

CABINET

18 MARCH 2015

HIGH QUALITY PLACES SUPPLEMENTARY PLANNING DOCUMENT -
ADOPTION

REPORT OF HEAD OF DEVELOPMENT MANAGEMENT

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RECENT REFERENCES:

[CAB2615](#) – Draft Winchester District Local Plan Part 2: Development Management & Site Allocations, 22 September 2014

EXECUTIVE SUMMARY:

A draft version of the High Quality Places Supplementary Planning Document (HQP SPD) was published for public consultation on 24 October 2014 for 6 weeks.

In order for this document to carry weight in the planning decision-making process it needs to be adopted by the City Council as a 'Supplementary Planning Document'. The procedures for producing Supplementary Planning Documents require formal consultation. This report summarises the comments received following public consultation on the draft version of the HQP SPD and recommends adoption of the document, subject to a number of changes in response to comments received, as outlined in the schedule of comments and recommended responses at Appendix 1 and as illustrated in the post-consultation version presented in Appendix 2.

RECOMMENDATIONS:

- 1 That the High Quality Places Supplementary Planning Document, amended as set out in Appendices 1 and 2 to the report, be adopted as a Supplementary Planning Document.
- 2 That the Head of Development Management be given delegated authority to make minor factual changes and corrections, in consultation with the Portfolio Holder for Built Environment, prior to the publication of the document.

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DETAIL:

1 Introduction

- 1.1 The National Planning Policy Framework (NPPF) stresses the importance of planning positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. In addition, the National Planning Practice Guidance (NPPG) states that by establishing sound, clear and easy to follow design policies and processes for use by both developers and local communities, local planning authorities can make design a more transparent and accessible part of the planning process. In order to help achieve these goals, the High Quality Places Supplementary Planning Document (HQP SPD) has been produced, which sets out a comprehensive, positive and practical set of design principles and guidance. The HQP SPD will help facilitate the goals of Local Plan Part 1 policy CP13, which expects new development to meet the highest standards of design. In order to carry weight in determining planning applications, the document needs to be adopted by the City Council as a Supplementary Planning Document (SPD).
- 1.2 The Town & Country Planning (Local Planning) (England) Regulations 2012 set out various requirements which must be followed when producing and adopting SPD, including in relation to public consultation on draft proposals. Failure to meet these requirements could either prevent the City Council from formally adopting the HQP SPD or lead to its validity being challenged.
- 1.3 There is currently no comprehensive local level design guidance for the part of the District which is not covered by the South Downs National Park. In addition, the guidance available at national level has recently been significantly amended, with the longstanding 'By Design' document now superseded by the less detailed NPPG guidance. This underlines the need for detailed local level guidance to aid the implementation of local level policies, supplement the NPPG, augment the existing Village and Neighbourhood Design Statements and provide clarity concerning design issues for all those involved in the development process.
- 1.4 The South Downs National Park Authority had initially indicated that it would be interested in adopting the SPD for the part of the District in the SDNP, which would have meant that it applied District-wide. However, the SNDP

Authority has recently confirmed that they are currently focusing on producing their own Local Plan and are not undertaking new joint working with other local authorities. Therefore, the adoption of the HQP SPD will only relate to the part of Winchester City Council which lies outside of the South Downs National Park.

2 PRODUCTION OF THE HIGH QUALITY PLACES SPD

- 2.1 The decision to produce the HQP SPD originally dates back to the City Council signing the Partnership for Urban South Hampshire (PUSH) High Quality Places Charter in October 2010. Subsequently, WCC officers began working on the initial version of the HQP SPD, building on work which had been undertaken by local authorities in the PUSH area. An early version of the HQP SPD was subject to internal consultation with technical specialists and key stakeholders and various amendments were made in light of that process. This culminated in the production of a consultation version of the HQP SPD which was approved for publication by Cabinet in September 2014 and then subject to 6 weeks of public consultation (alongside the draft Local Plan Part 2) beginning 24 October 2014.
- 2.2 Following the public consultation, officers have undertaken a review of the document in light of the representations received and are recommending revisions to the consultation version of the HQP SPD in order to address issues raised in the representations. Further detail on this process is set out below (please see section 3). Some additional alterations are also proposed in order to prepare the document for final publication as adopted SPD (please see section 4 below).
- 2.3 The HQP SPD accords with paragraph 153 of the NPPF and the relevant section of the NPPG (Reference ID: 12-028-20140306) in that it contains information that will help applicants make successful applications by providing guidance regarding the City Council's requirements in design terms. Furthermore, the HQP SPD meets the various requirements for the preparation of SPD as set out in the 2012 Regulations, for example by complying with the relevant public consultation requirements; this includes the preparation of a consultation statement in accordance with Regulation 12 of the 2012 Regulations. The consultation statement is set out in Appendix 3.
- 2.4 A Sustainability Appraisal has not been undertaken as the 2012 Regulations no longer include this as a requirement.
- 2.5 Therefore, it is considered that the HQP SPD complies with the relevant national policy requirements, and accords with the 2012 Regulations. Accordingly, it is recommended that draft version of the High Quality Places Supplementary Planning Document, amended as set out in Appendices 1 and 2 to the report, is adopted as SPD.

