
WATERSIDE – SUPPLEMENTARY PLANNING DOCUMENT (SPD)

Report of the Corporate Director: Regeneration & Culture

1.0 Purpose of Report

- 1.1 This report has been brought to Cabinet for the adoption of the Waterside SPD, as a supporting document to the City of Leicester Local Plan 2006.

2.0 Summary

- 2.1 The SPD was originally brought to Cabinet on 5th December 2005, when it was agreed that the document would be adopted subject to further research and amendments. These included research into Section 106 developer contributions and tariff, highways studies and changes as a result of the previously undertaken public consultation.
- 2.2 Since December 2005 further research has been undertaken and commissioned by officers, working with the Leicester Regeneration Company and partners to progress the agreed transportation studies and developer contributions tariff. This work is still being progressed. Due to the increasing pressure and interest in the area from developers, it is considered essential that the SPD be adopted at this stage, rather than wait for this work to be completed. Without an adopted SPD the Councils position in a planning appeal situation would be much less strong, and important sites and areas could be vulnerable to inappropriate development.
- 2.3 At this stage, the document has been amended only to incorporate the changes required by the public consultation (which were reported and agreed by Cabinet in December 2005), and brought up to date to reflect changes in planning policies and procedures. It does not include any changes to proposals, these remain as previously agreed. The changes to presentation will be undertaken once the document has been agreed and adopted by Cabinet and the text and illustrations can therefore be set.

- 2.4 The adopted and re-published SPD will be a robust, professional and user-friendly document. It will be an effective development control and compulsory purchase tool, but will also serve as a proactive, promotional and positive guide, to lead and steer the delivery of the comprehensive regeneration of Waterside.
- 2.5 Waterside is a major and complex regeneration project. It is continually developing and evolving. The detailed research which is currently being undertaken in respect of the agreed transportation studies and developer contributions tariff is being supplemented by analysis of existing and potential housing and commercial markets. The results of this work may necessitate further changes to the SPD, and if this is the case, the proposals will undergo the necessary internal and public consultation and be brought back to Cabinet for approval at a later date.

3.0 Recommendations

- 3.1 Cabinet is recommended to formally ADOPT the document as a Supplementary Planning Document to the City of Leicester Local Plan 2006.

4.0 Financial & Legal Implications

- 4.1 There are no immediate financial implications as a result of this report. The Guidelines for Developers in the LRC area (Blue Guide) have been incorporated into the Local Plan. However the implications of PPS3 should be borne in mind as the threshold for affordable housing is reduced to 15 dwellings and the new definition of affordable housing excludes low cost market housing. There will of course (as and when developments take place) be income generated for the City Council in the form of Developer Contributions and Planning application fees.

Author Paresh Radia, Deputy Head of Finance R & C

4.2 Legal Implications

- 4.3 The 2004 Planning and Compulsory Purchase Act was designed to speed up the Development Plan system. Under the Act Supplementary Planning Guidance was replaced by Supplementary Planning Documents.
- 4.4 National guidance (Planning Policy Statement 12 - Development Plans in the Planning System) explains the role of Supplementary Planning Documents. SPDs are now optional material considerations, but they do not have Development Plan status. Their legitimacy, however, is conferred by the consultation process that they will have been subject to.
- 4.5 Officers in Regeneration and Culture have prepared this SPD in accordance with the guidance provided in PPS 12.

- 4.6 In accordance with the Local Authorities (Functions and Responsibilities) Regulations and the provisions of the Council's Constitution, approval of SPDs is a matter for Cabinet.

Author Anthony Cross; Head of Legal Services.

