

APPENDIX 1

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – 12 JANUARY 2021



Title of Report	DISEWORTH VILLAGE DESIGN STATEMENT	
Presented by	Councillor Robert Ashman Planning and Infrastructure Portfolio Holder	
Background Papers	Diseworth Village Design Statement	Public Report: Yes
	Report to Cabinet – 9 June 2020 Planning Practice Guidance Consultation responses to draft Diseworth Village Design statement	Key Decision: No
Financial Implications	None identified. The cost of consultation has been met from existing resources	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	Legal considerations were considered in the drafting of the report	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	None identified	
	Signed off by the Deputy Head of Paid Service: Yes	
Purpose of Report	To consider the responses to the consultation exercise in respect of the revised Village Design Statement for Diseworth and to consider whether it should be adopted as a Supplementary Planning Document.	
Reason for Decision	The preparation of a Supplementary Planning Document is a Cabinet function.	
Recommendations	THAT CABINET RECOMMEND TO THE LOCAL PLAN COMMITTEE THAT THE REVISED DISEWORTH VILLAGE DESIGN STATEMENT BE ADOPTED AS A SUPPLEMENTARY PLANNING DOCUMENT SUBJECT TO THE CHANGES HIGHLIGHTED AT APPENDIX A OF THIS REPORT.	

1. BACKGROUND

- 1.1 Members will recall that the 9 June 2020 meeting of Cabinet considered a report in respect of request from Long Whatton and Diseworth Parish Council to adopt a revised Village Design Statement (VDS) for Diseworth as a Supplementary Planning Document (SPD).
- 1.2 Cabinet agreed to ask the Local Plan Committee to undertake consultation on the proposed revised VDS. This was agreed by the Local Plan Committee at its meeting of 29 July 2020.

2.0 CONSULTATION ON THE REVISED VILLAGE DESIGN STATEMENT

- 2.1 The revised VDS was subject to consultation between 17 August and 28 September 2020.

- 2.2 The consultation was notified by e-mail or letter to a range of stakeholders from the database of consultees held by the Planning Policy team. In addition, the consultation was included on the Planning Policy pages of the Council's website.
- 2.3 In total seven responses were received to the consultation. A summary of the comments received together with the suggested responses is included at Appendix A of this report.
- 2.4 Only one response of any significance was received. This raised concerns regarding the appropriateness of parts of the revised VDS when compared to government guidance as set out in the Planning Practice Guidance. Officers considered that these comments were not unreasonable and therefore put forward to the Parish Council some changes to the wording at pages 2 and 4. The Parish Council has confirmed its acceptance of these proposed changes as set out in Appendix A of this report.

3.0 NEXT STEPS

- 3.1 In terms of governance, formulation of an SPD is an Executive function but adoption is a Council function which has been delegated to the Local Plan Committee.
- 3.2 Therefore, Cabinet are asked to request the Local Plan Committee to approve the VDS as a SPD subject to the change outlined above at paragraph 2.4.

Policies and other considerations, as appropriate	
Council Priorities:	Our communities are safe, healthy and connected
Policy Considerations:	The draft VDS has been assessed against both the adopted Local Plan and the Council's Design SPD and is considered to comply with their provisions.
Safeguarding:	None identified
Equalities/Diversity:	An Equalities Impact Assessment will need to be undertaken before the VDS can be adopted as SPD. This will be done prior to going to Local Plan Committee.
Customer Impact:	The principal impact would be upon those submitting planning applications in Diseworth as they would need to take in to account the VDS.
Economic and Social Impact:	The VDS has been prepared by the Parish Council with input from the local community. As such it represents the aspirations of the local community as to how future developments should look.
Environment and Climate Change:	The VDS seeks to ensure that the local environment is taken in to account when designing new developments
Consultation/Community Engagement:	The VDS has been subject to consultation both before and after it was submitted to the council
Risks:	None identified
Officer Contact	Chris Elston Head of Planning and Infrastructure chris.elston@nwleicestershire.gov.uk

Respondent	Comments	NWLDC Response
<p>Cadwallader family (Andrew Granger & Co)</p>	<p>The draft VDS inappropriately provides commentary on the appropriate location for development within the village. This is a matter for an adopted development plan document, or a neighbourhood plan, not the VDS. The draft VDS goes beyond the scope of a good local design guide as set out in the NPPG. There is a risk that the VDS will conflict with a possible future revision of the North West Leicestershire Local Plan that included Land at Grimes Gate within the Diseworth Limits to Development. The draft VDS should be amended to remove all commentary about the location of development within the village.</p>	<p>The particular concern highlighted relates to statements regarding the Limits to Development at page 4 of the proposed revised VDS. The Planning Practice Guidance identifies that local design guides “<i>set out the general design principles and standards that development proposals should follow in the area, building on policies in the development plan.</i>” It goes on to state that “<i>They are most effective when used alongside other relevant design tools to assess the design quality of proposed schemes</i>” (Paragraph 005 Reference ID: 26-005-20191001).</p> <p>From this, it is clear that local design guides such as VDS is concerned with shaping the quality of development as opposed to being concerned with the principles of development.</p> <p>Previous guidance from the Countryside Commission stressed that a VDS “<i>is about managing change in the village, not preventing it</i>”. As proposed, the wording could be construed as seeking to prevent change.</p> <p>In view of the above, it is agreed that it would, therefore, be appropriate to reword the second recommendation at page 4 to state:</p> <p>“The view of the local community is that it would wish to see <u>new development restricted to within the Limits to Development of Diseworth in the adopted Local Plan (or any new Local Plan)</u> the existing countryside around Diseworth protected against inappropriate development. “</p> <p>At page 2 of the proposed revised VDS, it states that</p>

Respondent	Comments	NWLDC Response
		<p>the VDS is aimed at</p> <p><i>“developers, architects, designers, and builders, to inform them of local views on design, materials and location of new and adapted buildings”</i></p> <p>In view of the considerations above it would be appropriate to amend this state:</p> <p><i>“developers, architects, designers, and builders, to inform them of local views on design, <u>and</u> materials and location of new and adapted buildings”</i></p>
	Amend text at the final paragraph on page 3 of the draft VDS to include the phrase ‘unless material considerations indicate otherwise’.	Planning applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. Therefore, it is not considered necessary to make this change as it is already enshrined in legislation. The VDS as drafted is not considered to be unreasonable.
	Subject to the changes which are being sought, the remaining provisions of the draft VDs are endorsed and in particular its approach to development densities, heritage, housing mix, local character and highways considerations.	Noted
Canal & River Trust	The Plan area does not include any waterways or associated infrastructure owned or operated by the Trust. No comments.	Noted
Castle Donington Parish Council	This is a very comprehensive document. No further comments.	Noted
Environment Agency	No comments	Noted
Leicestershire CC Minerals	There is a small Sand and Gravel Mineral Consultation Area (MCA) just to the north of Diseworth. Policy M11 of	Noted

Respondent	Comments	NWLDC Response
	<p>the Leicestershire Minerals and Waste Local Plan aims to prevent potential mineral reserves from being sterilised by non-mineral development. Due to the Diseworth Village Design Statement not proposing any specific development, the County Planning Authority does not have any further comments to make.</p>	
Natural England	<p>NE offers the following as general advice;</p> <ul style="list-style-type: none"> • Recommends the use of Landscape Character Assessments • National Character Area profiles are useful guidance documents • Design statements can usefully promote improvements in green infrastructure. NE has relevant guidance • Design statements should reference and reflect biodiversity assets in the immediate area, drawing on relevant guidance • Community engagement should inform the formulation of design guidance 	Noted
Coal Authority	No specific comments	Noted