3 SUMMARY OF REPRESENTATIONS AND CHANGES PROPOSED

- 3.1 The public consultation period ran from 24 October to 5 December 2014 and 11 responses were received. These included comments from Natural England, English Heritage, some Parish Councils and the City of Winchester Trust. WCC officers have considered in detail the representations received and prepared recommended responses (please see Appendix 1).
- 3.2 As a result of the consultation process and consideration of the comments made, a number of changes are proposed to the draft HQP SPD. Appendix 1 contains a summary of the representations made, together with the officer response and, in the final column, the changes that are recommended as a result of certain comments made. Appendix 2 sets out an amended version of the HQP SPD with the proposed changes shown in red. Some of the proposed changes are fairly minor (such as the changes to the section on rear parking courts), whilst others are more extensive, such as the inclusion of a glossary at the request of Oliver's Battery Parish Council (please see Appendix 1 B and pages 94-97 in Appendix 2).
- 3.3 Turning to the responses received, these covered a range of issues. Two comments requested additional information in relation to biodiversity, including Natural England. Requests were also made for the document to contain more contextual information, in relation to both Winchester itself and other aspects of the District more widely. Criticism was made in two representations of the lack of emphasis on architectural styles based on historical precedents. The inclusion of photographs showing European examples was also criticised. English Heritage and the Campaign for the Protection of Rural England (CPRE) both stated strong support for the document, but did request that amendments were made in order to address historic environment and countryside issues respectively. The Council's New Homes Delivery Team also recommended that more emphasis be placed on creating sustainable, inclusive and mixed communities.
- 3.4 In relation to the issues concerning biodiversity, amendments have been proposed in order to address the representations received. These amendments are intended to: clarify the planning policy context pertaining to biodiversity issues; highlight the need to incorporate biodiversity enhancement measures where possible; draw attention to the benefits of incorporating migration habitats; and provide for an additional guideline making reference to the need to maintain, protect and where possible enhance the biodiversity characteristics of the site. It is considered that these amendments adequately address the representations received. In addition, other local and national level policies and guidance specifically address biodiversity issues and so there is no requirement to make further amendments to the guidance concerning this issue in the HQP SPD document.
- 3.5 Several representations make reference to a lack of sufficient contextual information in the document. A number of these comments largely focus on the need to provide more detailed information about Winchester specifically.

No specific changes have been recommended in respect of this issue for several reasons. Firstly, this document is designed to apply to the whole of the District (outside the South Downs National Park), and accordingly it would be inappropriate to provide a detailed section on the history and context of Winchester alone, whilst providing detailed contextual information in relation to the wider district¹ would be impractical. Secondly, there is a significant amount of contextual information already available regarding the District such as the City Council's Landscape Character Appraisal, Conservation Area Project, Conservation Area Character Appraisals, Local Area and Village/Neighbourhood Design Statements, as well as numerous relevant publications. Collating all that information is considered both unnecessary and impractical. Furthermore, a crucial element of the document, and urban design more generally, is the need for the designer to fully appraise and engage with the context (part 2 of the HQP SPD). Therefore, it is for the designer to analyse the context, and it is considered that the appraisal process would be undermined by providing extensive contextual information in the document itself, as this would reduce the onus on the designer to properly engage with the context by carrying out their own analysis. As a result of these issues, the document focuses on providing a framework for all involved to properly engage with the context during the design process.

- 3.6 A comment which was made in a number of representations was a request to include reference to a wide range of other pieces of design guidance and design-related publications. It is considered inadvisable to include these references as it would be unreasonable to expect a designer to refer to such a wide array of guidance, though clearly there will be instances where referring to other forms of guidance will be beneficial to the design process, as is already acknowledged in paragraph 1.29 of the document.
- 3.7 Two representations were critical of a perceived lack of emphasis on architectural styles based on historical precedents. It is considered that such an emphasis on historically based styles would be contrary to the requirements of the NPPF which is very clear that it is not appropriate to impose architectural styles or particular tastes nor stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. Accordingly, every effort has been made to ensure that the document encompasses a wide variety of architectural styles and is balanced in its approach. Furthermore, the inclusion within the document of numerous examples of good design in the District aims to ensure that the HQP SPD reinforces local distinctiveness, and facilitates high quality design through drawing on the enormous architectural variety which is a distinctive and positive feature of the District. Therefore, it is considered that no changes are required in relation to this criticism.
- 3.8 Closely related to the above, two representations were also critical of the inclusion of overseas examples in the document. No changes are recommended in relation to this issue, as it is very common to include

¹ That part which does not form part of the South Downs National Park.

overseas examples in design guidance (for example the Southampton City Centre Design Guide). In addition, these overseas examples of contemporary architecture provide a counterpoint to the inclusion of the examples from Poundbury which emphasise historical precedents.

