

REPORT TITLE: ADOPTION OF SWANMORE VILLAGE DESIGN STATEMENT

5 JUNE 2019

REPORT OF PORTFOLIO HOLDER: BUILT ENVIRONMENT AND WELLBEING

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WARD(S): CENTRAL MEON VALLEY

PURPOSE

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 weight 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 25 parishes/communities with adopted village/neighbourhood or local design statements, many of which were adopted sometime ago. A handful of communities have undertaken an update of 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 Swanmore Village Design Statement (VDS) was published for public consultation on 21 February 2019 for 6 weeks. This report summarises the comments received following consultation on the draft version of the VDS and recommends adoption of the document, subject to a number of changes in response to comments received. These changes are outlined in the schedule of comments and recommended responses in Appendix 1 and illustrated in the post-consultation version presented in Appendix 2. The report also seeks the revocation of the previous Swanmore VDS that dates from 2001.

The Swanmore VDS will cover the whole area of the Swanmore Parish, but the City Council can only adopt the VDS as SPD insofar as the part of Swanmore Parish that lies within the area of Winchester City Council for planning purposes. South Downs National Park Authority will also be required to adopt the document to cover the part of the parish within the National Park.

RECOMMENDATIONS:

1. That the Design Guidelines/Policies in the Village Design Statement for Swanmore, as set out in Appendix 2 of this report, be adopted as a Supplementary Planning Document, for that part of the parish within Winchester District.
2. That the 2001 Swanmore VDS be revoked as SPD following the adoption of the 2019 SPD.
3. That the Strategic Planning Manager is granted delegated authority to make minor factual corrections and editing, in consultation with the Portfolio Holder for Built Environment and Wellbeing, to finalise the Design Guidelines/Policies in the Village Design Statement for Swanmore, prior to publication on the Council website.

IMPLICATIONS:

1 COUNCIL STRATEGY OUTCOME

- 1.1 Village Design Statements (VDS) outline the local community's aspirations for good quality and locally responsive design within their areas. The Swanmore VDS therefore supports the outcome of 'Improving the Quality of the District's Environment' and particularly the principle to 'Protect, enhance and respect the District's rich heritage and landscape while allowing appropriate development to take place'.

2 FINANCIAL IMPLICATIONS

- 2.1 Work on the document to date – including the public consultation – has been undertaken using existing staff resources, funded from the operational budget.
- 2.2 The City Council's Community Planning Budget is available for the purposes of community planning, which would include the preparation and publication of a VDS. The limit of the budget is £500. Swanmore Parish Council has been made aware of the existence of this fund, but has not made an application to date. It would be open to the Parish Council to apply for up to £500 from the Community Planning Budget to assist with the costs of publication.

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. An SPD is a material planning consideration in decision making.
- 3.3 Formal statutory consultation on the Design Guidelines/Policies in the Village Design Statement for Swanmore has been correctly consulted undertaken by Council officers with initial consultation by Swanmore Parish Council with input from officers from the City Council.

4 WORKFORCE IMPLICATIONS

- 4.1 The Swanmore VDS has been produced by the local community with assistance from officers from the City Council. There are no additional workforce requirements although officers will continue to assist with the finalisation of the VDS prior to publication.

5 PROPERTY AND ASSET IMPLICATIONS

- 5.1 None

6 CONSULTATION AND COMMUNICATION

- 6.1 The VDS has been produced by, and in consultation with, the local community and officers from WCC and the SDNP. Swanmore Parish Council carried out the initial consultation with local residents as part of the development of the draft VDS and the details of this are included in Appendix D of the VDS.
- 6.2 Following further development of the draft, a Portfolio Holder Decision Notice (PHD848 refers) was prepared to authorise publication of the draft VDS for public and stakeholder consultation. All members, Ward Members and the Portfolio Holder for Built Environment were therefore consulted as part of that process.
- 6.3 The draft VDS was subject to statutory consultation between 2^{1st} February and 5th April 2019 via the Citizenspace online consultation portal. The consultation included statutory consultees and those on the local plan database. Further publicity was undertaken via e- newsletters, including parish connect and use of twitter to ensure correct statutory consultation was undertaken.
- 6.4 The Council received 13 consultation responses. An analysis of the consultation responses is appended to this report (Appendix 1). The main issues arising and any resulting changes to the VDS are considered further below at 11.8-11.14.
- 6.5 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.

