

# **Cherwell District Council**

## **Council**

**16 July 2018**

<p><b>Cherwell Residential Design Guide Supplementary Planning Document Masterplanning and architectural guidance</b></p>
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### **Report of Executive Director: Place and Growth**

This report is public

#### **Purpose of report**

To seek adoption of the Cherwell Residential Design Guide, Supplementary Planning Document, Masterplanning and architectural guidance for development following the recommendation of the Executive at its meeting on 2 July 2018.

#### **1.0 Recommendations**

The meeting is recommended:

- 1.1 To formally adopt the final Cherwell Residential Design Guide Supplementary Planning Document (Design Guide) (Appendix 1).
- 1.2 To authorise the Executive Director for Place and Growth to publish an Adoption Statement.

#### **2.0 Introduction**

- 2.1 This report follows a report to a meeting of the Executive on 2 July 2018 at which it was resolved as follows:

##### **Resolved**

- (1) That the responses to consultation summarised in the consultation statement be noted.

- (2) That the final draft of the Cherwell Residential Design Guide SPD (Design Guide) (annex to the Minutes as set out in the Minute Book) and incorporating changes summarised in the annex to the Minutes (as set out in the Minute Book) be approved.
- (3) That Council be recommended to adopt the final draft of the Cherwell Residential Design Guide SPD (Design Guide) as a statutory Supplementary Planning Document under the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- (4) That the Executive Director Place and Growth be authorised to make any necessary minor and presentational changes to the Design Guide before the meeting of the Council.

2.2 Cherwell has a distinctive character, defined by its market towns and picturesque villages. The District's rich history and its high quality environment are valued by those who live and work here. Looking to the future it is critical that future growth contributes towards a positive legacy for future generations to enjoy.

2.3 This report directly links to all three themes from the Joint Corporate Strategy 2018-19:

- District of Opportunity & Growth
- Protected, Green & Clean
- Thriving Communities & Wellbeing

2.4 The National Planning Policy Framework (NPPF) is based around a presumption in favour of sustainable development of which good design is a key aspect. The NPPF is explicit on the importance of good design. *"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."* (NPPF para. 56). Paragraphs 56–68 of Part 7 of the NPPF sets out key issues relating to design.

2.5 Delivering high quality homes and places is a key theme in the adopted Cherwell Local Plan 2011-2031 (Part 1). The Design Guide has been written to support this agenda by providing further explanation of policy ESD 15 which sets out the policy for the built environment. Key issues set out within policy ESD 15 include the requirement for development to complement and enhance its context through sensitive siting, layout and high quality design.

2.6 The Design Guide is focused on the development of robust neighbourhoods and communities and explains the issues and processes expected of housebuilders and residential developers in this area. The Design Guide is not written to guide the development of new commercial areas. The Council intend to publish a commercial development design guide in the future to support high quality development in this area.

2.7 The intention of the Design Guide is to provide clear direction on how the design and built environment policies in the Cherwell Local Plan should be interpreted for new residential development. The Design Guide provides clear and

comprehensive guidance on the quality of site layout, architecture and materials expected by the Local Planning Authority to give greater clarity on design standards for developers.

- 2.8 The Design Guide is structured into eight chapters and, read together, provides clear guidance on all stages of the development process. The document has primarily been written to support major and strategic residential development sites, though the principles are also relevant for smaller residential sites.
- 2.9 The first two chapters provide background information on the role of the Design Guide and a summary of the distinctive character of the District. They provide an important starting point for the design of any site and the basis for the guidance that follows.
- 2.10 The main body of the document (chapters three to eight) provides clear information on each stage of the design and development process:
- Responding to the site and its context
  - Establishing structural principles
  - Streets and spaces
  - Building and plot arrangements
  - Building elevations and details
  - Innovation and sustainability.
- 2.11 Further to the Executive's recommendation (para. 2.1(3) above), the Council is invited to adopt the completed Cherwell Residential Design Guide document at Appendices 1 as a Supplementary Planning Document (SPD). As an SPD the document will have statutory status as planning guidance. It does not establish Development Plan policy which is the role of the Council's Local Plans.

### **3.0 Report Details**

- 3.1. The Design Guide is intended to be used by those involved in the creation of new residential places and neighbourhoods, including architects, urban designers, developers, planners and members of the Planning Committee. It has been written in non-technical language and it is hoped that it will also be used by Parish Councils, community groups and residents interested in the future of their settlements.
- 3.2. A key aim of the document is to help provide a level of certainty and consistency in the development process, while raising the quality of design throughout the District. It is intended that the Design Guide will help:
- Promote high quality design standards for new development
  - Ensure that development is site specific and responds to the character and context of an area
  - Bring greater clarity to the design and planning process to help streamline delivery.
- 3.3. The Design Guide is underpinned by the importance of creating new places that are locally distinctive and respond to the surrounding townscape, landscape and historical built form. It is not an exhaustive guide that covers every aspect of

design, nor does it remove the need for applicants to undertake their own proper assessment of the site context and development impact.

- 3.4. The Design Guide provides clear guidance on the historic character of the District. Where a 'traditional style' of housing is proposed it should be site specific and true to the area's vernacular, to promote high quality design which is in keeping with its context. The Council welcomes proposals for high quality contemporary design and sustainable construction and guidance is provided on this in Chapter 8.
- 3.5. The Design Guide was approved by the Executive for public consultation on 6 November 2017. The results of the consultation have now been reviewed and final modifications have been made to the document that is presented for approval.

