

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

REPORT TITLE: MICHELDEVER VILLAGE DESIGN STATEMENT –
AUTHORISATION FOR CONSULTATION PROCESS

7 FEBRUARY 2022

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WARD(S): WONSTON AND MICHELDEVER

PURPOSE

This report seeks authorisation to undertake public consultation on the draft Micheldever Village Design Statement (VDS) with a view to then adopting it as a Supplementary Planning Document (SPD).

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 planning decision-making process they need to be adopted by the City Council as Supplementary Planning Documents (SPD's).

Across the Winchester District there are 34 parishes/communities with adopted village/neighbourhood or local design statements. Some of these were adopted some time ago and are now being updated. This is to be welcomed, as it will provide more up to date guidance to be taken into account when determining planning applications.

The existing Micheldever VDS was adopted in 2002.

RECOMMENDATIONS:

1. That the draft revised Micheldever Village Design Statement be approved for public consultation.
2. That the Strategic Planning Manager is granted delegated authority to make minor factual corrections and editing, in consultation with the Cabinet Member

for Built Environment, to finalise the Design Guideline/Policies in the Micheldever Village Design Statement prior to consultation.

3. That the Strategic Planning Manager is granted delegated authority to undertake a six week consultation period on the Micheldever Village Design Statement between 14th February 2022 until 28th March 2022 in accordance with the requirements of the Local Plan Regulations 2012.

IMPLICATIONS:

1 COUNCIL PLAN OUTCOME

- 1.1 Village Design Statements outline the local community's aspirations for good quality and locally responsive design within their areas. The draft Micheldever VDS supports the outcome of "Living Well" and particularly the principle that "the natural and built environment is protected, maintained, sustained and enhanced".

2 FINANCIAL IMPLICATIONS

- 2.1 Work on the document has and will be undertaken using existing staff resources within the Strategic Planning Team.

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 which is taken into consideration when planning decisions are made without introducing new policies or changing adopted policies. A SPD is a material planning consideration in decision making.
- 3.3 Initial consultation was undertaken by Micheldever Parish Council in July 2019. Now the formal consultation process set out in the Regulations must be undertaken prior to adoption by the council as SPD.

4 CONSULTATION AND COMMUNICATION

- 4.1 The draft was published on the Micheldever Parish Council website and the consultation process advertised through the Parish Council newsletter and the Dever News.
- 4.2 No concerns about the content of the draft VDS were raised during the initial consultation process. Whilst no formal comments were submitted, a number of residents provided additional information to update and improve the document, including information on scheduled monuments and listed buildings within the parish. These changes have been incorporated as appropriate into this latest draft of the document.

5 ENVIRONMENTAL CONSIDERATIONS

- 5.1 VDS's are aimed at informing planning decision making to encourage developments to respond positively to the design and appearance of local

areas. They therefore impact on the quality of life, health and wellbeing of the local community as well as improving the quality of the built and natural environment all of which contribute to the aim of sustainable development as a whole.

6 EQUALITY IMPACT ASSESSEMENT

None

6.1 RISK MANAGEMENT

| Risk | Mitigation | Opportunities |
|--|--|---|
| Financial Exposure | N/A | N/A |
| Exposure to challenge. Regulations require public consultation by the Local Planning Authority prior to adoption of a SPD for a minimum of four weeks. This should encourage public participation and comments and reduce the chance of challenge. | Undertake public consultation on the Draft Micheldever VDS encouraging public participation and comment on the proposed VDS for a period of 6 weeks. | An up to date adopted VDS will be a Supplementary Planning Document that will carry greater weight in planning decisions including appeals. |
| Innovation | N/A | N/A |
| Reputation Risk to reputation if planning decisions are perceived not to reflect the VDS | Ensure VDS is given appropriate consideration in planning decision making and is sufficiently up-to-date. | Ensure VDS sets out realistic expectation for planning decisions and communicate this to the local community. |
| Achievement of outcome Once adopted the VDS will be used in planning decisions and encourage developments to respond positively to the design and appearance of local areas. This will achieve the outcome of improving the quality of the built and natural environment. | Ensure that the VDS is adopted in line with the 2012 Regulations and that comments received on consultation are incorporated into the amended draft where appropriate. | 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 | Ensure that the VDS contains appropriate and realistic guidance that will be taken into account in planning decisions improving the quality of |

