

# Cheshire East Council

## Portfolio Holder for Housing and Planning

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<b>Date of Meeting:</b>	02 May 2017
<b>Report of:</b>	Director of Planning and Sustainable Development
<b>Subject/Title:</b>	Cheshire East Borough Design Guide – Adoption as a Supplementary Planning Document
<b>Portfolio Holder:</b>	Cllr Ainsley Arnold, Housing and Planning Portfolio Holder

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### 1. Report Summary

- 1.1. Cheshire East is a unique and treasured place which is experiencing pressure for change. Securing quality of place in relation to the built and natural environment is a key driver in the preparation of the Cheshire East Design Guide and its adoption as a Supplementary Planning Document (“SPD”).
- 1.2. The Design Guide SPD has been prepared with the assistance of e\*SCAPE Urbanists and has been subject to extensive consultation resulting in a formal consultation on the draft version of the document during April – May 2016. The document has also been subject to ongoing and iterative Sustainability Appraisal and has been informed by the emerging Local Plan Strategy.
- 1.3. Following consultation on the document and consideration of the points received, changes proposed to the draft Design Guide SPD have now been prepared in order to adopt the Design Guide as a SPD to support the consideration of planning applications for housing in the Borough.

### 2. Recommendation

- 2.1. The Portfolio Holder is recommended to:
  - 1 Note the outcomes of the consultation on the Cheshire East Design Guide, undertaken during April – May 2016 as set out in the consultation statement in Appendix A alongside the associated Sustainability Appraisal work (set out in Appendix B).
  - 2 Consider the comments made by Members on the Strategic Planning Board at its meeting on the 19 April 2017 set out in Appendix C.

- 3 Adopt the Cheshire East Design Guide, as updated by Appendix A and C as a Supplementary Planning Document effective from the 8<sup>th</sup> May 2017

### **3. Other Options Considered**

- 3.1 A Portfolio Meeting on the 29 March 2016 resolved that the Cheshire East Design Guide be subject to formal public consultation as a draft Supplementary Planning Document. The consultation period ran from Wednesday 6<sup>th</sup> April 2016 to Friday 27<sup>th</sup> May 2016. Comments have now been received and considered with alterations made to the document now to be adopted as a Supplementary Planning Document (as set out in appendix A).

### **4. Reasons for Recommendation**

- 4.1 The Design Guide, prepared by the Council's design team with the assistance of e\*SCAPE Urbanists has been subject to extensive engagement both during its initial development and then through formal public consultation during April / May 2016.
- 4.2 A total of 78 representations have been received during the consultation on the Design Guide, these have now been considered and the outcomes documented. The following are attached to this report:
  - a consultation statement including table of responses and proposed changes (set out in appendix A)
  - Sustainability Appraisal (SA) report (set out in appendix B)
  - Comments from Strategic Planning Board at its meeting held on the 19 April and set out in appendix C
- 4.3 A link to the draft design guide consulted upon during April/May 2016 is also provided for reference

<http://cheshireeast.gov.uk/planning/borough-design-guide-consultation.aspx>

### **5. Background/Chronology**

- 5.1 Cheshire East is a unique and treasured place. The area has and continues to experience pressure for change. Securing quality of place in relation to the built and natural environment is a key driver behind the preparation of a Design Guide and its adoption as a Supplementary Planning Document.
- 5.2 The Council's emerging Local Plan Strategy ("LPS"), at Main Modifications stage, sets out the provision of a minimum of 36,000 homes and 380 hectares of employment land up to 2030. The LPS also includes a number of policies to guide development within the Borough including policy SE1 (Design).

