

**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**

**CABINET – TUESDAY, 25 APRIL 2017**

Title of report	<b>‘GOOD DESIGN FOR NORTH WEST LEICESTERSHIRE’ SUPPLEMENTARY PLANNING DOCUMENT</b>
Key Decision	a) Financial No b) Community Yes
Portfolio Holder	Councillor Trevor Pendleton 01509 569746 <a href="mailto:trevor.pendleton@nwleicestershire.gov.uk">trevor.pendleton@nwleicestershire.gov.uk</a>
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Purpose of report	To report on the progress of the development of the Good Design SPD (“the SPD”), drawing Cabinet’s attention to the key issues and inviting Cabinet to adopt the document.  The objective of the SPD is to formalise in policy the Council’s design expectations and design approach.
Reason for decision	By adopting the SPD, Cabinet will afford appropriate status to the document which will be a useful tool in pre-application negotiations. It will also provide a stronger policy basis on which to support decision making on planning applications and provide greater clarity and certainty to planning applicants.
Council priorities	Homes and Communities Green Footprints Challenge Building Confidence in Coalville Business and Jobs
Implications:	
Financial/Staff	None directly, however securing improvements to the design and layout of new developments takes more officer time than applications where such negotiations are not undertaken.
Link to relevant CAT	None

Risk Management	Risk management is set out within the Planning and Development Team Plan.
Equalities Impact Screening	No Equalities Impact Screening has been undertaken with respect to this report as none is required.
Human Rights	No direct implications.
Transformational Government	No direct implications.
Comments of Head of Paid Service	Report is satisfactory
Comments of Deputy Section 151 Officer	Report is satisfactory
Comments of Monitoring Officer	Report is satisfactory
Consultees	A 6 week period of consultation closed on 12 December 2016. Seven responses were received to the consultation which are detailed at Appendix 1.
Background papers	<a href="#">Good Design for North West Leicestershire</a> <a href="#">Birkbeck, D. and Kruczkowski, S. (2016) Building for Life 12.</a> <a href="#">Department for Communities and Local Government (2017) Fixing our broken housing market, HMSO, London.</a> <a href="#">Department for Transport and Department for Communities and Local Government (2007) Manual for Streets, HMSO, London.</a>
Recommendations	<p><b>IT IS RECOMMENDED THAT CABINET:</b></p> <p>(I) ADOPT THE ‘GOOD DESIGN FOR NORTH WEST LEICESTERSHIRE’ AS A SUPPLEMENTARY PLANNING DOCUMENT.</p> <p>(II) NOTES THE DIFFERENCE BETWEEN THE DISTRICT COUNCIL AND COUNTY COUNCIL’S ASPIRATIONS REGARDING THE USE OF STRAIGHTER STREETS AND THE POTENTIAL IMPLICATIONS FOR DEALING WITH PLANNING APPLICATIONS IN THE FUTURE.</p>

	<p>(III) <b>RESOLVES THAT THE DESIGN EXPECTATIONS ESTABLISHED WITHIN THE SPD WILL ALSO APPLY TO ANY LAND DISPOSED OF OR DEVELOPED BY THE DISTRICT COUNCIL.</b></p> <p>(IV) <b>DELEGATES TO THE DIRECTOR OF SERVICES, IN CONSULTATION WITH THE REGENERATION AND PLANNING PORTFOLIO HOLDER, RESPONSIBILITY TO IMPLEMENT MODIFICATIONS TO THE DOCUMENT AS DETAILED IN APPENDIX 2.</b></p>
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## **1.0 BACKGROUND TO THE SPD**

- 1.1 Since 2007 the Council has been continually improving the design quality of new development without compromising the number of planning consents for new homes. During this time the Council's reputation for design quality has been repositioned from being one of the worst performing authorities nationally to one of the best (evidenced within CABE publications, four Built for Life Commendations and securing the Urban Design Group's Public Sector Award). On 12 December 2008, Cabinet approved the introduction of an urban design initiative.
- 1.2 The Council's design expectations are now well known amongst house builders and Registered Social Landlords that build within the district. The SPD was written to formally embed these design expectations within the Council's policy framework, and provide further guidance to support the Council's submitted Local Plan policies relating to design. A working group chaired by Councillor Pendleton, Portfolio Holder for Regeneration and Planning, enabled house builders to contribute towards policies contained within the SPD.
- 1.3 The Council's design expectations are aligned to 'Building for Life 12' (BfL) - a nationally recognised design quality indicator for well-designed homes and neighbourhoods.
- 1.4 On 7 February 2017, the government's White Paper entitled, 'Fixing our broken housing market' announced proposals to amend the National Planning Policy Framework 2012 to recognise the value of using BfL to improve housing quality, with the government encouraging local authorities to use BfL within plans and support decision making. The Council's SPD is consistent with the government's current stance on design quality issues.

