

CABINET
29 OCTOBER 2020

REPORT OF THE HEAD OF PLANNING, ECONOMY AND REGENERATION

MID DEVON DESIGN GUIDE SUPPLEMENTARY PLANNING DOCUMENT (SPD)

Cabinet Member(s): Cllr Richard Chesterton, Cabinet Member for Planning & Economic Regeneration

Responsible Officer: Mrs Jenny Clifford, Head of Planning, Economy and Regeneration

Reason for Report and Recommendations: To inform members of the outcomes of the public consultation on the Design Guide, the amendments that have been made in response to comments received, and to adopt the Mid Devon Design Guide as a Supplementary Planning Document.

RECOMMENDATION:

That Cabinet:

Approves the proposed Mid Devon Design Guide Supplementary Planning Document (comprising Appendices 1-5 to this report), the Strategic Environmental Assessment Screening Report (Appendix 6) and the Habitats Regulations Assessment Screening Report (Appendix 7) for adoption.

Financial Implications: The SPD provides consistent guidance to assist in the consideration of planning applications. The status as a Supplementary Planning Document gives greater weight to the document and will provide a sound basis of evidence in case of appeal.

Budget and Policy Framework: The budget for the production of the Mid Devon Design Guide was agreed at Cabinet on 5th April 2018. The Policy Framework consists of both statutory documents that have to be adopted or approved by the Council as well as locally determined policies and strategies that form an integral part of the decision making process. Once adopted, the Design Guide would have Supplementary Planning Document status and will be a material consideration for planning decision making purposes.

Legal Implications: The process of preparing the SPD is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 and backed up by the Council's Statement of Community Involvement. The SPD has been subject to screening in accordance with

- the Strategic Environmental Assessment Directive;
- the Conservation of Habitats and Species Regulations 2017 (as amended); and
- the Conservation of Offshore Marine Habitats and Species Regulations (2017) (as amended).

Adoption of the Mid Devon Design Guide will help raise design standards in development proposals that are submitted to the Council for determination and help guide planning decisions made on these. The status as a Supplementary Planning

Document gives greater weight to the document as a material consideration in the determination of planning applications.

Risk Assessment: The risk is deemed to be low. The SPD provides guidance on design issues in Mid Devon. The document will reduce the risk of costs being awarded against the Council providing decisions are based on its content.

Equality Impact Assessment: A full Equality Impact Assessment has been prepared as part of the Local Plan Review Evidence Base. The assessment undertaken for Policy DM1 (High Quality Design) indicates a high possibility of a positive impact in regard to the protected characteristics. This policy provides the baseline for the more detailed guidance to be included in the Design SPD.

Relationship to Corporate Plan: The Mid Devon Design Guide Supplementary Planning Document (SPD) will contain guidance on the urban, village and rural design issues for development in Mid Devon. It will therefore help deliver all four of the Corporate Plan priorities

Impact on Climate Change: One of the core principles of the Design Guide is to support, through design, the Council's commitment to achieving net zero emissions by 2030.

1.0 Introduction

- 1.1 Supplementary Planning Documents (SPD) are a means to provide further guidance and information about how local plan policies (and the development plan as a whole) will be applied and interpreted. They are usually specific to a particular planning policy objective e.g. air quality, affordable housing, design etc. Although they are not part of the adopted development plan, they must not conflict with it. They are, however, material considerations in determining planning applications.
- 1.2 Mid Devon District Council is proposing a new SPD to provide detailed guidance on urban, village and rural design issues in Mid Devon. It is intended that the SPD will assist in raising design awareness and standards throughout the planning process.
- 1.3 Securing good design is central to good planning and place-making. The National Planning Policy Framework (NPPF) states "good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectation, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process. Furthermore, the Design Guide has been informed by the 10 important characteristics of good places set out in the National Design Guide and is shaped by a clear understanding of the local area's qualities and opportunities.

The SPD has been prepared in accordance with Part 5 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and the

Council's Statement of Community Involvement.

1.4 The Design Guide (Attached at **Appendices 1-5**) has been prepared for the Council by consultant DHUD Ltd in conjunction with Hilton Barnfield Architects and Hyas Associates Ltd.

2.0 **Process of Preparing the Design Guide**

2.1 From the outset, the overall aim of the design guide has been to equip all parties in the planning process to more easily identify contextual factors which influence design response and enable them to prepare a coherent and evidenced response to these. Regular and meaningful stakeholder engagement has therefore been essential in shaping the guide.

2.2 A series of stakeholder engagement sessions were held as follows:

- Informal Member Workshop (March 2018) – Members were asked to consider key design challenges in Mid Devon and identify top design priorities for the Design Guide. This information was provided to the consultant team during project inception.
- Technical Stakeholder Session (November 2018) - This was aimed towards a wide range of local architects, agents and developers as well as statutory consultees and other public sector organisations involved in the planning process. A total of 15 stakeholders attended. A good balance of delivery and debate was had throughout the day and attendees were exposed to each other's, as well as the consultant's and the Council's perspectives on a wide range of design issues. This allowed all stakeholders to develop an understanding of each other's varied incentives in preparing a robust Design Guide.
- Design Guide Training Session (March 2019) – This was aimed towards MDDC Elected Members, Planning Officers, town and parish councils and neighbourhood plan groups. A total of 34 stakeholders attended. The aim of the event was to equip interested parties with the skills and knowledge to apply the guide alongside their existing involvement in the planning process and 'road-test' the emerging design guide material with actual users and on equivalent real development proposals.

2.3 These sessions were invaluable in shaping both the methodological approach, and usability of the Design Guide. Since these workshops, officers have been working closely with the consultant team to finalise the content and structure of the design guide.