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|--|--|---|
| | development should respond positively to its location when applications for development are being decided. | the local built and natural environment. |
| Timescales Risk that the existing VDS is outdated and does not reflect current planning policy. | Prepare and adopt a new up to date VDS. | Adopting an up to date VDS will support policies in the adopted local plan and decision making on development proposals |
| Project capacity | N/A | N/A |
| Other | N/A | N/A |

7 OTHER KEY ISSUES

7.1 None.

8 SUPPORTING INFORMATION:

8.1 Introduction.

8.2 Across the Winchester district there are 34 parishes/communities with adopted village/neighbourhood or local design statements, many of which were adopted some time ago. A number of communities have undertaken an update of their design statements and this is welcomed. The council has produced guidance on the preparation and review of local design statements, which is available on the WCC website and is working with officers from the South Downs National Park Authority to produce a template for VDS's.

8.3 Good design is considered a key aspect of sustainable development and the importance of setting policies to achieve high quality and inclusive design for all development is emphasised in Section 12 of the National Planning Policy Framework. This principle is carried forward into policies within Winchester's local plan. Having an up to date VDS will provide detailed local guidance for the assessment and determination of applications for new development whilst reflecting both national and adopted local planning policies.

8.4 In 2015, the council adopted the High Quality Places Supplementary Planning Document that provides more general guidance on how the high level design principles set out in policy CP13 in Local Plan Part 1 (LPP1) should be applied. Village Design Statements (VDS) however are particularly useful in that they identify the characteristics of the area to which they relate and provide local guidelines which are intended to inform and encourage new development to respond to these local characteristics in a positive way. To be considered as a material consideration through the planning decision making process it is necessary for such community-led documents to be

updated and subsequently adopted to complement policies within local plans. This is delivered in the form of SPDs.

- 8.5 Policy DM15 (Local Distinctiveness) Local Plan Part 2 (LPP2) sets out how proposals should have regard to any adopted Design Statements, such as Village Design Statements.
- 8.6 The Town & Country Planning (Local Planning) (England) Regulations 2012, set out the process for the preparation and adoption of SPDs, which includes public consultation for which approval is sought in this report.

Background

- 8.7 With the adoption by the council of Local Plan Parts 1 and 2, and against a background of proposed new developments in the area, some of which have now been completed, Micheldever Parish Council was keen to update the existing VDS, which was originally adopted in 2002. Following consultation with local residents a draft revised VDS has been prepared for formal public consultation.
- 8.8 The updated Micheldever VDS accords with the relevant policies of the Winchester Local Plan Parts 1 and 2 and WCC's adopted High Quality Places SPD. The VDS reflects the principles of the latest version of the NPPF and responds to changes which have taken place within the parish in the last 19 years.

Conclusion and Next Steps.

- 8.9 It is recommended that authorisation for public consultation on the Draft Micheldever VDS is undertaken.
- 8.10 The Regulations require a minimum of four weeks public consultation. It is proposed that the public consultation period for the Micheldever VDS lasts for a period of six weeks, reflecting the commitment within the Council's Statement of Community Involvement (SCI).
- 8.11 As a result of the current Covid-19 pandemic regime and in accordance with the SCI Covid-Review Statement from October 2020, consultation will take place online. Reasonable provision will be made upon request for those who are unable to use online services to enable them to comment on the consultation.
- 8.12 It is therefore recommended that delegated authority be granted to the Strategic Planning Manager, in consultation with the Cabinet Member for Built Environment, to undertake any minor editing that may be required prior to public consultation. Once this consultation has been completed comments will be carefully considered, with any amendments needed made to the document, before the VDS is referred to Cabinet/Decision Day for final consideration and adoption.

9 OTHER OPTIONS CONSIDERED AND REJECTED

- 9.1 The city council encourages the production of Village Design Statements by local communities, 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).
- 9.2 An alternative approach to formal adoption as SPD would be for the council to informally adopt or endorse the VDS. However, an informally adopted document would carry less weight in determining planning applications, as the formal adoption processes – including the public consultation - required of SPD would not have been followed and this approach is therefore not considered appropriate for Village Design Statements.

BACKGROUND DOCUMENTS:-

Previous Cabinet/Committee Reports or Cabinet Member Decisions:- None

Other Background Documents:-

Adopted Micheldever Village Design Statement 2002

<https://www.winchester.gov.uk/assets/attach/3812/Micheldever-VDS-2002-scanned-copy-low-size.pdf>

APPENDICES:

Appendix 1: Draft Micheldever Village Design Statement for consultation (attached separately)