



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Council

25 November 2021

Report of: Councillor Nick Robins

Cabinet Member for Planning and
Planning Policy



Design Guide Supplementary Planning Document

To adopt the Design Guidelines for Rutland and South Kesteven Supplementary Planning Document (SPD).

Report Author

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| Corporate Priority: | Decision type: | Wards: |
|---------------------|----------------|------------------|
| Growth | Non-Key | All Wards |

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| Reviewed by: | Emma Whittaker (Assistant Director of Planning) | 11 November 2021 |
| Approved by: | Nicola M ^c Coy-Brown (Director of Growth and Culture) | 12 November 2021 |
| Signed off by: | Councillor Nick Robins (Cabinet Member for Planning and Planning Policy) | 15 November 2021 |

Recommendation (s) to the decision maker (s)

1. That Council adopt the Design Guidelines for Rutland and South Kesteven Supplementary Planning Document (Appendix 1).

1 The Background to the Report

- 1.1 Creating well designed developments aligns with the Council's Corporate Plan (2020-2023), including the aim to create housing that meets the needs of all residents, healthy and strong communities and a clean and sustainable environment.
- 1.2 The South Kesteven Local Plan, adopted in January 2020, commits to the preparation of a Design Guide Supplementary Planning Document (SPD) to improve design quality in development proposals, provide guidance to assist applicants and decision makers, and additional guidance to supplement the Local Plan Policy DE1.
- 1.3 The Design Guide at **Appendix 1** sets out the Council's design expectations for high quality, inclusive and sustainable places which reflect and respond to local character, alongside the design process to achieve these. This includes the provision of detailed guidance for the design of commercial areas to meet best practice.
- 1.4 The Design Guide was commissioned jointly by South Kesteven District Council (SKDC) and Rutland County Council (RCC) and was fully funded by a planning delivery grant awarded by the Government on a competitive bidding basis. Being a joint bid by both authorities means the Design Guide is a joint document. However, each authority has been responsible for undertaking their own public consultation and adopting the document.
- 1.5 Once adopted the SPD Design Guide will be a material consideration in determining planning applications.
- 1.6 The adopted Local Plan proposes significant growth in South Kesteven, with development needed to deliver new homes as well as strong, prosperous communities that foster economic growth. This context merits the creation of special places and the highest levels of design quality; an important factor for community perception of new growth.
- 1.7 The Design Guide outlines for developers, applicants and Council Officer's the design process and principles which will be encouraged across sites of all scales, and which should underpin design at all stages, from site-wide masterplanning to the design of blocks, buildings and streets.
- 1.8 The Design Guide requires new proposals submitted for planning permission to demonstrate how they have both respond to nationally recognised best practice in design and to the characteristics and features unique and distinctive to the area.
- 1.9 Nationally, greater emphasis has been placed on achieving well-designed places. The revised National Planning Policy Framework (NPPF) which sets out government's planning policies for England, states that poorly designed development should be *"...refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents"*. The NPPF encourages the adoption of Design Guide SPDs to assist in this process.
- 1.10 Good design matters as it frames the places in which we live, work, socialise and do business. From the orientation of a rear garden to the amount of sunlight reaching a public square to how welcoming streets are to pedestrians, research has consistently demonstrated the link between design and people's physical and mental wellbeing.
- 1.11 Places that are designed well, function well and meet the needs of a wide range of uses and activities and can last for generations. In recognition of the challenges faced by our

changing climate, the Design Guide will be essential to ensure that new development seeks to reduce its carbon footprint, in terms of design, construction and use.

1.12 Design Guide is intended to be used by:

- applicants and their design teams preparing development proposals.
- planning officers, to negotiate with applicants/agents as proposals are developed, to offer pre-application advice at the outline and reserved matters stage, and to assess the quality of development proposals when determining planning applications.
- elected Councillors when assessing development proposals advance of and at committee.
- statutory consultees providing commentary on applications.
- the South Kesteven Design PAD (the Council's unique pre-application service for major proposals) when reviewing development proposals at pre-application and application stage; and
- local communities as they are consulted on applications.

2 Consultation and Feedback Received, Including Overview and Scrutiny

- 2.1 Prior to the consultation period, a stakeholder workshop took place in January 2019, an officer workshop in June 2019. and SKDC and RCC Member workshops in September 2019.
- 2.2 This preliminary consultation work, led to the production of a draft which was approved at Cabinet in November 2020 for wider consultation.
- 2.3 This wider consultation was undertaken between 29 January to 12 March 2021 in line with the Council's Statement of Community Involvement (2018) and the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 2.4 A detailed Consultation Statement can be found within **Appendix 2** of this report. This summarises the responses to this consultation and how they have been considered in re-drafting the Design Guide. The Consultation Statement includes a log of all the amendments made to the Design Guide.
- 2.5 RCC withdrew their forthcoming Local Plan in September 2021, which had a small impact on the Design Guide. Consequently, following advice given to RCC by Counsel, the appropriate amendments have been made to the document to revise all references to RCC's planning policies, changing references to the forthcoming (withdrawn) Local Plan to the Core Strategy Development Plan Document (DPD) and Site Allocations and Policies DPD.
- 2.6 The Design Guide document was endorsed at Cabinet on 9 November 2021. Since then, a more up to date and revised version of the Design Guide has been produced. These amendments are detailed in **Appendix 3** along with a commentary about the implications of these changes. It was concluded that these changes do not impact upon the meaning or interpretation of the Design Guide. The amendments include, for example: correction of typing errors; the addition of logos; an enhanced contents page; improving diagrams and adding more and replacing photographs; providing a more generic example of a vision; providing more examples of illustrating the broad structure of a layout; updating text and some diagrams to be more aligned to recent National Guidance; adding emphasis and clarity to text; updating all references to the withdrawn Rutland Local Plan.