## **2.0 CONSULTATION**

- 2.1 In December 2016 a six week public consultation on the SPD closed. The Council received seven consultation responses. Please refer to Appendix 1 for further details.
- 2.2 All consultation responses were positive and constructive, requiring either no or minor changes to the SPD. Please refer to Appendix 2 for further details.
- 2.3 There are, however, some areas of 'disconnect' between the Council's design aspirations and the current technical requirements of the Local Highway Authority (Leicestershire County Council). These relate to the County's resistance to straighter streets.

Issue	NWLDC position	LCC position
Straight(er) streets	Straight(er) streets: <ul style="list-style-type: none"> <li>- Create more efficient development blocks;</li> <li>- Are a characteristic of our villages and towns;</li> <li>- Help to avoid disorientating (or maze-like) developments.</li> </ul>	Straight(er) streets: <ul style="list-style-type: none"> <li>- Can encourage higher vehicle speeds;</li> <li>- Require the use of design features that increase maintenance liabilities.</li> <li>- LCC Highways technical guidance advises on the use of horizontal calming (i.e. curves in street alignment) to slow speeds.</li> </ul>

The Council has suggested to LCC that speeds could be kept low on straight(er) streets through a series of measures (some of which have been successfully implemented on schemes within the district and have been adopted by LCC):

- 20mph zones;
- Changes in surface materials and side of carriageway tree planting (to communicate to drivers that they should be driving more slowly);
- Narrower carriageways; and
- Reducing forward visibility at junctions and creating tighter junctions.

These measures are endorsed by government guidance titled “Manual for Streets” - a document that was once actively promoted by LCC.

- 2.4 The Council has explored with LCC how these issues might be resolved. However LCC has emphasised its hesitancy to move away from more standard (or basic) highways designs due to the financial challenges being faced by it. As such, it is resistant to adopting ‘non-standard’ features such as non-tarmac surfaces and tree lined verges.
- 2.5 LCC has also emphasised that whilst it is not - in principle - resistant to straight(er) streets, it questions how vehicle speeds will be controlled on straight(er) streets where Leicestershire Police (unlike Nottinghamshire Police) will not support 20mph zones. The Council has also taken into consideration LCC’s resistance to features such as rumble strips, tree lined verges and speed bumps due to the maintenance liabilities that these create.
- 2.6 In conclusion, LCC states that it will not support features that impose, “ongoing maintenance issues to the County Council” (see Appendix 1). As such, it will become more difficult to achieve the street designs the Council has secured in the past within the district.
- 2.7 The difficulties relate to the additional time it takes to achieve the Council’s design aspirations or the inability to secure improvements the Council might wish to see.

2.8 Regardless of these issues, the SPD will still enable the Council to achieve better designed developments that support the realisation of the Council's priorities.

2.9 The District Council will continue to work with LCC to secure improvements to proposed developments and identify solutions that are acceptable to both authorities.

### **3.0 LAND DISPOSED OF OR DEVELOPED BY THE DISTRICT COUNCIL**

3.1 It is to be welcomed that the Council is once again developing housing, and in particular affordable housing.

3.2 The Council is also disposing of land for private sector housing development.

3.3 It is important that developments on both land that the Council is disposing of, and schemes that the Council is building itself, meet the high standards that are set out in the SPD.

3.4 The Council, as a planning authority, has managed to achieve excellent results by working collaboratively with the development industry on both mixed tenure and single tenure developments. A number of affordable only sites have been successfully developed by registered social landlords across the District.

3.5 It is therefore important that when acting as a developer, or land promoter, that the Council sets the benchmark of good quality design and continues to lead by example.

### **4.0 CONCLUSION**

4.1 The SPD is consistent with both established good design practice and emerging good practice.

4.2 Consultation responses have been considered and adjustments have been made to the SPD where appropriate (see Appendix 2).

4.3 Over the last nine years, the design quality of new development within the district has improved considerably. The adoption of the SPD will ensure that the design standards are retained.