

DECISION TAKER: Cabinet Member for Built Environment – Councillor Russell Gordon-Smith

REPORT TITLE: COLDEN COMMON VILLAGE DESIGN STATEMENT

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WARD(S): COLDEN COMMON AND TWYFORD.

PURPOSE

This report seeks the adoption of the Colden Common Village Design Statement as a Supplementary Planning Document.

Village Design Statements are produced by local communities and provide guidance for the design of new developments within the local area. In order for these documents to carry as much weight as possible in the planning decision-making process they need to be adopted by the City Council as 'Supplementary Planning Documents' (SPD).

Across the Winchester District there are over 30 parishes/communities with adopted village/neighbourhood or local design statements, many of which were adopted some time ago. A number of local communities have updated their design statements and this is to be welcomed, as this will provide more up to date guidance when determining planning applications.

A draft version of the Colden Common Village Design Statement (VDS) was published for public consultation on 10th May 2021 until 20th June 2021. This report summarises the comments received following consultation on the draft version of the VDS and recommends adoption of the document in its revised form.

These post consultation revisions are outlined in the schedule of comments and recommended responses in Appendix 1 and illustrated in the post-consultation version presented in Appendix 3. The report also seeks the revocation of the previous Colden Common VDS that dates from 2012.

RECOMMENDATIONS:

1. That the Design Guideline/Policies in the Colden Common Village Design Statement as set out in Appendix 3 of this report, be adopted as a Supplementary Planning Document.
2. That the 2012 Colden Common VDS be revoked as SPD following the adoption of the 2020 version.
3. That the Strategic Planning Manager is granted delegated authority to make minor factual corrections and editing, in consultation with the Cabinet Member Built Environment, to finalise the Design Guidelines/Policies in the Colden Common Village Design statement, prior to publication on the Council website.

IMPLICATIONS:

1 COUNCIL PLAN OUTCOME

- 1.1 Village Design Statements (VDS) outline the local community's aspirations for good quality and locally responsive design within their areas. The Colden Common VDS therefore supports the outcome of 'Living Well' and particularly the development of healthy surroundings and attractive green spaces.

2 FINANCIAL IMPLICATIONS

- 2.1 Work on the document to date has been undertaken using existing staff resources, funded from the operational budget.

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 The statutory procedures for the production, consultation on and adoption of a Supplementary Planning Document ("SPD") are set out in Regulations 11 to 16 of the Town and Country (Local Plan) (England) Regulations 2012 (as amended) ("2012 Planning Regulations").
- 3.2 A Supplementary Planning Document builds upon policies in the Local Plan to provide more detailed advice and guidance on and without introducing new policies. A SPD is a material planning consideration in decision making.
- 3.3 There are no procurement implications as a direct result of this report.

4 CONSULTATION AND COMMUNICATION

- 4.1 The VDS has been produced by, and in consultation with, the local community and with input from officers. . Colden Common Parish Council carried out the initial consultation with local residents as part of the development of the draft VDS during 2020. As a result of this, the parish council made some amendments to the draft VDS in September 2020 and subsequently submitted it to WCC for consideration.
- 4.2 Following further development of the draft document, a report for a Decision Day on the 1st March 2021 ([DD26](#) refers) was prepared to authorise publication of the VDS for the formal public and stakeholder consultation. All members, Ward Members and the Portfolio Holder for Built Environment were therefore consulted as part of the Decision Day process.
- 4.3 The draft VDS was subject to statutory consultation between 10th May and 20th June 2021 via the Citizenspace online consultation portal. The consultation included statutory consultees and those on the local plan database. Further publicity was carried out via the Parish Connect newsletter and promotion on the city council's website and twitter feeds.

- 4.4 The Council received 13 consultation responses. As a result of the consultation response from Natural England it is recommended that a new map be added to indicate the areas protected for biodiversity reasons and that some additional text be added to refer to WCC's Biodiversity Action Plan. As a result of comments from Heritage England, it is recommended that additional text be added to highlight the importance of listed buildings and their settings and to the potential for the identification of additional locally important heritage assets.
- 4.5 Minor changes are also recommended to provide clarification at various parts of the VDS. A detailed analysis of the consultation responses and the specifics of any resulting changes to the VDS are appended to this report (Appendix 1).
- 4.6 Under the 2012 Planning Regulations, a statement of consultation needs to be published before a SPD can be adopted. This can be as part of the SPD itself, and the VDS already contains details of the public participation carried out during the preparation of the draft VDS. This report updates the consultation statement; detailing the public consultation undertaken, summarising the issues raised and describing how these issues have been addressed, as required by the Regulations. The final version of the VDS will therefore be updated to refer to this before publication.

