

Swindon Residential Design Guide Supplementary Planning Document (SPD)

Planning Committee

Date: 14 June 2016

Author: Director of Planning, Regulatory Services and Heritage

Parish / Wards Affected: All

1. Purpose and Reasons:

- 1.1 The Swindon Residential Design Guide Draft Supplementary Planning Document underwent an 8 week period of public consultation (26th of August to the 21st of October 2015).
- 1.2 This report summarises the comments received following public consultation on the draft document and recommends adoption of the document by Planning Committee, subject to a number of changes in response to comments received. A schedule of comments and recommended responses are included as an annex to the report and the proposed changes illustrated in the post-consultation version at the end of this report.
- 1.3 The Document further defines the policy requirements of policy DE1 of Swindon Borough Local Plan 2026, building on previous guidance to provide a clear set of principles and guidelines to enable high quality design and shape new development in line with the National Planning Policy Framework (NPPF, 2012).
- 1.4 As a supplementary planning document it will carry weight as material planning consideration in the planning decision-making process across Swindon to ensure the Council's Strategic Objective of High Quality Design and the detailed requirements of Policy DE1 of the Swindon Borough Local Plan are upheld. These sit in line with the Council's Vision and serves the pledges and priorities.
- 1.5 Officers are also in the process of establishing a multidisciplinary design review panel for Swindon to assist with the goal of securing high quality development for Swindon. This approach is endorsed by the SPD and fulfils a requirement of the NPPF to drive up standards and is in line with our Local Plan Policy DE1,

2. Recommendation

Planning Committee is requested to:

- 2.1 Adopt the Swindon Residential Design Guide as a Supplementary Planning Document in support of the Swindon Borough Local Plan 2026, amended as set out at the end of this report.
- 2.2 Authorise the Director of Planning, Regulatory Services and Heritage and the Director of Law and Democratic Services to make minor changes to the content of the document, if required, prior to publication in consultation with the Chair of

Swindon Residential Design Guide Supplementary Planning Document (SPD)

Planning Committee

Date: 14 June 2016

Planning and the Cabinet Member for Strategic Planning, as appropriate.

- 2.3 Endorse the setting up of a Swindon Design Review Panel as a mechanism to drive up standards of design in the Borough.

3. Detail

3.1 The Swindon Residential Design Guide SPD:

- 3.1.1 The National Planning Policy Framework (NPPF) stresses the importance of Good Design throughout the planning process and places it firmly as one of the 12 Core Planning Principles, stating that planning should:

*“Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”
(Paragraph 17, bullet 4, NPPF)*

- 3.1.2 In addition, the National Planning Practice Guidance (NPPG) states that local planning authorities can make design a more transparent and accessible part of the planning process by establishing sound, clear and easy to follow design policies and processes for use by both developers and local communities.

- 3.1.3 The Local Plan requirement to deliver 22,000 new homes in the Borough over the next plan period is a major challenge for Swindon and requires a great deal of care in the early planning and design stages of development to achieve high quality, sustainable development, fit for purpose now and in the future.

- 3.1.4 Improving the quality of design across the Borough for all new development is a key Council priority, and makes a direct contribution to quality of life, making sure our future communities live in urban environments that they can be proud of, that last, are attractive, promote healthy lifestyles, function well and that address the principles and policies detailed in the adopted Local Plan.

- 3.1.5 There is currently no comprehensive local level design guidance focussed on the delivery of the aspirations of Local Plan Policy DE1 for residential development in Swindon. At the National level, while the importance of design has been elevated at the heart of national planning policy, the detailed aspects of design guidance within superseded documents such as ‘By Design’ have been replaced with a higher-level light-touch

Swindon Residential Design Guide Supplementary Planning Document (SPD)

Planning Committee

Date: 14 June 2016

approach within the NPPG and the more detailed aspects of design policy encouraged at the local planning authority level through supplementary planning documents, design codes and design / development briefs for site-specific projects.

- 3.1.6 There is a need therefore to provide this guidance at the local level to aid the implementation of our planning policies, in line with the NPPF, to strengthen existing / emerging and future Village and Neighbourhood Plans, to promote sustainable development, to achieve high standards of design and to aid successful applications in a timely, responsive and objective manner, in line with our Corporate Vision, our Strategic Objectives and Local Plan Policy.
- 3.1.7 In order to help achieve these objectives, the Swindon Residential Design Guide SPD has been produced, providing the necessary detail to build on Local Plan Policy DE1.