5.0 Report Author

Deborah Rose
Manager Development Team
297202

Key Decision	No
Reason	N/A
Appeared in Forward Plan	N/A
Executive or Council Decision	Executive (Cabinet)



WARDS AFFECTED: Abbey & Fosse

CABINET COMMITTEE MEETING

23rd APRIL 2007

WATERSIDE SUPPLEMENTARY PLANNING DOCUMENT (SPD)

Report of the Corporate Director: Regeneration & Culture

SUPPORTING INFORMATION

Report

1 Background

- 1.1 The SPD represents Area Strategy Guidance for Waterside, the largest of the LRC's intervention areas, and as proposed in the LRC's Masterplan and Development Framework. They were subject to intensive public consultation, which influenced the strategy and confirmed support for the major proposals. The principles of the Masterplan were agreed by Cabinet in September 2002.
- 1.2 Waterside covers approximately 1 square kilometre of land to the north-west of the city centre that is presently in largely industrial use. It spans an area between Rally Park, Abbey Gate, Vaughan Way and St Nicholas Circle.
- 1.3 The SPD seeks to secure a comprehensive approach to development. It also identifies the public infrastructure that will be required to make Waterside a sustainable and successful new district, well integrated into the surrounding city, and the means by which the infrastructure could be financed and delivered.
- 1.4 The SPD was originally brought to Cabinet on 5th December 2005, when it was agreed that the document would be adopted subject to further research and amendments. This work included Section 106 developer contributions and tariff, highways studies and changes as a result of the public consultations.
- 1.5 Since December 2005 further research has been undertaken and commissioned by officers, working with the Leicester Regeneration Company and partners to progress the agreed transportation studies and developer contributions tariff. This work is still being progressed, and whilst the results of

these studies will be available within the next three months, further work will be required to determine and agree how the results and findings will impact on the proposals and how they will need to change in order to respond to the new information. However, due to the increasing pressure and interest in the area from developers, it is considered essential that the SPD be adopted at this stage, rather than wait for this work to be completed. Without an adopted SPD the Councils position in a planning appeal situation would be much less strong, and important sites and areas could be vulnerable to inappropriate development.

- 1.6 At this stage, the document has been amended only to incorporate the changes required by the public consultation (which were reported and agreed by Cabinet in December 2005), and brought up to date to reflect changes in planning policies and procedures. It does not include any changes to proposals, these remain as previously agreed. The document will however take account of the recent Energy Conservation and Renewable Energy in New Developments SPD 2005 and the Tall Buildings SPD, if this is adopted by Cabinet on 2nd April 2007. The published version will be more user friendly in its presentation and include an up-dated introduction, amended minor factual information, a user guide, index and cross-referencing. These changes to presentation will be undertaken once the document has been agreed and adopted by Cabinet and the text and illustrations can therefore be set. The references to the Tall Buildings SPD will also be included if this is adopted by Cabinet.
- 1.7 When adopted as a Supplementary Planning Document, the SPD will provide guidance and direction for all planning applications submitted to the City Council as the Local Planning Authority, within the Waterside area. It will:
- Set out the Council's vision for Waterside.
 - Ensure a comprehensive approach to regeneration of the area.
 - Illustrate clear urban design and planning guidance to developers and landowners.
 - Ensure integration with existing residential areas, to ensure maximum benefits are achieved for existing residents and communities.
 - Identify buildings, conservation areas and other areas of historic and/or architectural interest, and demonstrate ways in which they can be sensitively incorporated into new development schemes.
 - Promote a mix of building uses at an appropriate density to ensure vitality, a sense of place and a safe environment.
 - Identify opportunities for future development including a new canal basin, residential, live/work, retail, community, leisure and commercial.

- Increase pedestrian and vehicular permeability and legibility within and through the area, and fully integrate this area with the surrounding city, in particular the existing residential areas and city centre.
- Secure sustainable high quality and innovative building design.
- Identify responsibilities and requirements of all parties and developments.
- Indicate requirements for infrastructure.

1.8 The SPD may also be used to support compulsory purchase orders as part of the delivery and land acquisition programme.

2.0 Public / Stakeholder Consultation

2.1 The draft SPD was the subject of an extensive stakeholder/public consultation exercise, the details of which were reported when the SPD was previously brought to Cabinet. Changes required as a result of the public consultation will be included in the revised document.