5 ENVIRONMENTAL CONSIDERATIONS

- 5.1 VDSs are aimed at informing planning decision making and encouraging developments to respond positively to the design and appearance of local areas. They therefore impact on the quality of life and health and wellbeing of the local community as well as improving the quality of the built and natural environment, which form part of sustainable development as a whole.

6 EQUALITY IMPACT ASSESSEMENT

- 6.1 None

7 RISK MANAGEMENT

Risk	Mitigation	Opportunities
Financial Exposure	N/A	N/A
Exposure to challenge The VDS needs to be prepared and adopted as SPD in accordance with the 2012 Local Plan Regulations, including public participation and consultation.	Public consultation was carried out in excess of the 4 weeks required by the Regulations. This report considers the representations received during the consultation period and makes	An up to date VDS prepared and adopted as SPD in accordance with the Regulations should minimise any prospect of legal challenge to the VDS. An up to date VDS

	appropriate recommendations for amendments to the VDS. Adoption of revised Colden Common VDS as SPD is recommended.	adopted as SPD will carry greater weight in planning decisions including appeals.
Innovation		
Reputation Risk to reputation if planning decisions are perceived not to reflect the VDS	Ensure VDS is given appropriate consideration in planning decisions, by being up to date with the Local Plan.	An up to date adopted SPD reflecting the public consultation and recent Local Plan policies will carry greater weight in planning decisions, including appeals
Achievement of outcome Risk that the VDS does not contribute to improving the quality of the built and natural environment of Colden Common	Ensure that the adopted VDS is given appropriate consideration in planning decisions.	An up to date adopted VDS will be a Supplementary Planning Document that will carry greater weight in planning decisions including appeals and will improve the quality of the built and natural environment.
Property	N/A	N/A
Community Support Risk that planning decisions are seen as not taking sufficient account of the views of the local community.	The VDS allows for the views of the local community to be reflected in a planning document which addresses how the design of new development should respond positively to its location when applications for development are being decided.	Ensure that the VDS contains appropriate and realistic guidance that will be taken into account in planning decisions improving the quality of the local built and natural environment.
Timescales Risk that VDS may be considered out of date with current planning policies	Adopt new up to date VDS to supplement the adopted Local Plan	Adopt an up to date VDS and keep its contents under review, to align with new policies.
Project Capacity	N/A	N/A

8 OTHER KEY ISSUES

8.1 None

9 SUPPORTING INFORMATION:

Introduction

- 9.1 Good design is considered a key aspect of sustainable development and the importance of setting policies to achieve high quality, beautiful and sustainable buildings and spaces inclusive design for all development is emphasised in the current National Planning Policy Framework (NPPF). The updated guidance in the 2021 NPPF requires local planning authorities to develop design guides or codes for their areas, which should be formally adopted. It states that significant weight should be given to Supplementary Planning Documents (SPD) - such as local design guides - in decision-making.
- 9.2 These principles are reflected in policies within Winchester's local plan. High level design principles are set out in policy CP13 in Local Plan Part 1 (LPP1). Policy DM15 (Local Distinctiveness) of Local Plan Part 2 (LPP2) directs developers to the contents of adopted design statements, such as Village Design Statements (VDS)
- 9.3 In 2015, the Council adopted the High Quality Places SPD which provides general guidance on how the design principles set out in policy CP13 should be applied across the plan area. Village Design Statements (VDS), identify the characteristics of the local area and provide local guidelines intended to inform and enable the design of new development to respond positively to these characteristics.
- 9.4 Across the Winchester District there are over 30 parishes/communities with adopted village/neighbourhood or local design statements, many of which were adopted some time ago. A number of local communities have updated their design statements and this is to be welcomed, as this will provide more up to date guidance when determining planning applications. The Council has produced guidance on the preparation and review of local design statements, which is available on the WCC website to assist communities in this process
- 9.5 To afford VDSs as much weight as possible in the planning decision making process, it is necessary for such community-led design documents to be adopted as SPD to complement and support policies within local plan. This includes any updated versions that may be necessary to reflect current local plan policies.
- 9.6 The Town & Country Planning (Local Planning) (England) Regulations 2012, set out the process for the preparation and adoption of SPDs, including public consultation.