3.0 **Structure of the Design Guide**

3.1 The content of the Design Guide is structured into four volumes as follows:

- Volume 1: Procedural Guidance
- Volume 2: Designing for Landscape & Settlement Form
- Volume 3: Compendium of District Design
- Volume 4: Special Topic Guides

3.2 A brief description of each volume is provided below:

Volume 1: Procedural Guidance

- 3.3 This volume sets out overarching core principles for the design guide and as well as background and context. It provides guidance and instructions on how to use the guide to enable all users to help shape the design of sites and ensure that they are influenced by and respond to the district's contrasting distinctiveness. The diagram on page 7 within Volume 1: Procedural Guidance provides an overview on how to navigate through the guide.

Volume 2: Designing for Landscape & Settlement Form

- 3.4 This volume provides a step by step guide to preparing design responses to landscape, settlement form and site situation. Initially, this volume should be used to understand a site's context with reference to Landscape Character descriptions associated with its location, the form of the settlement the site lies within. Users can then identify the role of the site within the settlement. A framework of design guidance is also provided for each of the 3 main towns in the district, providing a spatial interpretation of the policy objectives for each of these towns. Finally, additional guidance is provided for development in the countryside in accordance with the Local Plan policies for these areas.

Volume 3: Compendium of District Design

- 3.5 This Compendium of District Design represents a study of the features of the built environment throughout the Mid Devon District. Each feature is presented and analysed in a separate chapter. These chapters cover public realm, proportion and scale, frontages and elevations, boundaries and thresholds, doors and porches, windows, materials, roofs and dormers, chimneys, extensions and alterations, parking and transport and agriculture and commercial buildings. Each chapter includes a summary of the treatment of each feature and the contribution it can make to good design when carefully considered as part of a robust design process. The summary also provides a brief overview of how each feature has been used in examples across the district in both historical and more contemporary contexts.

Volume 4: Special Topic Sheets

- 3.6 This final section provides guidance on a range of specific 'special topics' and outlines how design considerations in these areas can help to achieve the objectives of the Local Plan. The 'special topics' include:
- Designing for Community
 - Designing for Health and Wellbeing
 - Design, Housing Delivery and Viability
 - Design, Accessibility and Inclusiveness
 - Employment and Commercial Development
 - Designing for Custom and Self Build
 - Green Infrastructure & Biodiversity

- 3.7 In most cases, information and guidance provided under these special topics refers to already established national guidance and best practice. Where this is the case additional relevant documents are referenced. Whilst previous volumes in the Design Guide have encouraged a bespoke approach to landscape, settlement and site there are also a series of more generic principles applicable to good place making and which all development should have concern for. This series of special topics are areas within the Local Plan in which design has a key role in facilitating good outcomes.

‘Pocket Toolkit’

Finally, the Draft Design Guide also includes a ‘Pocket Guide’ to enable Local Authority Officers and applicants easy ‘table-top’ use of the Design guide during design discussions at the pre-application stage and throughout the application process.

4.0 Public Consultation

- 4.1 In addition to the stakeholder engagement exercises referenced in Section 2.0, the Design Guide was subject to an 8 week public consultation between 11 May and 6 July 2020. A total of 36 responses and 1 late representation was received. A summary of the main comments received during the consultation, along with a response explaining how these have been addressed in the Supplementary Planning Document is provided at **Appendix 8** (in accordance with Regulation 12(a) of The Town and Country Planning (Local Planning) (England) Regulations 2012). Key changes include:

- Inclusion of an additional topic guide to provide guidance in relation to green infrastructure and biodiversity net gain.
- Strengthening the role of the design guide as a tool that can help facilitate carbon emissions reductions arising from new development.
- Additional inclusions to aid clarity and understanding of the Design Guide and its relationship with other requirements and assessments (e.g. historic environment)
- Presentational and typographic amendments.

5.0 Planning Policy Advisory Group (PPAG)

- 5.1 The Planning Policy Advisory Group (PPAG) considered the draft SPD at its meeting of 17th September 2020 and the group recommended that Cabinet approves the Mid Devon Design Guide for adoption. In addition, the following suggestions were made, which are brought to the attention of this Cabinet meeting:
- Some of the weaknesses for Crediton (identified in Design Guide Volume 2, page 22) are equally applicable to Cullompton (identified in Design Guide Volume 2, page 18). For example, congestion and poor quality public realm impact the air quality and environment in Cullompton as well. This change has been incorporated within an updated version of Volume 2 (attached at **Appendix 2**).

- Planning Committee members would welcome an interactive training session in order to assist them in the application of the Design Guide in determination of planning applications. Officers will arrange a training session in due course.

6.0 Conclusions

- 6.1 Once adopted, the Design Guide will help raise design standards in development proposals that are submitted to the Council for determination and help guide planning decisions made on these. The status as a Supplementary Planning Document will give greater weight to the document as a material consideration in the determination of planning applications.
- 6.2 In accordance with the regulations, as soon as reasonably practicable after the Council adopts the SPD, the Council will make available the Supplementary Planning Document, together with an adoption statement and will send a copy of the adoption statement to any person who has asked to be notified.

Contact for more Information:

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Circulation of the Report: Cabinet Member seen and approved [yes/no – name of Cabinet Member], Leadership Team seen and approved [yes/no]

List of Background Papers:

Appendices

- Appendix 1: Volume 1: Procedural Guidance
- Appendix 2: Volume 2: Designing for Landscape and Settlement Form
- Appendix 3: Volume 3: Compendium of District Design
- Appendix 4: Volume 4: Special Topic Sheets
- Appendix 5: Design Guide 'Pocket Toolkit'
- Appendix 6: SEA Screening Report
- Appendix 7: HRA Screening Report
- Appendix 8: Statement of Consultation