3.0 Recommendation

Cabinet is recommended to approve the draft SPD for adoption as a Supplementary Planning Document to the City of Leicester Local Plan. The document will then be edited to include all agreed changes, page numbers, cross referencing, a glossary of terms and insertion of illustrations/photographs, which, due to the publishing process, cannot be incorporated until the written text has all been set.

4.0 Financial Implications

4.1 There are no immediate financial implications as a result of this report. The Guidelines for Developers in the LRC area (Blue Guide) have been incorporated into the Local Plan. However the implications of PPS3 should be borne in mind as the threshold for affordable housing is reduced to 15 dwellings and the new definition of affordable housing excludes low cost market housing. There will of course (as and when developments take place) be income generated for the City Council in the form of Developer Contributions and Planning application fees.

Author Paresh Radia, Deputy Head of Finance R & C

5.0 Legal Implications

- 5.1 The 2004 Planning and Compulsory Purchase Act was designed to speed up the Development Plan system. Under the Act Supplementary Planning Guidance was replaced by Supplementary Planning Documents.
- 5.2 National guidance (Planning Policy Statement 12 - Development Plans in the Planning System) explains the role of Supplementary Planning Documents. SPDs are now optional material considerations, but they do not have Development Plan status. Their legitimacy, however, is conferred by the consultation process that they will have been subject to.
- 5.3 Officers in Regeneration and Culture have prepared this SPD in accordance with the guidance provided in PPS 12.
- 5.4 In accordance with the Local Authorities (Functions and Responsibilities) Regulations and the provisions of the Council's Constitution, approval of SPDs is a matter for Cabinet.

Author Anthony Cross; Head of Legal Services.

6.0 Other Implications

OTHER IMPLICATIONS	YES/NO	Within Supporting Information
Equal Opportunities	Yes	<p>SPD:</p> <p>Urban Design Framework Pedestrian and Cycle Network. This section highlights the requirement to increase safe movement through the area for all pedestrian and cycle users.</p> <p>Residential Mix Emphasises the need for a mix of housing types, sizes and tenures, and identifies areas particularly suited to either apartments or low rise family housing.</p> <p>Housing and Affordable Housing Both identify the need to deliver a target average of 30% affordable housing across Waterside.</p>
Policy	Yes	City of Leicester Local Plan 2006
Sustainable and Environmental	Yes	<p>The entire SPD seeks to embody the latest thinking in terms of creating a balanced sustainable community.</p> <p>Sustainability This section deals with energy, water conservation/drainage, adaptability, Leicester better buildings.</p>

Crime and Disorder	Yes	Building Typology & Active Frontages This section emphasises the need for buildings to be designed in order to facilitate natural surveillance of the public realm from surrounding new buildings. This requirement is repeatedly emphasised throughout the Document.
Human Rights Act	Yes	This report is not seeking any Compulsory Purchase Orders.
Elderly/People on Low Income	Yes	Residential Mix Emphasises the need for a mix of housing types, sizes and tenures, and identifies areas particularly suited to either apartments or low rise family housing. Affordable Housing Identifies the need to deliver a target average of 30% affordable housing across Waterside.

7.0 Risk Assessment Matrix

	Risk	Likelihood L/M/H	Severity Impact L/M/H	Control Actions (if necessary/or appropriate)
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

L - Low
M - Medium
H - High

L - Low
M - Medium
H - High

8.0 Background Papers – Local Government Act 1972

Report to Cabinet – Strategic Framework of the LRC’s Masterplan, September 2002.

Report to Cabinet December 2005

City of Leicester Local Plan 2006

Replacement City of Leicester local Plan 2003

Report to SPAR Scrutiny committee on 27th July and 12th October 2005

9.0 Consultations

9.1 Consultations Relating to this Report

Legal Services

R & C Finance

10. Report Author

Deborah Rose
Manager, Development Team
297202