7 ENVIRONMENTAL CONSIDERATIONS

- 7.1 VDS are concerned with the design and appearance of local areas and 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. Swanmore VDS does reference solar panels and other energy saving/generation measures insofar as they may have a visual impact on the vicinity.

8 EQUALITY IMPACT ASSESSMENT

- 8.1 The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

8.2 The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all residents in respect of socio-economics and health determinants.

8.3 Consequently the parent policies in the adopted local plans have been assessed against the above and being SPD the Swanmore VDS is required to be in compliance with these.

9 DATA PROTECTION IMPACT ASSESSMENT

9.1 None required

10 RISK MANAGEMENT

Risk	Mitigation	Opportunities
<i>Property</i> <i>n/a</i>		
<i>Community Support</i> Risk that planning decisions are seen as not taking sufficient account the views of the local community	VDS allows for views of the local community on design of new development to be expressed and taken into account in planning decisions.	Ensure that VDS contains appropriate and realistic guidance
<i>Timescales</i> Risk that existing VDS does not reflect current planning policy	Adopt new up-to-date VDS	Adopting an up-to-date VDS will support policies in the adopted local plan
<i>Project capacity</i> <i>n/a</i>		
<i>Financial / VfM</i>		

n/a		
<i>Legal</i> Needs to be adopted as SPD in order to have greater weight in planning decisions	Recommendation to adopt Swanmore VDS as SPD to support planning decisions	An up-to-date adopted SPD will carry greater weight in planning decisions, including appeals
<i>Innovation</i> n/a		
<i>Reputation</i> Risk to reputation if planning decisions are perceived not to reflect the VDS	Ensure VDS is given appropriate consideration in planning decisions	Ensure VDS sets out realistic expectations for planning decisions and communicate this to the local community
<i>Other</i>		

11 SUPPORTING INFORMATION:

Introduction

- 11.1 Across the Winchester district there are over 25 parishes/communities with adopted village/neighbourhood or local design statements, many of which were adopted sometime ago. Only a handful of communities have undertaken an update of their design statements and this is welcomed. The Council has recently produced guidance on the preparation and review of local design statements, which is available on the WCC website to assist communities in this process.
- 11.2 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 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 guidance in accordance with both national and adopted local planning policies and Swanmore initiated the review of its VDS in 2017 as part of its annual parish assembly, seeking views on key design aspects in the community.
- 11.3 In 2015, the Council adopted the High Quality Places Supplementary Planning Document which 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, identify the characteristics of the area and provide local guidelines for new development to be able to respond to these local characteristics. 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.
- 11.4 The Town & Country Planning (Local Planning) (England) Regulations 2012, set out the process for the preparation and adoption of SPDs, which includes

public consultation. This report therefore summarises the preparation process and consultation undertaken including the comments received and proposes modifications to the draft VDS to reflect these. It is recommended that the amended document is adopted by the Council as a Supplementary Planning Document.

Background

- 11.5 With the adoption of Local Plan Parts 1 and 2, Swanmore Parish Council was keen to update the existing VDS, which was originally adopted in April 2001. Following consultation with local residents a draft revised VDS was prepared and the public consultation was carried out between February and April of 2019. The 2001 SPD will be revoked on the adoption of the revised SPD by the City Council.
- 11.6 It should be noted that a large part of Swanmore Parish lies within the South Downs National Park and it is intended that the VDS will apply throughout the whole of the Parish. As WCC can only adopt the VDS for planning purposes within the area of its planning jurisdiction (ie that part of the Parish outside of the SDNP) the National Park will need to carry out their own adoption procedure for their part of Swanmore Parish. To this end, SDNPA have recently conducted their own public consultation in respect of the revised Swanmore VDS (see para 11.15 below)
- 11.7 The new Swanmore VDS refers to the Winchester Local Plan Parts 1 and 2 as well as the emerging SDNP Local Plan and WCC's adopted High Quality Places SPD.