Background

- 9.7 With the adoption of Local Plan Parts 1 and 2, Colden Common Parish Council worked with Officers from Strategic Planning team to update the existing VDS, which was originally adopted in 2012. Following consultation

with local residents by the parish council and a further statutory consultation that was arranged by the City Council, the Colden Common VDS in its amended form is now ready for adoption in accordance with the Regulations. A summary of the representations received and the recommended responses - including any proposed changes to the VDS - is provided at Appendix 1 of this report.

- 9.8 The new Colden Common VDS accords with the Winchester Local Plan Parts 1 and 2 and WCC's adopted High Quality Places SPD.

Conclusion and Next Steps

- 9.9 Having an up to date VDS will provide guidance which reflects the current character of the village and accords with both national and adopted local planning policies. It is recommended that the Colden Common VDS is adopted as a Supplementary Planning Document.
- 9.10 It is further recommended that delegated authority be granted to the Strategic Planning Manager, in consultation with the Cabinet Member, to undertake any minor editing that may be required prior to publication on the Council's website.

10 OTHER OPTIONS CONSIDERED AND REJECTED

- 10.1 The City Council encourages the production of Village Design Statements by local communities, in order to improve the quality of development in local area and public involvement in the planning process. In order to carry as much weight as possible in determining planning applications, such Statements need to be adopted by the City Council as Supplementary Planning Documents (SPDs).
- 10.2 The City Council could, as an alternative approach, informally adopt or endorse the VDS. However, this would carry less weight in determining planning applications. This approach is therefore not recommended. .

BACKGROUND DOCUMENTS:-

Previous Cabinet/Committee Reports or Cabinet Member Decisions:-

[Colden Common Village Design Statement – Authorisation to Consultation Process \(DD26\) 1st March 2021.](#)

Other Background Documents:-

[Adopted Colden Common Village Design Statement 2012](#)

APPENDICES:

Appendix 1: Summary of responses received and amendments.

Appendix 2 Important Green Space at Kiln Green, Hack Drive

Appendix 3 Colden Common Village Design Statement 2021 (showing proposed amendments) (attached separately)

APPENDIX 1:**Colden Common Village Design Statement – Summary of responses received to draft VDS and recommended amendments**

Comments and name of statutory consultees where known	Recommended Response
<p>Natural England Welcomes design guidelines that respect, and where possible, enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community in relation to green space and nature.</p> <p>Response refers to general factors that VDS should consider, no specific comments on this VDS. As follows -</p> <ul style="list-style-type: none"> • Local distinctiveness • Refer to Landscape Character Assessment (LCA) & any local protected landscapes • Promote high quality and multifunctional green infrastructure • Reference designated wildlife sites and biodiversity assets, habitats, species etc in the locality. • Consult with local wildlife trust • Reference any BAP 	<p>The Hampshire and Isle of Wight Wildlife Trust were consulted as part of the statutory consultation.</p> <p>The VDS already discusses local distinctiveness, the LCA, specific areas of landscape and biodiversity importance, open spaces of various types and the importance of existing trees, hedgerows and key views in some detail. However this would be further enhanced by including a reference to the local BAP and an additional map to show the location of the many important designated biodiversity sites within the area.</p> <p>Recommended Change - Insert new sentence before final paragraph on page 6: <i>“The city council has a Biodiversity Action Plan (BAP) and development proposals should have regard to the habitats and improvements listed therein. Important designated biodiversity sites are shown on map C”</i></p> <p>Recommended Change – Insert new map C showing designated sites and re-name subsequent maps.</p>
<p>Historic England Supports the inclusion of listed buildings within the VDS. The VDS could refer to planning considerations for such buildings and also to the value of locally important heritage assets (non-designated assets).</p>	<p>The identification of locally important heritage assets could be considered as part of future work in the local area. The current VDS could include a reference to the potential for such local assets to raise awareness of the issue.</p> <p>Recommended Change – add new sentences on page 4: <i>“Developments should take account of the special features of the listed buildings shown on the map below and their</i></p>