3.2 Swindon Design Review Panel:

- 3.2.1 The Swindon Design Review Panel will be independently run and consist of a wide range of experts in the built environment to provide a structured approach to review selected development proposals in an objective, critical and constructive way to the Planning Authority.
- 3.2.2 The Panel would be set up as an objective body, independent from the Council, but reporting back to your officers. All reviews will involve the developer and/or agent and Local Planning Authority representation. Such Panels have been successfully employed previously in Swindon for schemes including The Old Town Hall / Corn Exchange, Chain Test House and the first Hook Street application. Other neighbouring authorities have also set up their own Design Review Panels including Oxford, Bristol and Gloucestershire.
- 3.2.3 The Design Review Panel is structured according to the ten principles of design review as set out by Design Council CABE, in that they should be: Independent, Expert, Multidisciplinary, Accountable, Transparent, Proportionate, Timely, Advisory, Objective and Accessible.
- 3.2.4 The funding of design reviews come from the applicant in most cases.

Swindon Residential Design Guide Supplementary Planning Document (SPD)

Planning Committee

Date: 14 June 2016

4. Summary of representations and changes proposed to the Swindon Residential Design Guide

- 4.1 During the 8 week public consultation period, 25 responses were received. These included comments from Historic England, Natural England, 5 Parish Councils, The Planning Committee, Thames Water, Wiltshire Police, Highways England, The Royal Society for the Protection of Birds, Civic Voice and Developers / Housebuilders working in Swindon. A few members of the public including local agents and architects and internal consultees within the Council from: Development Management, Public Health, Housing, Conservation, Landscape and the Wichelstowe Project Team. Swindon Borough Council officers have considered in detail the representations received and prepared recommended responses as set out in the **Swindon Residential Design Guide SPD Consultation Response Table** which due to its size has been made available to view separately as an annex to this report on the Council's website with this month's Planning Committee agenda items.
- 4.2 As a result of the consultation process and consideration of the comments made, a number of changes are proposed to the Swindon Residential Design Guide Draft SPD. Appendix 1 of this report is the proposed amended version of the Swindon Residential Design Guide document with the proposed changes shown in red. Many of the changes are minor revisions that include different illustrations with revised text to better illustrate a point or principle, whilst other changes are more extensive such as the final section which focuses more on precedent studies and includes examples of development proposals and how they relate more specifically to the design principles and guidance within the document.
- 4.2.1 **Case Studies** - it is envisioned that this final section be revisited from time to time to allow officers to add new case studies to support the interpretation of the guide on actual sites (mostly in Swindon). Reflecting back on development proposals and realised projects in an objective and analytical way through the analysis of case studies can be a very informative and helpful way in which to test our own policies and guidance against real developments, to compare various approaches, and to encourage better standards of design in new housing developments more generally.
- 4.3 The responses to the Draft SPD received covered a range of issues from a wide group of respondents. Some comments requested further additional information or links to further information to be included. Comments were made in response to some of the illustrations and how they are interpreted. Strong support of the document was advocated by some respondents including Historic England. Other bodies such as Natural England requested much more of an emphasis on green infrastructure (GI) provision within this guidance, aiming at the inclusion of
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Swindon Residential Design Guide Supplementary Planning Document (SPD)

Planning Committee

Date: 14 June 2016

the multi-functional benefits of GI to biodiversity, amenity, recreation and health and well-being and the link between GI and urban design and also included helpful advice and useful linkages.

5. Support for the SPD

- 5.1 Comments in support of the document were made by two local architects which included issues such as detailed consideration of examples chosen to reflect good design practice, requests to use highly skilled architects, to expect better quality drawings from applicants and for the Council to exert more control over detailing of buildings, for higher standards of safety and security, high quality materials, avoiding the exclusion of rear car parking courtyards and rather focussing on good quality examples such as in Poundbury. Request for refuse storage areas for larger residential developments to be covered, the back-to-back distances to be more flexible and relative to the location (urban-rural form matrix), a request for the Council to express a preference for higher space standards than the suggested national space standards, and general preferences for more good quality precedent to be included overall.
- 5.2 The Planning Committee positively received the draft version before approving it for public consultation and commented on the need to provide guidance and more examples with emphasis on town centre-type development, raised concern over the use of some of the examples used in the guide, and the need to secure good levels of amenity protection for existing and future residents.
- 5.3 Thames Water provided a detailed set of comments related to climate change in advising how to reduce water consumption in new development, sustainable drainage and detailed requirements for surface water drainage by developers.
- 5.4 The Parish Councils (Wroughton, Blunsdon, Chiseldon, South Marston, Inglesham) were generally encouraged by the production of the guide. Wroughton Parish Council recognised the different solutions required for different areas in relation to context and character, as well as a recognition of the benefits of improving passive solar efficiency. Request was made for more emphasis on climate change in relation to promoting water conservation through the guide. Access for all was supported and so too was the importance placed on permeability of new developments, but commented that some layouts emphasised the use of land for public open space at the expense of the provision of private garden space, essential to families.