Summary of Representations Received and Changes Proposed

- 11.8 12 responses were received in total to WCC's public consultation on the Swanmore VDS, together with an additional 2 replies requesting notification when the SPD is adopted. 6 of the responses were from the statutory consultees – Highways England, National Air Traffic Services, Southern Water, Equality and Human Rights Commission [EHRC], Natural England and Tichborne Parish Council). These were generally no comment, with the exception of Natural England (see para 11.10). There were also 6 comments from the general public.
- 11.9 As a result of the consultation process and consideration of the comments made, a number of changes are proposed to the draft VDS. Appendix 1 contains a summary of the representations made, together with the officer response and the changes that are now recommended. Appendix 2 sets out an amended version of the VDS, with the proposed changes shown in red and underlined. The main issues raised and the recommended responses are outlined below.
- 11.10 Natural England suggest that the VDS should consider the impact of the design statement on landscape designations such as the National Park and cross refer to published documents such the Landscape Character

Assessments, National Park Management Plans and Natural England's National Character Area profiles. Natural England also suggest the VDS could include references to incorporating green infrastructure features into design to contribute to green infrastructure networks and seek to enhance biodiversity assets which should be reflected in guidelines. This is standard advice which Natural England routinely provides on VDS and is not specific to Swanmore.

- 11.11 Most of the matters raised were already considered during the preparation of the VDS and are in the final document, however, it is considered that the VDS should refer to the National Park and provide more guidance on protected areas, biodiversity, and green infrastructure. These are issues that have also been highlighted by other respondents as detailed in Appendix 1, and amendments are proposed to address these. The schedule of responses in Appendix 1 shows the response to all of Natural England's comments more detail.
- 11.12 One response highlighted the character of the area between Swanmore and Waltham Chase and the desire to maintain a distinction between the two settlements. The VDS emphasises the importance of the rural ambiance of the area and the gaps between settlements, given this, it is considered useful to add specific reference to this within the planning guidelines and an addition is recommended as detailed in the Schedule at Appendix 1 of this report.
- 11.13 One respondent has highlighted a number of minor errors and omissions. These points will be raised with the Parish and addressed as part of the general editing that will be necessary as part of the preparation of the final document prior to publication.
- 11.14 No other major issues were raised and no other changes are proposed, although it may be necessary to reorder some of the sections within the VDs to enable the layout to link more directly with the guideline and topics covered. A summary of all the responses received, together with the officers' response and recommendations for proposed changes where required, are attached as Appendix 1 of this report.

South Downs National Park

- 11.15 A large part of Swanmore Parish lies within the South Downs National Park. The Park has conducted a separate 6 week consultation on the Swanmore VDS for their part of Swanmore Parish, between 16th April 2019 and 28th May 2019. Winchester City Council officers have discussed and agreed the changes outlined in Appendix 1 with representatives from Swanmore Parish Council and officers from the SDNP. These will be reported to the South Downs Committee when they discuss adopting the Swanmore VDS for their purposes, to ensure that the document is consistent.

Conclusion and Next Steps

- 11.16 Following the changes described above and set out at Appendix 1, it is recommended that the Swanmore VDS be adopted as SPD for the purposes of planning within that part of the Swanmore Parish outside of the SDNP.
- 11.17 Following Cabinet approval to adopt the VDS, officers will continue to liaise with Swanmore Parish Council and SDNP on these changes and any other minor editing that may be required prior to publication. This will include updating the section on consultation, to refer to this committee report and cover the public consultation undertaken and subsequent changes.
- 11.18 It is therefore recommended that delegated authority be granted to the Strategic Planning Manager, in consultation with the Portfolio Holder, to undertake any minor editing that may be required prior to publication.
- 11.19 Upon adoption of the revised Swanmore VDS, the existing 2001 VDS should be revoked.
- 11.20 Swanmore Parish Council will arrange for the final version of the VDS to be published and they have been made aware of the existence of potential community support fund monies for that purpose.

12 OTHER OPTIONS CONSIDERED AND REJECTED

- 12.1 The City Council encourages the production of Village Design Statements by local communities, so as to improve the quality of development in local areas and public involvement in the planning process. In order to carry weight in determining planning applications, such Statements need to be adopted by the City Council as Supplementary Planning Documents (SPDs).
- 12.2 An alternative 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 Committee Reports:-

Other Background Documents:-

PHD848 Swanmore Village Design Statement (February 2019)

APPENDICES:

Appendix 1: Summary of Responses Received to the Swanmore draft VDS

Appendix 2: Amended version of Swanmore VDS showing changes made following the public consultation

APPENDIX ONE

Swanmore Village Design Statement 2019 - Consultation Representations and Recommended Response