- 3.9 The City of Winchester Trust supported the document in principle. However, they did request a number of changes. A significant aspect of their comments related to a desire for more contextually focused information regarding Winchester, a point which has already been addressed above. The Trust also felt that there was an excessive emphasis on buildings and called for a greater emphasis on 'places'. The HQP SPD contains a considerable amount of guidance in relation to buildings, as these are an important consideration in creating successful places. However, there is also ample guidance focused on the more wide-ranging concept of 'place', and when taken as a whole, and in conjunction with other policies, guidance and the input of expert consultees, the HQP SPD will provide an effective framework for creating successful 'places'. The Trust draws attention to a lack of clear exposition regarding the importance of streets as an urban design principle. Whilst the importance of streets does underpin much of the guidance it is considered that it would be advisable to include a clearer reference to the significance of this principle by including the recommended new page on this topic in part 3 of the document – general principles of urban design (please see Appendix 1 A and page 24 in Appendix 2).
- 3.10 As has been referred to above, strong support for the document was received from English Heritage (EH) and the Campaign for the Protection of Rural England (CPRE). However, both recommended that various amendments be made to the document. In light of these comments a number of changes have been recommended. In relation to the EH comments, the requested additional emphasis to heritage issues has been included in Part 2 (understanding the context), whilst additional reference to historic environment factors have also been included in the sustainable urban design section (p. 28) and Part 8 (extensions) of the document. The CPRE requested that specific guidance be incorporated regarding the edges of developments where they abut the countryside. Accordingly, a set of principles regarding this issue is recommended for inclusion in Part 4 (layout) of the document.
- 3.11 The New Homes Delivery Team requested that more emphasis be placed on creating sustainable, inclusive and mixed communities. Whilst this is an important goal of urban design, as well as planning policy more generally, it is considered that this issue is already addressed by other policy instruments, specifically policies CP2 and CP3 of Local Plan Part 1 as well as the Affordable Housing SPD (currently being updated). Therefore, it would be inappropriate to address this issue in the HQP SPD. The Team also requested the inclusion of reference to balconies in relation to amenity space, and an amendment to address this issue has been proposed in the updated version of the document.

4 GENERAL UPDATES

- 4.1 In addition to the amendments made in response to the representations, some additional updates have been recommended in order to reflect the progression of the SPD from the consultation draft to adopted version, and in order to clarify the relationship of the document with the South Downs National Park which has now been established. The consultation version included on page 2 some 'public consultation guidance notes' setting out the details of the impending consultation on the draft version. It is now proposed to update this page to form a preamble to the document summarising the consultation process, status of the document (as an adopted Supplementary Planning Document) and the applicable area (i.e. the part of the District outside of the South Downs National Park area). The proposed changes are shown in Appendix 1 C and on page 2 of Appendix 2.
- 4.2 In addition, in order to reflect the decision of the South Downs National Park not to adopt the document, it is recommended that a map be incorporated showing the area where this document is being applied, along with a brief explanation in order to accompany the map. This would be achieved by incorporating proposed Appendix 3 in the adoption version (please see Appendix 1 D and page 100 in Appendix 2).

5 CONCLUSION

- 5.1 The draft SPD was subject to wide consultation, alongside the draft Local Plan Part 2. The comments received as a result have been considered and a number of changes are recommended. It is recommended that the changes outlined in Appendices 1 and 2 be agreed and that with those amendments, the High Quality Places Supplementary Planning Document be adopted by the Council as SPD.
- 5.2 In addition, it is also recommended that delegated authority be granted to the Head of Development Management to make minor changes to the document in order to prepare the document for publication as a final version (for example correcting any errors in the document and swapping some photographs for visually clearer/sharper versions).

OTHER CONSIDERATIONS:

6 SUSTAINABLE COMMUNITY STRATEGY AND PORTFOLIO PLAN (RELEVANCE TO):

- 6.1 The production of HQP SPD will contribute to the 'High Quality Environment' aims of the Council, particularly with regard to protecting local distinctiveness and promoting the public realm.

7 RESOURCE IMPLICATIONS:

- 7.1 Funding for the production of this guidance has been provided from the Development Management budget. If the changes recommended in the

Appendices are approved by Cabinet then the only other resource implications for the Council will be the cost of printing the final versions of the document. Printing will be carried out internally and it is expected to cost no more than about £2,000, much of which will be covered through the sale of the document with any remaining cost funded from existing Strategic Planning budgets.

8 RISK MANAGEMENT ISSUES

8.1 None

BACKGROUND DOCUMENTS:

Representations submitted on the consultation draft SPD, which are available on the Council's web site via the following link:

<http://www.winchester.gov.uk/planning-policy/supplementary-planning-documents--spds-/high-quality-places-spd/>

APPENDICES:

Appendix 1: High Quality Places Supplementary Planning Document Responses (inclusive of Appendices 1 A – D)

Appendix 2*: Amended version of the High Quality Places Supplementary Planning Document showing changes made in response to the public consultation (proposed amendments shown in red)

Appendix 3: Consultation Statement

*Due to its size, Appendix 2 is attached for Cabinet Members and Group Leaders only. It is also available on the Council's website as a link from the following page:

<http://www.winchester.gov.uk/meetings/details/1299>