement of Consultation

Please refer to the attached Energy Efficiency, Renewables, and the Historic Environment SPD Statement of Consultation.