

## SOUTH HOLLAND DISTRICT COUNCIL

**Report of:** Rob Walker - Director of Place

**To:** Policy Development Panel - 25 July 2017

**(Author:** Paul Jackson – Place Manager)

**Subject:** Possible Future Task Groups – Planning Design and Derelict and Dilapidated Buildings

**Purpose:** To respond to a request from Policy Development Panel on 9 May 2017 for information on these issues

### **Recommendation:**

That the Panel considers whether or not it wishes to establish a Task Group

## **1.0 INTRODUCTION**

### **1.1 Background**

1.1.1 At Policy Development Panel held on 9 May 2017 consideration was given to the report of the Executive Manager – Governance, which set out the Work Programme of the Policy Development Panel. The Work Programme consisted of two separate sections, the first setting out the dates of the future Panel meetings along with proposed items for consideration, and the second setting out the Task Groups that had been identified by the Panel.

Councillors identified two topics that could form the basis of future Task Groups:

· Planning design - what was the current policy on the design of new buildings that were considered for planning permission?

· Derelict and dilapidated buildings – what was the Council's policy on dealing with unsightly buildings

In order that the Panel could decide whether or not to set up a Task Group on these topics, it was requested that a report be brought to the next meeting of the Panel, setting out the current issues and/or policies. The relevant officer should also be invited to attend the meeting.

### **1.2 Planning Design**

1.2.1 The South Holland Local Plan 2006 remains the adopted development plan and Policy SG14 is the main design policy. The pre-amble and policy is as follows:

## **"Design And Layout Of New Development**

- 3.76 The Council is committed to the promotion of good design which respects the character of the area and maintains local distinctiveness. The character of the built environment is derived from a combination of inter-related factors including the historic distribution of development, the historic layout and form of towns and villages, architectural styles and traditional local materials together with open spaces and landscaping. In considering proposals for new development, the Council will require a high standard of design. The Council is supportive of Parish and Town Councils who wish to undertake Parish Plans and Village Design Statements. These can be useful documents which involve the local community in the planning process and help inform the future development of their village. They may be used in the preparation of Supplementary Planning Documents. A Strategic Landscape Capacity Study was carried out for the District in 2003. The quality of the landscape of the District is very important and needs to be safeguarded for its own sake. As such the Council will seek to ensure that new development will not result in an unacceptable impact on the character of the landscape.
- 3.77 New development in settlements should respect their distinctive character including such factors as pattern and layout, plot sizes, distribution of open spaces and the gaps and views between buildings. The proportions of a building and in particular height, scale and massing, together with the elevational treatment and materials all serve to relate the building to its surroundings. Proposals which fail to take account of the character and context of the surrounding area could undermine the quality of the built environment and will not be permitted.
- 3.78 The design and layout of new development, especially large developments, should have regard to the need for it to be adequately served by public transport (particularly buses) and other transport options where the opportunity exists, and by service vehicles including refuse lorries and the emergency services.
- 3.79 New development should be designed to accommodate the needs of people with mobility difficulties and should include energy efficiency measures. High quality, innovative design will be appropriate in some contexts but such proposals should in their space, height and bulk be sympathetic to the streetscape and wider townscape. Modern interpretations of traditional design elements will be encouraged.
- 3.80 Section 17 of the Crime and Disorder Act 1998 requires all local authorities to examine their functions with due regard to their likely effect on crime and disorder and PPS1 'Delivering Sustainable Development' stresses the need to plan for safe and sustainable communities. New development should include measures to design out crime and to design in community safety.

### **Policy SG14 - Design and Layout of New Development**

New development should be designed to ensure that it makes a positive contribution to the architectural and visual quality of its surroundings. It should normally respect the vernacular architecture of the area in which it is located

although high quality contemporary design will be supported in appropriate contexts. In assessing the design and layout of new development the following matters will be taken into consideration:-

- 1) local distinctiveness;
- 2) the choice of materials;
- 3) the historic pattern of development in the locality;
- 4) the relationship of the development to the character, form and scale of existing buildings nearby;
- 5) the scale, form and height of the proposed development;
- 6) architectural detailing;
- 7) the effect of the development on the amenity of nearby residents in terms of noise, smell, general disturbance, overlooking and loss of light;
- 8) planting and measures to promote biodiversity;
- 9) the layout of vehicular access, parking and manoeuvring facilities and the provision of facilities for cyclists and pedestrians;
- 10) the needs of disabled persons;
- 11) the use of sustainable materials and methods of construction;
- 12) measures to reduce the potential for crime and disorder.

Development that would have an adverse effect on the character and appearance of the locality, or which would prejudice the comprehensive development or redevelopment of an area, will not be permitted."

1.2.2 South Holland does not have more detailed supplementary planning guidance relating to the design and layout of residential schemes. There are a number of examples elsewhere in the country where such guidance has been produced. This has often been a joint venture between Councils due to the level of resource required to produce such a document.

1.2.3 The National Planning Policy Framework requires good design in Section 7 as follows:

"56. The government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

57. It is important to plan 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.

58. Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics. Planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion
- are visually attractive as a result of good architecture and appropriate landscaping

59. Local planning authorities should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.

60. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

61. Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

62. Local planning authorities should have local design review arrangements in place to provide assessment and support to ensure high standards of design.

They should also when appropriate refer major projects for a national design review<sup>1</sup>. In general, early engagement on design produces the greatest benefits. In assessing applications, local planning authorities should have regard to the recommendations from the design review panel.