Comments and name of consultee where known	Recommended Response
Highways England No comment	Noted
National Air Traffic Services No comment	Noted
Southern Water Southern Water is the statutory wastewater undertaker for the village of Swanmore we have no comments to make on this occasion.	Noted
Equality and Human Rights Commission Local, Parish and Town Councils and other public authorities have obligations under the Public Sector Equality Duty (PSED) in the Equality Act 2010 to consider the effect of their policies and decisions on people sharing particular protected characteristics. (Link provided to their guidance)	Due to the nature of VDS documents, it is not considered that there are any specific effects arising in respect to the PSED.
Tichborne Parish Council Swanmore Village Design Statement is sound and fit for purpose and we welcome its forthcoming adoption as a Supplementary Planning Document.	Support welcomed
Natural England General advice which Natural England (NE) would like to be considered in the preparation of a Village Design Statement: Consider the impact on National Park & use any appropriate guidance within any National Park management plan. <u>Landscape</u> cross-refer to any local Landscape Character Assessments	The VDS has been prepared with advice from officers from the SDNP. The VDS discusses the role of the National Park on page 6. The VDS provides a full description of the local landscape character as sought by NE and uses descriptions from the WCC Landscape Character Assessment (LCA) The WCC LCA should be referenced and this section would be more appropriate within the 'Character and Landscape Setting'

(LCA) and make use of NE National Character Area (NCA) profiles

Green Infrastructure and Sustainable Design

Promote high quality and multifunctional green infrastructure, including features that will support climate change mitigation.

Biodiversity

Recognise designated wildlife sites and other biodiversity assets in the immediate area eg protected species, ecological networks, habitats and green spaces.

Guidelines should respect, and enhance the local and neighbouring biodiversity resources.

Consult the local Wildlife Trust and local environmental record centre and refer to Biodiversity Action Plans where relevant.

Chapter. Amendments are recommended to this effect below.

Recommended Changes:

Under 'Planning guidance: General considerations'

Add new guideline 2.2 (and renumber following)

2.2 All development within or adjoining the South Downs National Park should take account of the character of the National Park when developing proposals (page 6 and amend in the 'Guidelines for Developers' section)

Amend landscape character description as follows:

'Key characteristics of the surrounding areas are *described within WCC Landscape Character Assessment as follows:*'

Change sub-heading on page 7 as follows:

'~~Surrounding countryside~~ *Landscape character.*'

Move section 'Key characteristics...wet weather' (page 4) to below second paragraph on page 7.

The VDS discusses wildlife, biodiversity and green infrastructure in detail throughout the document. The Council's ecologist provided input at an early stage and the local wildlife trust was consulted as part of the public consultation.

Many of the planning guidelines within the VDS seek to protect and enhance green infrastructure such as trees, hedgerows, shrubs, open spaces etc. The VDS discusses local SINCs within the text and identifies a series of green corridors and the document would be enhanced if these were also included within the planning guidelines. See below for recommended changes.

Public Comment

The VDS should show much greater intent to protect the SINC's in the village. The 'Landscape and Setting' Guidance should include a statement to the effect that any development in Swanmore should protect the biodiversity and green corridors in the parish;

A statement should also be added that deliberate damage to SINC's will not be seen as a reason to downgrade the SINC status; they will recover with time.

There are policies in the local plan that require developments to protect and enhance green infrastructure, biodiversity and protected sites such as SINC's (CP15, CP16 and DM15 – DM17).

However, it is agreed that the VDS should refer more explicitly to biodiversity and an additional guideline should be provided to reflect the importance of local biodiversity assets, including SINC's and the green corridors. The section would be strengthened by edits to increase the prominence of biodiversity as recommended below.

Designation of SINC's and their status are made by HCC. It would be going beyond the remit of the VDS to include the suggested statement in relation to deliberate damage. .