South Marston Parish Council commented that the document would be extremely useful and supported its production.

Swindon Residential Design Guide Supplementary Planning Document (SPD)

Planning Committee

Date: 14 June 2016

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- 5.5 SBC Housing supported the document and included comments about the early consideration of refuse and recycling storage facilities and car parking courtyards.
- 5.6 Highways England supported the document and were particularly encouraged by the commitment to the external Design Review Panel process and the design of places and spaces which are conducive to encouraging integrated sustainable and active travel modes.
- 5.7 SBC Officers commented on detailed aspects of the guide, requesting further clarification / replacement of some illustrations and minor amendments to text.
- 5.8 Public Health offered support for the document and requested more of an emphasis on public health throughout, especially with reference to accessibility of residents to open space, walkable neighbourhoods to align with wider public health objectives such as dementia, social inclusion and interaction to promote healthier lifestyles and community spirit. Comment was also made on the public health benefits (such as the value of vitamin D) derived from the use of well-designed, functional balconies and the need to make them usable and attractive to residents to encourage their use, rather than undersized balconies used merely as 'decoration'.
- 5.9 The Royal Society for the Protection of Birds requested more detailed input and emphasis be placed on the enhancement of biodiversity within the design guide. Comment made that only a limited reference to Green Infrastructure found in the draft guidance. Useful references were provided and request for more detailed linkages to enhancement of biodiversity within urban areas to be made.
- 6. Concerns raised.**
- 6.1 The house builders appreciated the intent of the guidance and agreed with the higher level principles of it, concern was raised at the level of prescriptiveness throughout the document. Reference is made to the NPPF in the use of design coding guidance and the requirements that national planning policy place on local planning authorities and how local planning 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. Concern was raised that it would be inappropriate to introduce a design guide on a borough-wide scale, that this approach would stifle design responses to local context, as well as potentially undermine site efficiency, deliverability, marketability and viability.
- 6.2 Further detailed comments refer to the requirements for all sites to achieve walkable neighbourhoods, expressing concern at this being too prescriptive a
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Swindon Residential Design Guide Supplementary Planning Document (SPD)

Planning Committee

Date: 14 June 2016

requirement for all new developments. A similar concern was raised in relation to the strict application to the principle of connectivity and permeability having a negative effect on the deliverability of housing on sites where connectivity to adjacent land was not possible due to a number of reasons. Other comments related to concern over issues on energy efficiency, adaptability and the inclusion of the government's space standards table, asserting that this would, reduce choice to consumers and have a detrimental impact on affordability. The Amenity section was also of concern and its alleged impact on development viability. Comments also requested that the sections on adaptability, space and amenity be removed from the document.

Comment on site assembly (within backland-type developments) was made that not all of these sites can achieve a larger comprehensive development.

7. Changes made to the draft document

- 7.1 In relation to the issues raised, amendments have been proposed in order to address the respondents' concerns. It is considered that these amendments adequately address the representations, where applicable and are in line with national and local planning policy and guidance. Where practicable and in light of the comments made, areas of the revised version of the guide have allowed for wider interpretation and more flexibility to include other scenarios that may come forward on development sites. Officers appreciate that certain constraints to development on land are at times very difficult to resolve and a level of flexibility has been incorporated into the wording to allow for development to come forward within acceptable limits of achieving sustainable development in a balanced way.

While the paragraphs above represent only a brief summary of the comments made, a request was made by one respondent for the removal of 3 sections of the document – the section on adaptability, the section on space standards and the entire chapter on Amenity. In response to these requests, the section on adaptability has been revised by removal of some guidance. The space standard section remains the same as this includes the nationally described space standards for reference only. The section on amenity has been slightly modified. Its removal is unjustified and many guidelines within it have been tried and tested over previous years at appeal. Securing residential amenity is a material planning consideration and a fundamental planning principle for all existing and future residents of the Borough. The Planning Inspector at the Public Examination of the Local Plan specifically raised an issue¹ with regard to Design

¹ Swindon Borough Council Local Plan 2026 Examination. Inspector's Question: Issue 20: Development Management.

