

**CABINET**  
**12<sup>th</sup> May 2016**

## **TIVERTON EASTERN URBAN EXTENSION DESIGN GUIDE**

**Cabinet Holder** Cllr Richard Chesterton  
**Responsible Officer** Jenny Clifford, Head of Planning and Regeneration

**Reason for Report:** To consider the Draft Design Guide for the Tiverton Eastern Urban Extension.

### **RECOMMENDATION:**

- 1. That Cabinet adopts the document for development management purposes in the determination of all planning applications received within the Tiverton Eastern Urban Extension (EUE).**
- 2. That the production of a design supplementary planning document is not pursued.**

**Relationship to Corporate Plan:** To ensure delivery of key plans for Mid Devon, including a thriving economy, better homes, empowering local communities and caring for the environment.

**Financial Implications:** None.

**Legal Implications:** it has not been the intention to adopt the document as Supplementary Planning Guidance. However, it is intended to be used as a tool for development management purposes and be a material consideration in planning decisions. The Design Guide has not therefore been through a full consultation process as required by the Council's Statement of Community Involvement if it were to be a Supplementary Planning Document. Even so, an element of consultation has been undertaken with statutory and non-statutory consultees. It is proposed that the Design Guide is adopted by Cabinet and whilst not forming part of the Development Plan, will be a material consideration in the determination of planning applications relating to the EUE.

**Risk Assessment:** If Committee delay adoption of the Design Guide, applications for planning consent may be delayed through protracted negotiations or alternatively there is a risk that they will be progressed by developers without full reference to the design guidance that has been produced.

## **2.0 INTRODUCTION: BACKGROUND.**

2.1 On the 7<sup>th</sup> April 2016, Cabinet were presented with a report requesting consideration of the draft Design Guide for the Tiverton Eastern Urban Extension (EUE). That report detailed the background of the allocation of 153 ha, east of Tiverton, as a mixed use development and the adoption of the Tiverton EUE Masterplan SPD in April 2014. It also updated Members outlining that two outline planning applications for Area A have now either

been granted or have a resolution to grant planning permission subject to the signing of a S106 agreement. Reserved matters applications are currently being drawn up for the north eastern part of the site and planning permission has also been granted for a new highway junction onto the A361. This report should be read in conjunction with the report presented to Cabinet 7 April 2016 which provides greater detail.

- 1.2 Members were minded at the 7<sup>th</sup> April Cabinet Meeting to approve the draft Design Guide but wished to defer the decision to allow for minor amendments to be made to the wording of the guide.
- 1.3 It is noted that the Design Guide has been commissioned by the Council as a technical document and applies to the whole of the Tiverton EUE. It has been prepared to be used collaboratively between the Local Authority, its partners and applicants submitting reserved matter applications. In the first instance, the Design Guide is intended as a tool for the Development Management team and will be a material consideration through the formal application process. However, it will also be a shared asset for partners and applicants and will act as the starting place for conversations regarding design.

## **2.0 THE ROLE OF A DESIGN GUIDE.**

- 2.1 The Design Guide has been prepared to bring clarity to the design requirements and expectations embodied within the Masterplan SPD. It does not focus on the control of every detail of the design, specific to site locations within the Tiverton EUE. Instead it identifies the key principles of the design which are believed to be critical to achieving the aims and objectives of the Masterplan SPD and outlines approaches to guide design towards achieving these. In so doing, it coordinates the layout and design requirements across the multiple of land ownerships to ensure development takes place in a comprehensive and seamless way over what may be a long time period.
- 2.2 As an adopted policy document, the Masterplan SPD represents the quantitative framework for the development of the Tiverton EUE. The Design Guide sits within this framework providing a range of solutions which will ensure that the quality of these objectives can be achieved.