### **Consultation Results**

- 3.6 The draft Design Guide (Appendix 4) was consulted on between 23 November 2017 and 21 December 2017. Twenty two representations were received in response to consultation. The Consultation Statement at Appendix 2 to this report includes a summary of the main issues raised in each representation and explains how they have been addressed in the final draft of the Design Guide. The representations have been placed in the Members' Room and are available on-line at: <https://www.cherwell.gov.uk/info/234/supplementary-planning-documents-spd/525/representations-to-the-draft-cherwell-design-guide-supplementary-planning-document-spd>
- 3.7 In brief, the main issues raised include:
  - A number of developers expressed concern that the Design Guide would negatively impact the speed of delivery
  - Oxfordshire County Council has advised that it has begun work on a new Street Design Guide. It also confirmed that it has recently published revised guidance on walking and cycling which should be referenced in the Design Guide
  - Oxfordshire County Council also made a number of technical clarifications with regard to street design to ensure that consistent standards are being applied
  - Concern that the Design Guide contains a number of new policies which are not in the adopted Cherwell Local Plan
  - Relationship with Local Plan – concern that design standards should be managed through the Local Plan Part II process
  - Concern that the Design Guide is not consistent with the NPPF
  - Views that there should be flexibility built in to the Design Guide to allow a more bespoke approach to design for development
  - Clarification on the role of the Design Guide in relation to site specific guidance
  - Clarification on the development process set out within the Design Guide
  - Banbury Town Council would like a section specifically related to design in Banbury. They would also like a wider, more inspirational remit for the Design Guide, including commercial and mixed use development
  - The Canals and Rivers Trust regrets that there is no sub-section specifically on Canals

- Oxfordshire County Council – state that they regret that there has not been more detailed guidance on school design and the incorporation of school sites within the community.

### **Response to the Issues Raised**

3.8 The Consultation Statement at Appendix 3 explains how the issues raised have been taken in to account. The key proposed changes to the Design Guide have been incorporated into the final document. This includes:

- Clarification on the role of the Design Guide within the planning process and in relation to site specific guidance.
- Clarification of street design standards, in line with OCC guidance
- Additional text to respond to the scope of the Cherwell Local Plan 2011 – 2031 (Part 1) Partial Review – Oxford’s unmet Housing Need
- Minor amendments to text in other areas.

3.9 Changes have not been made:

- Where they respond to specific geographic issues
- Where they seek unnecessary flexibility in the Design Guide's requirements
- Where they relate to matters that may be more appropriately considered through any the future review of Development Management processes or by dealing with development proposals on a site-by-site basis.

## **4.0 Conclusion and Reasons for Recommendations**

4.1 The Design Guide is now complete and presented to seek adoption by Council. Once adopted the Design Guide will be a material consideration in the determination of planning applications where there are related design issues. The Design Guide seeks to provide clear guidance on the design of the built environment to ensure that the detailed policies for high quality development set out in the Cherwell Local Plan are delivered. The document is a comprehensive guide covering an extensive list of design issues that should be considered in residential design / development.

4.2 The document has been prepared with regard to national policy guidance and through engagement with key stakeholders and through a period of formal consultation. It is considered by Officers that the document presents guidance that supports both high quality development and continued growth across the district, which maintains high levels of housing delivery.

4.3 The document is being presented to Council for adoption as a Supplementary Planning Document (SPD). As an SPD the document will have statutory status as planning guidance. It does not establish Development Plan policy which is the role of the Council’s Local Plans.

## 5.0 Consultation

- 5.1 Internal briefing: Councillor Colin Clarke, Lead Member for Planning.
- 5.2 Public consultation as set out in the Consultation Statement (Appendix 2)

## 6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

*Option 1: Not to adopt the Cherwell Residential Design Guide SPD and seek changes.*

Officers consider that the SPD has been prepared in accordance with the relevant legislation. The adopted Cherwell Local Plan 2011-2031 sets the planning framework up to 2031 with the SPD providing a further level of detail to guide development. Significant changes may require further consultation.

*Option 2: Not to adopt the Cherwell Residential Design Guide SPD and to rely on Policy ESD15 within the Cherwell Local Plan.*

Note that the Council could rely on ESD15 but that the Design Guide would provide more detailed advice to aid decision making and provide further clarity on how to achieve high quality development.

## 7.0 Implications

### Financial and Resource Implications

- 7.1 Adoption of the Cherwell Residential Design Guide Supplementary Planning Document is being met within existing budgets.

Comments checked by:

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### Legal Implications

- 7.2 The Cherwell Residential Design Guide SPD is being prepared as statutory planning guidance in accordance with the relevant legislation. Once adopted, the design Guide will be a material consideration in the determination of planning applications and provide clear guidance on design issues for residential development.

Comments checked by:

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## 8.0 Decision Information

### Wards Affected

All

### Links to Joint Corporate Strategy and Policy Framework

This report directly links to all three themes from the Joint Corporate Strategy 2018-19:

- District of Opportunity & Growth
- Protected, Green & Clean
- Thriving Communities & Wellbeing

### Lead Councillor

Councillor Colin Clarke - Lead Member for Planning

### Document Information

Appendix No	Title
One	Cherwell Residential Design Guide SPD Final Draft - Main Document and Appendices
Two	Consultation Statement – <i>available online and hard copy in the Members' Room</i>
Three	SEA / SA Screening Statement – <i>available online and hard copy in the Members' Room</i>
Four	Cherwell Residential Design Guide SPD – Consultation Draft November 2017 (superseded) – <i>Available online and hard copy in the Members' Room</i>
Background Papers	
None	
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