Swindon Residential Design Guide Supplementary Planning Document (SPD)

Planning Committee

Date: 14 June 2016

Policy DE1, requesting that the wording of the policy in relation to Amenity be strengthened in light of protecting residents (both existing and future) from the impacts of new development.

8. Alternative Options

- 8.1 The option of not producing such a document would mean the exclusive reliance on the wording of Policy DE1 of the Swindon Borough Local Plan 2026 in order to ensure the Council's strategic objective of delivering high quality design for new housing schemes within the Borough.
- 8.2 This would leave the Planning Authority potentially vulnerable to differing interpretations of the Local Plan Policy wording and its justification through the appeal process. Further clarification and detail, expanding on local plan policy DE1 was specifically requested by the inspector in the Local Plan Examination hearing in particular on securing amenity on new developments. Without comprehensive and agreed guidance of policy DE1 negotiations of planning applications may become protracted and cumbersome. This would not accord with the government's objective of speeding up the planning process and providing greater certainty for all those involved.
- 8.3 Without the SPD and the implementation of a Design Review Panel, the Council would miss the opportunity to positively deal with poorly designed development through the use of a supplementary planning document as a material planning consideration.

9. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 9.1 The financial implications arising from publishing the Swindon Residential Design Guide SPD are to be met from the Planning budgets for 2016-2017.
- 9.2 The financial implications arising from establishing and the running costs of design review panel will be met by the development industry.

Legal and Human Rights Implications

- 9.3 The content of this report will not have any direct implication on human rights issues, in so far as greater opportunities will be available for individuals to partake in the planning process.
- 9.4 There are no direct legal issues arising from the report. The production and adoption of the SPD is a process covered by the Planning and Compulsory Purchase Act 2004 and associated regulations and amendments.

Swindon Residential Design Guide Supplementary Planning Document (SPD)

Planning Committee

Date: 14 June 2016

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 9.5 There are no immediate staffing implications in the adoption of such a document, which should ease the implementation of policy DE1 in assessing new development proposals over the plan period.
- 9.6 The Council has a duty to ensure that the preparation of the SPD is in accordance with the sustainability principles of the National Planning Policy Framework. The SPD seeks to secure high quality development which by its very nature is more sustainable and should generally ensure adaptability and longevity of use.
- 9.7 The document makes direct and positive linkages to Health and Wellbeing in new communities in terms of residential layout design principles. Guidance to ensure opportunities for improving health and protecting amenity in new housing layout design are integrated into the Layout and Amenity sections of the document, including some relative evidence base research material to further justify the principles.
- 9.8 Through the Crime and Disorder Act (1998) Swindon Borough Council has a duty to ensure consideration, prevention and minimisation of the potential for crime. This may be best achieved through the application of Secure By Design principles for residential layouts – those principles applicable to planning have been incorporated into this SPD to ensure the principles of safety and security are upheld in new development.

Diversity Impact Assessment

- 10. The DIA assesses the likely (or actual) effects the SPD may have on the Borough's diverse population. A copy of the report can be obtained from the report author.

Risk Management

- 10.1 Delaying the process of adoption of this SPD carries less risk in the short term, but much higher risk over the medium-long term, as it would result in the lack of adequate tools necessary through the Planning System to uphold the detailed aspects of the policy and the Council's strategic objective of high quality design.

11. Consultees

- 11.1 The Board Director, Resources (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

Swindon Residential Design Guide Supplementary Planning Document (SPD)

Planning Committee

Date: 14 June 2016

12. Next Steps

- 12.1 If the Planning Committee adopts the Swindon Residential Design Guide SPD for Development Management purposes under the Planning and Compulsory Purchase Act 2004 (as amended), the SPD will be printed as soon as reasonably practical. Copies of the SPD, and accompanying documents would be distributed to the respective libraries and the Borough's Town and Parish Councils. The document would also be made available for inspection at the Civic Offices, at libraries in the Borough and will be available on the Council's website.

13. Background Papers

- 13.1 National Planning Policy Framework, Swindon Borough Local Plan 2026.
- 13.2 Swindon Residential Design Guide SPD 2016 (Appendix 1 to this report).
- 13.3 **Swindon Residential Design Guide SPD Consultation Response Table** has been made available to view separately to this report on the Council's website with this month's Planning Committee agenda items.