## **3.0 THE DESIGN GUIDE.**

- 3.1 The key principles of the Design Guide, its Structure and the level of Public Consultation undertaken to date, were presented to Members and detailed in the Cabinet report dated 7 April 2016. Members were minded to approve the document but wished to defer the decision to allow for minor amendments to be made to the wording of the guide.
- 3.2 Following discussion with selected Members the Revised Draft Design Guide includes a Preamble on page 3 espousing the importance of good design and that beyond the core areas and boulevards an irregular block layout that reflects the semi-rural environment rather than an urban or town scape will be the dominant proposition. The design guide as revised is attached as

**Appendix 1.** Changes have also been made throughout the document as follows:

- a) Page 21. Column 2. Text insert making reference to irregular perimeter block forms.
- b) Page 21. Column 3. Remove the word 'perhaps'.
- c) Page 21. Column 3. Remove the first sentence 'Perimeter blocks allow for a clear and legible hierarchy of streets and spaces, whilst allowing a characterful place to be delivered'.
- d) Page 21. Column 3. Add the word 'irregular' when referencing the perimeter block.
- e) Page 51. Photo 5 cropped to show just the landmark building and the first three windows of the block to the rear.
- f) Page 51. Remove photo 8 and associated text.
- g) Page 63. Section C-C. Remove bullet point two.

#### **4.0 SUPPLEMENTARY PLANNING DOCUMENT.**

4.1 At the Cabinet meeting of 7<sup>th</sup> April, Members also requested information on the implications, costs and timescales of developing a Supplementary Planning Document. Members indicated that they wished to see the adoption of the Design Guide for management purposes as an initial step, but also wanted to consider whether to subsequently translate that document into a full Supplementary Design Guide (SPD). Technically, it would be possible to seek to develop the design guide into an SPD and officers have now looked into this in more detail.

#### **4.2 Timescale.**

4.2.1 In order to do so, under the existing Statement of Community Involvement policies SCI/13 and SCI/14 the guide would need to be subject to 2 stages of public consultation:

- Stage 1 consultation: Subject, scope and potential content of the SPD.
- Consider responses and feed into emerging draft SPD as required.
- Stage 2 consultation: The draft SPD.
- Consider responses, make document amendments to finalise for adoption.

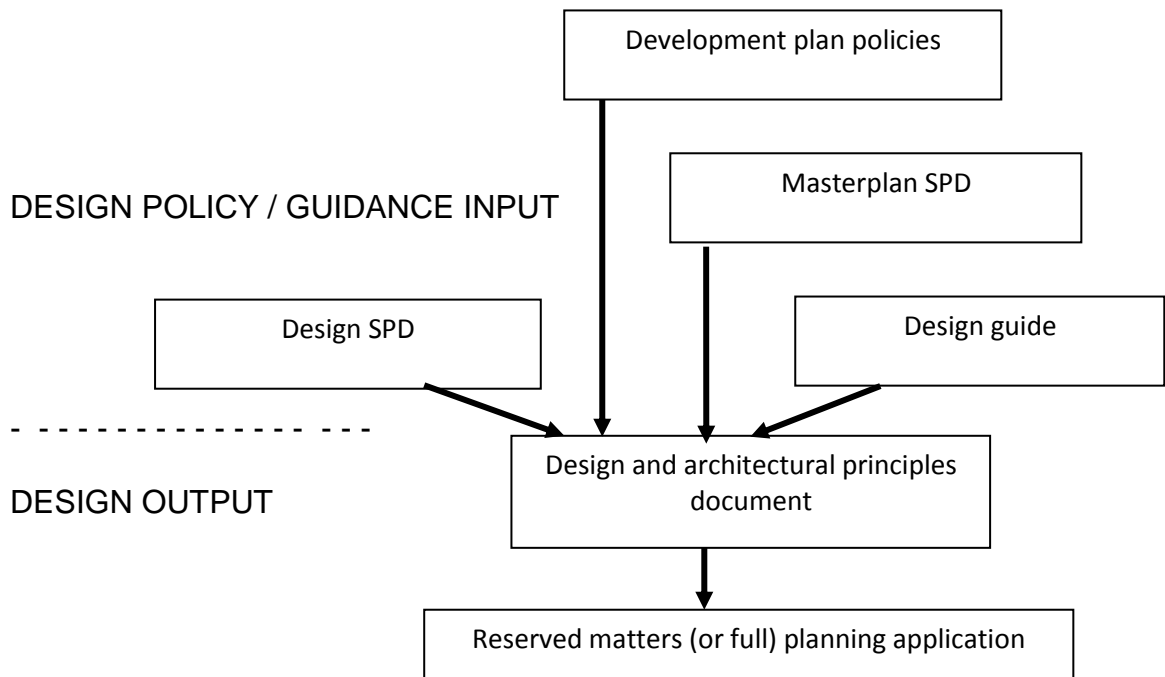
The consultation to date on the Design Guide is not considered to fulfil these requirements. However, a draft document is already available to form the basis for consultation which will reduce the time required to produce an SPD. It is therefore estimated that adoption of the design guide as an SPD would