Recommended Changes:

Amend Planning guidance: 'Landscape and setting *and nature conservation*' and add new guideline:

3.7 Developments should maintain and enhance the biodiversity assets of the parish, including the SINC's and the green corridors identified in this VDS'

Move existing 3.7 (Utilities) guidelines to the section on 'Street furniture' and renumber as necessary

Move existing 3.8 (cyclists and pedestrians) to new 'Open Space and Recreation' section and renumber as 4.4

Amend 3.9 as follows:

3.98 New development should respect the character of the locality, with buildings in keeping with reasonable public

<p>Public Comment SHELAA land (ref SWA02) falls within the area shown on page 12 as part of the second green corridor. Does this impact on the SHELAA submission for mixed development? Would this be altered if land was submitted for affordable housing only?</p>	<p>expectations.'</p> <p>Similar areas of green corridors were identified by the local community in the original VDS of 2001 as particularly precious areas linking surrounding habitats. The planning guidance in the 'Wildlife and Environment' section of the 2001 VDS sought their maintenance and improvement. It is recommended that similar guidance and supporting text should be included within the proposed VDS to reflect the local importance of such corridors. .</p> <p>The comments in relation to a SHELAA site are not relevant for this VDS. It should be noted that the identification of a green corridor in the VDS would not exclude a site for inclusion in the SHELAA.</p> <p>Recommended Changes: Add the following to text on page 12 (now page 13): 'There are also three "green corridors" running through the village <i>that are important to the local community as biodiversity links:</i>'</p> <p>Amend Planning guidance: 'Sport <i>Open space</i> and recreation' and add new guideline: <i>4.5 Developments should respect the biodiversity and recreational value of the green corridors identified in this VDS</i></p>
<p>Public Comment With regard to 'Significant development considerations' on page 6, where the defined settlement gap between Swanmore and Waltham Chase is mentioned, there should an insertion on page 6 in respect of Lower Chase Road (that connects the two villages).</p>	<p>There are policies in the adopted local plan that restrict development in the countryside (MTRA4 & DM1) and that require developments to have due regard to the rural character of the area (DM23). This area is also within a settlement gap between Swanmore and Waltham Chase identified under Policy CP18, where only development that does not physically or visually diminish the gap may be acceptable. It is therefore</p>

<p>The landscape between Swanmore and Waltham Chase is within a settlement gap and has a rural ambiance which should be maintained with 'an edge of village feel'; otherwise Lower Chase Road would deteriorate in character to the detriment of Swanmore and Waltham Chase as separate entities. There is a risk of coalescence by default due to erosion over time.</p>	<p>considered that there should be sufficient protection in the local plan.</p> <p>The VDS describes the importance of the rural character and setting of the village, which includes the settlement gap, on page 1 and page 6. The rural landscape of the parish is part of the planning guidance at 3.1, but - given the importance of the gaps between settlements - it is agreed that these should also be referred to, as part of the general development considerations in section 2.</p> <p>Recommended Changes: Under Planning guidance: General considerations Add new guideline 2.1 (and renumber following) <i>2.1 All development within the defined settlement gap should respect the generally open and undeveloped nature of the area (page 6 and amend in the 'Guidelines for Developers' section)</i></p>
<p>Public Comment By achieving a significant growth in new houses through large sites, there should be a much-reduced need for garden development, in order to achieve building targets.</p> <p>Section 2.1 on page 6 should be amended to strengthen the discouragement of garden development.</p>	<p>Applications for development in gardens will be considered on their individual merits and in accordance with adopted planning policy such development may be acceptable within settlement boundaries.</p> <p>Policies CP13, CP14, DM15 and DM16 of the local plan all emphasise the importance of development responding appropriately to the local character and the VDS guidelines detail factors that are considered important to preserve and enhance the character of the village. The VDS cannot rule out a category of development as a whole and it is considered that sufficient policies and guidelines exist to control inappropriate development within planning law.</p> <p>Recommended Changes:</p>

	None
<p>Public Comment Care should be taken not to overcrowd the area any more than already done. This can spoil the place and creates too much traffic</p>	<p>The amount of new development is a matter for the local plan, the role of the VDS is to set out desirable criteria to influence the siting and appearance of proposals to ensure compatibility with the character of the village.</p> <p>Recommended Changes: None</p>
<p>Public Comment Support the VDS as a whole, but the two schools should be added to the list of local employers.</p> <p>There are several typographical errors and omissions in the credits.</p> <p>The quality of photos seems strangely variable and the line drawings have poor resolution. Some contributors have not been acknowledged should be given for the line drawings and some of the photos.</p>	<p>The support is welcomed.</p> <p>It is recommended that the schools' contribution to the local economy be acknowledged in the VDS.</p> <p>The errors identified will be corrected as part of the final editing process, which will also address the quality of the images included. .</p> <p>Recommended Changes: Add the following text – 'Local employment is limited to <i>the two local schools, farms,</i>' (page 3)</p>