63. In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.

64. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

65. Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits).

66. Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably."

- 1.2.4 Whilst currently having no weight in the determination of current planning applications, it is considered that it would be helpful for Members to set out the proposed design policy framework in the South East Lincolnshire Local Plan which was recently submitted to the Planning Inspectorate and will be the subject of examination later this year. This addresses the issue of the design of new development as follows:

### **"3.4 Design of New Development**

3.4.1 The NPPF9 stresses that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.' As such, Policy 4 identifies issues that should be considered when preparing schemes and Planning Statements (if required), so that development sits comfortably with, and adds positively to, its historically-designated, or, undesignated townscape or landscape surroundings.

3.4.2 Good design has a role in achieving sustainable development and adapting to, or mitigating, climate change. It will support sustainable development because it will reuse and adapt existing buildings to new uses, as well as designing new buildings and housing that can meet the changing needs of the occupants over their lifetime. This will reduce the amount of resources required for development.

### **Policy 4: Design of New Development**

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. Design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

Development proposals will demonstrate how the following issues, where they are relevant to the proposal and are viable will be secured:

1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;

2. distinguishing between private and public space;
3. the landscape character of the location;
4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;
5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;
8. crime prevention and community safety;
9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;
10. the avoidance of visual intrusion by advertising, other signs, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);
13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;
14. the provision of appropriate landscaping and its use to enhance biodiversity and green infrastructure;
15. the appropriate use or reuse of historic buildings; and
16. the appropriate treatment of facades to public places and the design of shop frontages and signage.

### **Reasoned Justification**

3.4.3 Good design will seek to provide a development that sits well in its surroundings and meets the requirements of its users, be that residential or commercial occupiers. The purpose of the Policy 4 is to provide a list of issues to be considered when development schemes are being prepared, rather than prescribing a particular design approach, consistent with the NPPF. Design is a cross cutting issue so may be covered by other policies elsewhere in this Local Plan. Not all of the issues listed will be relevant in all cases.

3.4.4 Design of new buildings and spaces should take the principle of encouraging physical activity in line with Planning Healthy Weight Environments. A development should incorporate existing public rights of way and cycleways and where practicable extend them, to encourage residents to walk or cycle to places of work, school, local shops and services as well as open space. Such facilities should be accessible to all, including those with disabilities, older people and those with pushchairs, as well as other users with more specific needs, such as those with dementia or the visually impaired. Care should also be taken in designing undefined multi-use spaces where

pedestrians, cyclists, public transport and taxis mingle as these can also be confusing for such groups.

3.4.5 A development will make buildings and places more resilient to flooding by, for example, raising the floor level, and adapting the internal materials, electrical circuits and plumbing to cope better with any flood event. These issues may be successfully incorporated in buildings that follow traditional or contemporary design in accordance with Building Regulations. In addition, owing to flood risk new activities may need to be deterred in certain areas based on their intrinsic hazard to groundwater. The hazard may result from a combination of the activity type, its duration and the potential for failure of flood-control measures.

3.4.6 New buildings can be orientated so that micro generation plant can be incorporated for its maximum benefit. It will incorporate, protect or extend existing habitats or land forms so that buildings are shaded from the extremes of weather to minimise energy consumption for heating or cooling. Improvements to biodiversity can be also achieved on the building, by, for example, the use of bird nest or bat roost boxes, green roofs or walls, as well as in the landscape. These features along with the incorporation, protection or extension of existing habitats will maintain or improve their resilience. Green walls and roofs also add to the thermal mass of the building. Shading buildings with plants or providing larger roof overhangs to shade windows, sizing windows according to their aspect and providing appropriate insulation allow buildings to be more resilient to extremes of temperature."

1.2.7 In addition Policy 12, which is concerned with the proposed Vernatts sustainable urban extension, expects development proposals to take account of agreed Design Codes (or other mechanisms employed) to ensure high-quality and locally-distinctive design.

1.2.8 Design Codes are an important tool for delivery. They are practical documents that set the design principles and requirements for a new development. They instruct the work of architects, engineers and developers and help to deliver high quality developments by providing clarity, from the outset, on the ethos of the development and the standards required of everyone. At a basic level, a Design Code combines text and diagrams explaining the precise requirements for the physical elements, streets, buildings, landscape and infrastructure of developments. Good Design Codes, though, are based on a specific vision for an area and provide guidelines that are essential to creating a good place, advising on the design of the whole development, not just streets and buildings. They streamline the planning and development process because all parties know what is expected of them and have agreed to follow the codes' guidelines.

### 1.3 **Derelict and Dilapidated Buildings**

1.3.1 The Place Manager will be in attendance to discuss the Council's approach to derelict and dilapidated buildings.

## 2.0 **OPTIONS**

2.1 That the Panel consider whether or not they wish to establish a Task Group

### 3.0 REASONS FOR RECOMMENDATIONS

3.1 The Panel has requested this information from officers so that it may consider whether it wishes to establish a Task Group.

### 4.0 EXPECTED BENEFITS

4.1 To provide Members with up to date and relevant information.

### 5.0 IMPLICATIONS

5.1 A number of implications have been considered, including Constitution, Legal and Financial implications. It is the opinion of the Report Author that there are no direct implications associated with this report.

### 6.0 WARDS/COMMUNITIES AFFECTED

6.1 All Wards affected

### 7.0 ACRONYMS

7.1 None.

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Background papers:- None

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### Appendices attached to this report:

None