take in the order of 4-6 months. External consultants would need to be commissioned to undertake this.

#### 4.3 Whether there is the need for an SPD.

4.3.1 An adopted SPD that has been through full public consultation will be given weight in the determination of subsequent planning applications. In conjunction with the policies in the development plan, the adopted masterplan SPD and national planning policies and guidance it will be a material consideration in planning decisions. A design guide that has not had such extensive consultation and has not been through a formal adoption procedure will not be given quite the same weight in planning decision making. However, when prepared in accordance with the adopted masterplan SPD, the design guide will take its authority from that document. The design guide has also been prepared with some stakeholder participation.

4.3.2 The masterplan SPD sets out a design process for the Tiverton Eastern Urban Extension at section 1.7. This requires the production by developers of an urban design and architectural principles document before the submission of reserved matters (detailed) applications. This document is intended to establish guidelines where continuity of approach is required across the whole masterplan area of the site in order to build upon the contents of the masterplan and outline submissions. The design guide that has been produced is intended to inform the production of this urban design and architectural principles document so that the latter primarily becomes an exercise in demonstrating compliance with the design guide contents. Policy and guidance that would be required to be complied with in respect of design would be as follows:



4.3.3 The introduction of a further policy document into the design process by way of an SPD is likely to cause confusion to terms of its relationship with the

design guide (the two documents may not end up precisely the same) and its relationship with the masterplan SPD. Any conflict in either the approach or more detailed contents between the masterplan SPD and a design SPD would carry risk due to the equal status of the documents. It would be difficult to provide continuity of development management advice and subsequently a robust position on officer recommendations on applications. This risk would not exist to the same extents with a design guide. The guide takes its authority from the masterplan SPD and therefore derives its planning weight from its conformity with the masterplan.

#### 4.4 **Cost.**

4.4.1 The design guide was prepared for the Council by external consultants. Their view on the estimates cost of further work to produce an SPD has been sought, but is not available at the time of writing this report. A verbal update will be made on this at the meeting.

### 5.0 **CONCLUSIONS.**

5.1 The Tiverton Eastern Urban Extension Design Guide contributes to the delivery of established policy aspirations for the site, setting out the fundamental principles of layout and design, critical to achieving a coordinated design across the multiple of land ownerships in a comprehensive and seamless way.

5.2 Having assessed in more detail the case for reworking the design guide as an SPD, officers are of the view that whilst it would appear to bring greater decision making weight, there is a risk that its production as a further design document will cause confusion both in terms of how it will relate to the design guide, but also greater risk through equal status with the existing masterplan SPD. Taking all the issues into account, officers recommend that the adoption of the design guide as an SPD is not pursued.

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**List of Background Papers:** Cabinet 17<sup>th</sup> April 2014 (Masterplan SPD)  
Cabinet 7<sup>th</sup> April 2016 (Draft Design Guide)

The adopted policies relating to the Tiverton Eastern Urban Extension may be viewed in the AIDPD at  
<https://new.middevon.gov.uk/residents/planning-policy/mid-devon-local-plan/part-2-aidpd/>

**Circulation of the Report:** Members of Cabinet