3 Available Options Considered

- 3.1** The preferred option is that Council adopts the Design Guide which takes account of responses made through the public consultation on the draft guide. This is complementary to national guidance on design.
- 3.2** The Government's White Paper on reform to the planning system in England proposes further changes to improve the quality of design. These are currently the subject of consultation and will require primary and secondary legislation. Therefore, it is considered that the White Paper should not be regarded as an impediment to the Council taking forward its Design Guide and the option of withdrawing the Design Guide has been rejected.
- 3.3** In terms of changes to the National Planning Policy Framework (NPPF) and the release of the National Model Design Code in July 2021, the preparation of this guide pre-dates these changes, particularly in relation to the consultation period and process. The NPPF references both design guides and codes (The Design Guide is the former) and therefore it is in line with these policy changes and still relevant. The option of withdrawing the Design Guide in favour of the production of a design code or series of codes has been rejected. Such design codes can be produced to complement and sit alongside the Design Guide where required in the future.
- 3.4** If the Design Guide is not adopted, the Council will continue with current guidance which does not take account of the Council's ambitions for improving the quality of design in new development as set out in the Local Plan. The National Design Guide and National Model Design Code would instead be used, but these would not be as focused on local design issues and character. The Design Guide as set out in Appendix 1 will assist South Kesteven District Council in setting the foundations to support a move towards a design led planning system.

4 Preferred Option

- 4.1** That Council adopt the Design Guidelines for Rutland and South Kesteven Supplementary Planning Document.
- 4.2** Given the nature of future growth likely to come forward within the District as proposed in the Local Plan, it is important that the Council has up to date and robust design policies that reflect national best practice and planning policy. The Design Guide provides a local-level framework whilst reflecting the latest national-level design guidance.

5 Reasons for the Recommendation (s)

- 5.1** It is important to seek to achieve the Council's ambitions for improving the quality of design for the reasons set out above.

6 Next Steps – Communication and Implementation of the Decision

- 6.1** The Design Guide would be placed on both the SKDC and RCC websites, along with the Consultation Statement and Adoption Statement, and an interactive PDF version.

7 Financial Implications

- 7.1** The total cost of the Design Guide has been fully funded out of a £185,000 Government planning delivery grant awarded for this specific purpose jointly in 2018 to SKDC and Rutland County Council. SKDC has acted as the accountable body for the management and administration of this grant.

Financial Implications reviewed by: Richard Wyles, Assistant Director of Finance and s151 Officer

8 Legal and Governance Implications

- 8.1 There is a requirement for public participation prior to the adoption of a SPD by a local planning authority as set out in the Town and Country Planning (Local Planning) (England) Regulations 2012

Legal Implications reviewed by: Graham Watts, Head of Democratic Services and Deputy Monitoring Officer

9 Equality and Safeguarding Implications

- 9.1 The Design Guide includes proposals to make places and developments more accessible and inclusive and so will have a positive impact on equality. An Equalities Impact Assessment is included within **Appendix 4**.

10 Risk and Mitigation

- 10.1 There are no significant risks identified at this stage.

11 Community Safety Implications

- 11.1 The Design Guide recognises the challenges faced by our changing climate and seeks to provide guidance as to how new development can achieve a reduced carbon footprint in terms of design, layout, construction and use. There is a specific chapter on the Climate Emergency (5B) and is a cross-cutting theme throughout the document.

12 How will the recommendations support South Kesteven District Council's declaration of a climate emergency?

- 12.1 The Design Guide recognises the challenges faced by our changing climate and seeks to provide guidance as to how new development can achieve a reduced carbon footprint in terms of design, layout, construction and use. There is a specific chapter on the Climate Emergency (5B) and is a cross-cutting theme throughout the document.

13 Other Implications (where significant)

- 13.1 None.

14 Background Papers

- 14.1 South Kesteven adopted Local Plan
<http://www.southkesteven.gov.uk/index.aspx?articleid=14904>
- 14.2 Planning White Paper
<https://www.gov.uk/government/consultations/planning-for-the-future>
- 14.3 National Model Design Code
<https://www.gov.uk/government/publications/national-model-design-code>
- 14.4 National Planning Policy Framework
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

15 Appendices

- 15.1** Appendix 1: Design Guidelines for Rutland and South Kesteven Supplementary Planning Document
- 15.2** Appendix 2: Consultation Statement
- 15.3** Appendix 3: Amendments and updates made to Design Guide SPD since the version seen at 9 November 2021 Cabinet and the version proposed to be presented to 25 November 2021 full Council.
- 15.4** Appendix 4: Equalities Impact Assessment.