	<i>settings (Policies DM29 and DM30). Developers should consider the potential for further undesignated heritage assets that may be of local significance, when preparing development proposals.”</i>
<p>Hampshire County Council (Public Health) Supports the draft VDS. The response highlights the importance of green space and access to the SDNP as part of the parish character. A number of wider local plan issues are raised which go beyond the scope of the VDS in relation to support for open and green spaces, healthy housing, active travel and sustainable transport, air and noise pollution.</p>	<p>Support is welcomed.</p> <p>Recommended Change – None.</p>
<p>National Highways (formerly Highways England) Thanks the City Council for the consultation, but has no comments to make.</p> <p>Wishes to be kept informed of progress on the VDS.</p>	<p>Response noted.</p> <p>Recommended Change - None</p>
<p>Marine Management Organisation Thanks the City Council for the consultation and refers to the MMO general guidance on marine planning. No specific comments on the VDS.</p>	<p>Response noted.</p> <p>Recommended Change - None</p>
<p>The Coal Authority Thanks the City Council for the consultation, but has no comments to make.</p>	<p>Response noted.</p> <p>Recommended Change - None</p>
<p>Public Comment</p> <p>1 Page 7 Add ‘gardens</p> <p>2 VDS uses inconsistent terms for green spaces. There is no definition given.</p> <p>3 The bottom part of Public Footpath No.11 is incorrectly located and Vears Lane, Un-adopted Road is also incorrectly shown as a footpath.</p> <p>4 The areas put forward as ‘Important Green Spaces’ vary from that of CC VDS</p>	<p>1 Gardens already listed (page 7) No change</p> <p>2 The areas shown on Map C and covered by the guidelines on page 12 cover a variety of types of spaces from recreation grounds to smaller open green areas.</p> <p>Although various terms are used, the map illustrates which areas the guidelines refer to.</p>

<p>2012 and draft VDS 2020.</p> <p>5 Appropriateness of part of the Hack Drive space classification – this is of a different character, is a private garden and a recent planning appeal has been granted for development on part of this.</p> <p>6 Page 12 states that hedges are shown on Map C</p> <p>7 Page 19 can wildlife corridors be designated within settlements?</p>	<p>The description ‘rural nature’ on page 11 may be misleading and is recommended to be changed to ‘open character of parts of the village’ to reflect the diversity of the spaces.</p> <p>Recommended Change – Page 11 amend text as follows: ‘small areas of green space that add to the rural nature <i>open character of parts of the settlement....woody green spaces</i>’</p> <p>3 The VDS illustrates footpaths rather than Rights of Way per se, so would include Vears Lane.</p> <p>It is accepted that the bottom part of Public Footpath 11 could usefully be shown on the map as part of a long-established Right of Way.</p> <p>Final checking of footpaths/bridleways and other features on map C will be undertaken as post-Cabinet edits prior to publication.</p> <p>Recommended Change – Add Footpath 11 onto Map C between Hack Drive and Church Lane</p> <p>4 The updating of the VDS was an opportunity to re-evaluate the spaces in the village. Most of the spaces proposed formed part of the parish’s public consultation in 2020. Some changes were made since then and agreed by the parish planning committee prior to submission to WCC.</p> <p>The spaces now being proposed are the same as those formally consulted on by WCC’s public consultation in 2021, with the proposed amendment to one of the spaces at Kiln Green, as described below.</p>
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	<p>5 The garden area referred to is part of the larger open area at Hack Drive. It is bounded by an important public footpath link which connects to other footpaths and open areas in the village.</p> <p>Since the VDS public consultation, development has been completed on the part of Kiln Green that is within the ownership of 13 Hack Drive (December 2021). Having regard to this new development on the open area, it is accepted that this part of Kiln Green no longer contributes significantly to the character of the Important Green Spaces in the settlement and it is proposed that this area be removed.</p> <p>The Important Green Spaces categorisation is nonetheless still considered appropriate for the remainder of Kiln Green.</p> <p>Recommended Change - Remove the area of Kiln Green belonging to 13 Hack Drive and subject to a recent appeal, from the Important Green Spaces categorisation, in the VDS, as shown on Appendix 2.</p> <p>6 Hedges no longer shown on Map C. New text proposed (see comments below)</p> <p>7 No designation has been made. The text merely acknowledges that this is an important function that paths often perform.</p>
<p>Public Comment Various amendments suggested for demarcations on Maps B & C 1 Map B – area around Lordswood and</p>	<p>1 Map B shows the general location of areas and is indicative. No change. 2 Map C</p>