- 5.3 Local Authorities may prepare Supplementary Planning Documents to provide greater detail on the implementation of Local Plan policies. The National Planning Policy Framework (NPPF) supports the production of SPDs where they can guide planning applications.
- 5.4 The emerging Local Plan Strategy identifies that the Council will produce a Design Guide SPD to support its design policies. The Design Guide has also been brought forward in response to the number of development applications being proposed in advance of the Local Plan Strategy being adopted.
- 5.5 The Design Guide focuses on new housing. It has been divided into 2 volumes: volume 1 sets out the character of Cheshire East and the process for delivering design quality, whilst volume 2 provides the practical design guidance on a range of topics that impact on design quality.
- 5.6 The Design Guide includes case studies of best practice, guidance on process and the use of Design Codes / Design and Access Statements. It has been written to dovetail with Building for Life 12, the industry standard on designing better quality homes and neighbourhoods.
- 5.7 Portfolio Holder approval to consult on the Design Guide was sought in March 2016 with public consultation during April / May 2016. A total of 78 representations were received. A number of themes were noted during the consultation, these include:
- Relationship to the Local Plan Strategy, Neighbourhood Plans and the legacy Local Plan documents
  - Clarity and editing to the document
  - Viability including the level of prescription in the document
  - Example sample settlements and character areas
  - Use of design and access statements, design codes and building for life requirements
  - Relationship to Neighbourhood Plans
- 5.8 Consideration of responses received during the public consultation and the outcomes of the Sustainability Appraisal work on the Design Guide has resulted in the following proposed changes and refinements to checklists within the Design Guide, summarised below:
- General editing and proofing of the Design Guide
  - Responding to recommendations from the Sustainability Appraisal Process
  - Viability – inclusion of guidance relating to consideration of viability

- Clarification on mandatory and non-mandatory design requirements and amendment of trigger for coding to 150 dwellings to reflect the threshold for strategically important development in the LPS
- Inclusion of additional sample settlement guidance for Poynton and Holmes Chapel in volume 1
- Clarification on gross density for density diagrams in samples settlements in volume 1
- Section inserted in relation to Neighbourhood Plans in vol 1
- Clarification on lighting and adoption in relation to footpaths
- Stronger references to the positive function of waterways in terms of connectivity, Green Infrastructure and nature conservation
- Clarification in relation to footway/cycleway widths and links to further advice
- Additional advice in relation to existing gateways
- Inclusion of a definition of Pastiche
- Clarification on the retention and re-use of historic/traditional street and pavement surfaces subject to highway authority approval
- Clarification that the design guide is not a 'rule book' to enable creative, place led design solutions
- Inclusion of enclosure ratios on street sections and clarification that enclosure should be determined by the character and location of the site and its surroundings,
- Clarification in relation to cycle provision and storage including links to good practice and amendments/insertions to checklists
- Clarification that development will be encouraged that promotes cycling, walking and public transport and highlighting car-pooling and clubs as alternatives to car ownership but acknowledging that car ownership is valued and a necessity in some parts of the Borough
- Inclusion of provision for electric vehicles for on-street parking areas
- Further clarification on the role of physical traffic calming and signage within residential schemes
- Further clarification and affirmation on the adoptability of the materials palettes for streets in Vol 2
- Inclusion of reference to Technical Housing Standards – Nationally Described Space Standard
- Change to 'strongly encouraging' rather than 'requiring' comprehensive masterplans for multiple sites
- Amendments to sustainability checklist to tone down requirements in relation to active sustainability and Passivhaus
- Reinforce reference to self-build and its value in creating more distinctive development
- Insert explanation at the beginning of volume 2 about applying checklists and their purpose and how they relate to BfL12
- Reinforcing the consideration of noise and other forms of pollution through Health Impact Assessments.
- Amendments/refinements to the section within the guide relating to functional and architectural lighting within new developments
- Insertion of additional links to best practice in relation to Green Infrastructure

- Inclusion of advice relating to green roofs and walls, predominantly in urban, higher density schemes
- Further clarification on provision for bats and nesting birds, and prioritising house sparrows and swifts, including 30% provision for larger scale developments
- Inclusion of guidance to encourage use of the Green Space Factor as a way of maximising permeable surfaces that can contribute to Green Infrastructure
- Inclusion of reference to protection of natural resources as part of sustainable spatial design
- Additional guidance in relation to veteran/ancient trees and hedgerows, succession planting and buffering in relation to trees
- Clarification on the adoption of SUDS and reference to future CEC SUDS manual
- Additional guidance on habitable conditions within homes to ensure adequate light and an outlook from habitable rooms
- Additional guidance on spacing between dwellings and deterring the practice of 'zero plotting'

5.9 Further details regarding the approach to consultation, a summary of the issues raised and Council responses are set out in the consultation statement for the Design Guide SPD (in appendix A)

5.10 The final version of the Design Guide will incorporate those proposed changes and is supported by a further iteration of the Sustainability Appraisal (set out in appendix B).

