

Name of meeting: Scrutiny Panel

Date: 06 October 2020

Title of report: Draft Housebuilder Design Supplementary Planning Document (SPD)

|  |  |
|--|--|
| <b>Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?</b> | Yes - The SPD will have an effect on all wards                                   |
| <b>Is it in the <u>Council's Forward Plan (key decisions and private reports)</u>?</b>   | No   |
| <b>Is it eligible for call in by Scrutiny?</b>   | Yes  |
| <b>Date signed off by <u>Strategic Director</u> &amp; name</b>   | David Shepherd 28.09.2020  |
| <b>Is it also signed off by the Service Director for Finance IT and Transactional Services?</b>                                    | Eamonn Croston 24.09.2020  |
| <b>Is it also signed off by the Service Director for Legal Governance and Commissioning Support?</b>                               | Deborah Wilkes 25.09.2020  |
| <b>Cabinet member <u>portfolio</u></b>   | <b>Give name of Portfolio Holder/s</b><br>Cllr Peter McBride<br>Cllr Cathy Scott |

**Electoral wards affected:** All

**Ward councillors consulted:** Cllr Peter McBride, Cllr Cathy Scott and Cllr Manisha Kaushik were briefed on the Housebuilders Design Guide SPD on Tuesday 1<sup>st</sup> September 2020. .Planning Committee Chairs (Cllr Steve Hall and Cllr Terry Lyons) were briefed on Thursday 10 September, with members of LMT being briefed on the 14<sup>th</sup> September. All consultees were supportive of the document being prepared for public consultation.

**Public or private:** Public

**Has GDPR been considered?** Yes. The draft SPD does not contain any personal data.

#### **Purpose of the report**

- To highlight the scope of the Draft Housebuilder Design SPD for the purposes of consultation and allow questions and comments about the scope of the document. Details of the scope and content of the SPD will be presented at the Scrutiny session
- To note the timeline for next steps for public consultation and adoption of the SPD.

## 1. Summary

The draft Housebuilders Design Guide SPD will support the implementation of the policies in the Local Plan, primarily policy LP24 Design, and provide further guidance on key considerations for planning applications for the design and layout of housing developments in Kirklees.

Supplementary Planning Documents (SPDs) are produced to add clarity in relation to the application of planning policies set out in the Local Plan. The draft SPD provides clear guidance about how the council will implement Local Plan policy LP24 (Design) and determine what will normally be expected in terms of high quality, well-designed new housing developments in Kirklees. It will provide important certainty for elected members, officers and external parties such as the local community and developers.

Once adopted SPDs are a material consideration in planning decisions but are not part of the development plan. SPDs are subject to consultation but not an Examination in Public.

The presentation will set out the general scope and content of the document and allow for questions and comments. Note that the draft SPD is not appended to this report as Scrutiny comments will be considered in finalising the SPD which will then be subject to public consultation in mid-October 2020.

The adoption of the SPD will be a Cabinet decision

The adopted Local Plan policy LP24 (Design) which provides the policy basis for this SPD is attached at Appendix 1.

## 2. Information required to take a decision

Government policy places emphasis on the importance of good design in the revised National Planning Policy Framework (NPPF) (2019) and the National Design Guide. The NPPF states that the "...creation of high quality buildings and places is fundamental to what the planning and development process should achieve" (paragraph 124).

The NPPF also recognises that "To provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality standard of design" (paragraph 126).

Preparation of an SPD for Residential Design is identified in the council's revised Local Development Scheme (LDS) (approved at Cabinet on 3<sup>rd</sup> December 2019) to establish best practice and set out how Local Plan policy requirements can be met whilst achieving the high quality design and layout of residential proposals. To ensure effective residential design guidance, officers are producing two draft SPD documents aimed at different types of residential planning proposals. These are within the quality places agenda and will seek to ensure future housing developments are well-designed to help deliver quality places:

- **The draft Housebuilders Design Guide SPD**
- **The draft House Extensions and Alterations SPD**

This report focuses on the draft Housebuilders Design Guide SPD which will provide detailed guidance about how the council will implement Local Plan policy LP24 (Design) to achieve high quality design and layout of new housing developments.

Supplementary Planning Documents (SPDs) are produced to add clarity in relation to the application of planning policies set out in the Local Plan. Once adopted SPDs are a material consideration in planning decisions but are not part of the development plan. SPDs are subject to public consultation but not an Examination in Public. The decision to adopt an SPD will be a Cabinet decision following the public consultation

The draft Housebuilders Design Guide SPD supports the implementation of the policies in the Local Plan, primarily policy LP24 Design, and provides further guidance on key considerations for planning applications for the design and layout of housing developments in Kirklees.