<p>Brambridge.</p> <p>2 Map C –</p> <p>ai) Leylands Farm add viewpoint to sw.</p> <p>aii) Orchard Close add viewpoint looking north</p> <p>b) Alter position of view point south of Church Lane to nearer the right of way</p> <p>c) Add section of right of way 11 from Kiln Green to Church Lane</p> <p>3 Page 12 – Trees and Hedges.</p> <p>States that hedgerows are shown on map C, which they are not. Suggested alternative text</p>	<p>ai) Leylands Farm - VDS already refers to various views from the right of way in that area and several are shown on the map. No need to add additional</p> <p>aii) Orchard Close - There is already a viewpoint at Orchard Close. No change.</p> <p>b) Church Lane – Agreed.</p> <p>Recommended Change – Move viewpoint south of Church Lane nearer to right of way.</p> <p>c) Kiln Green footpath – Was in previous VDS and other sections of this footpath are shown. Agreed.</p> <p>Recommended Change – Add additional section of right of way to map between Kiln Green and Church Lane.</p> <p>3 Agreed. Delete final sentence of paragraph 4 on page 12 and replace with alternative text as below.</p> <p>Recommended Change – Amend final sentence of paragraph 4 on page 12 as follows:</p> <p>“The hedgerows shown on Map C (pages 8-9) are important to retain the character of the area.</p> <p><i>All roadside hedgerows are important to retain the rural character of the area and should be protected where possible. Replacement and new hedging should generally use native species.”</i></p>
<p>Public Comment</p> <p>Consider adding the spaces on Moors Close and Oak Tree Close to the list of important green spaces as they are worthy of protection from increased car parking demands</p>	<p>These spaces were not identified in the original assessment, nor raised by other public comments. The VDS already provides protection generally in guidelines on page 17. Open spaces in the village could be considered further as part of future reviews of guidance.</p>

<p>Public Comment Strongly support the planning guidance related to footpaths and access to the countryside (pages 17 and 19)</p> <p>Planning guidance should encourage more provision of shops and services.</p>	<p>Support is welcomed.</p> <p>The provision of shops and services is outside the scope of the VDS.</p> <p>Recommended Change - None</p>
<p>Public Comment A large area of natural green space should be locked in to separate any new development from existing development, bringing benefits for biodiversity and health</p>	<p>Response is noted. Local plan policies already seek green space in association with new development.</p> <p>The issue of increasing provision of and access to green space is being considered more widely as part of the preparation of the new local plan beyond the scope of the Colden Common VDS.</p> <p>Recommended Change – None</p>
<p>Public Comment Overall a comprehensive document well detailing the history and diversity within the village.</p> <p>Support the guidance for all character areas on page 17, but there should be more emphasis on issues of the stress on infrastructure from future developments,</p> <p>Existing issues include heavy goods vehicle use of Main Road and Kiln Lane, flooding in Kiln Lane, issue of speeding at night on Main Road. Suggested changes to traffic lights in this area.</p>	<p>Support is welcomed.</p> <p>The impacts of new developments will be considered as part of the planning application process.</p> <p>Issues of traffic and flooding are beyond the scope of a VDS.</p> <p>Recommended Change - None</p>
<p>Public Comment Raises points regarding the location of the H3 Policy Boundary and suggests an area that should be indicated in the VDS as being capable of accommodating residential development.</p>	<p>These are beyond the scope of a VDS and should be considered as part of the local plan preparation.</p> <p>Recommended Change - None</p>

APPENDIX 2: - Important Green Space at Kiln Green, Hack Drive