5.11 At its meeting on 19<sup>th</sup> April, the Strategic Planning Board endorsed the proposed changes and the adoption of the Cheshire East Residential Design Guide as a Supplementary Planning Document , subject to the consideration of the issues raised/recommendations made by the Board (these are set out in Appendix C).

5.12 Subject to approval to adopt the SPD, a final version of the Design Guide SPD with an adoption statement will be prepared alongside appropriate notification in line with the Town and Country Planning (Local Planning) (England) Regulations and the Council's Statement of Community Involvement.

## **6 Wards Affected and Local Ward Members**

6.1 All Wards

## **7 Implications of Recommendation**

### **7.1 Policy Implications**

- The Design Guide, once adopted, will form part of the Local Plan, supporting the implementation of policies within the legacy Local Plans but also the policies within the emerging Local Plan Strategy.

## **7.2 Legal Implications**

- The Cheshire East Borough Design Guide SPD, once adopted, will be a material consideration in the determination of planning applications for new housing development. The Design Guide has been consulted on in line with the Town and Country Planning (Local Planning) (England) Regulations 2012.

## **7.3 Financial Implications**

- The guide has been prepared using £50,000 funding from an earmarked reserve. The funding of the consultation and amendments has been funded by the Planning and Sustainable Development budget.

## **7.4 Equality Implications**

- The development of the Design Guide has been supported by the Sustainability Appraisal process which has tested the sustainable development credentials of the Design Guide. In addition, the Design Guide amplifies emerging policy SE1 (Design) in the Local Plan Strategy, which has been subject to an Equality Impact Assessment.

## **7.5 Rural Community Implications**

- The Design Guide has been developed to consider design implications of development in rural and urban communities. Its adoption, should assist in guiding development to respond more positively to the character of place. Where development is not of the requisite quality, then the Design Guide SPD, in support of Local Plan Policy, provides justification to refuse instances of poor design as part of the planning balance.

## **7.6 Human Resources Implications**

- On adoption of the SPD, there will be Member and Officer training on the content and implementation of the Design Guide to inform design outcomes in the Borough, in conjunction with training on Building for Life 12.

## **7.7 Public Health Implications**

- The Design Guide includes reference to Health Impact Assessment screening in line with policy SC3 (Health and Wellbeing) of the Local Plan Strategy, it also encourages sustainable development and movement patterns, creation of high quality greenspace, encouraging biodiversity etc to the benefit of overall public health in the Borough.

## 7.8 Other Implications (Please Specify)

- The Design Guide should support an improved quality of environment and reinforcing the local distinctiveness and special qualities of different parts of Cheshire East

## 8 Risk Management

8.1 The process of engagement on the preparation of the Design Guide alongside consideration of responses received to the formal public consultation and the further Sustainability Appraisal work should help reduce risk in adopting the Design Guide as an SPD.

## 9 Access to Information/Bibliography

9.1 The background papers relating to this report are listed below and can be inspected by contacting the report writer:

### Appendices

9.1.1 Appendix A – Design Guide Consultation Statement and summary of issues and responses

9.1.2 Appendix B – Design Guide Final Sustainability Appraisal / Habitats Regulations Assessment

9.1.3 Appendix C – comments from Strategic Planning Board to be held on the 19<sup>th</sup> April 2017.

Link to the Draft Design Guide <http://cheshireeast.gov.uk/planning/borough-design-guide-consultation.aspx>

## 10 Contact Information

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