The aim of the SPD is to ensure the delivery of high quality well-designed housing developments which promote sustainable development to reduce and mitigate the impacts of climate change, promote healthier lifestyles and create safe and attractive places.

The draft SPD will set out key principles to create high quality buildings and places, together with Design and Access Statement Prompts, and will be split into the following main sections:

- **Introduction** - Explains the policy context, drivers for site design in Kirklees and the tools to secure good design.
- **Context** – Key principles relating to local character and distinctiveness, and the local built, including consideration of the need for different property types/sizes; scale and enclosure; the building line and urban grain.
- **Setting design parameters** – Design principles to establish a site framework to understand the impact of constraints, such as flood risk, topography, ground conditions, infrastructure, relationship with neighbouring land and buildings, landscape, noise, odour and air quality, trees and hedgerows, biodiversity, connectivity and views.
- **Site layout** – Design principles to consider how the site can be developed within identified site parameters, including density; green infrastructure and open space; landscaping and site edges; biodiversity; built form and the building line; walking, cycling and road connections; maintaining high standards of residential amenity; street design; parking; views; weather and microclimate.
- **Architectural Details** – Design principles to consider the use of materials, windows and doors, details and finishing throughout the site, and rooflines.
- **Home Design** – Principles concerned with the design of individual homes within the site layout, such as internal space standards, outdoor space, energy efficiency and storage of waste.

### 3. Implications for the Council

The main implication for the Council in producing the draft Housebuilders Design Guide SPD is that it will provide consistency, greater clarity and improve certainty for housebuilders, developers, and agents submitting planning applications for new housing in the district. It will assist applicants in the early design and layout of residential development to identify key matters likely to be raised within pre-application discussions and will help to bring forward policy-compliant schemes.

The draft SPD will also help facilitate the council's Development Management service in the determination of planning applications and provide clear guidance and certainty for the local community, elected members, officers and statutory consultees to increase awareness of the council's expectations in relation to high quality well-designed housing developments.

- **Working with People**

The Housebuilders Design Guide SPD will enable communities to understand the council's expectations regarding the delivery of well-designed housing developments. The council will undertake public consultation on the draft SPD in accordance with the Statement of Community Involvement (SCI).

- **Working with Partners**

The Housebuilders Design Guide SPD will enable housebuilders, developers, agents and external partners, such as statutory consultees, to understand the council's expectations regarding the delivery of well-designed housing developments.

- **Place Based Working**

The Housebuilders Design Guide SPD is part of the 'quality places' agenda and will set out what the Council considers to be good residential design and how to ensure future housing developments achieve the required high quality and socially inclusive design necessary to deliver quality places which are attractive, sustainable, safe and accessible.

- **Improving outcomes for children**

The SPD will help improve outcomes for children through the delivery of good quality well-designed family homes and neighbourhoods that are cohesive, safe and accessible and facilitate outdoor play and recreation.

- **Other (e.g. Legal/Financial or Human Resources)**

- Legal - The requirements for producing SPD's are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017.
- Financial - The Local Plan is the statutory development plan for Kirklees and includes policy LP24 (Design) which requires good design as a core principle of all development proposals in the district. The proposal for a Residential Design SPD is included in the Local Development Scheme (LDS) therefore the work is being undertaken within existing budgets.
- Human resources - The proposal for a Residential Design SPD is identified in the LDS and as such existing staff resources are being used for the project.
- An Integrated Impact Assessment has also been undertaken (Appendix 2)

#### **4. Consultees and their opinions**

Cllr Peter McBride, Cllr Cathy Scott and Cllr Manisha Kaushik were briefed on the Housebuilders Design Guide SPD on Tuesday 1<sup>st</sup> September 2020. Planning Cttee Chairs (Cllrs Steve Hall and Terry Lyons) were briefed on Thursday 10 September, with members of LMT being briefed on the 14<sup>th</sup> September. All consultees were supportive of the document being prepared for public consultation.

Early engagement with internal and external stakeholders, including WYCA, has been undertaken to inform the scope and content of the draft SPD. The document has been prepared with input gained from internal stakeholders through formal drop-in sessions,

which were attended by Development Management, Conservation & Design, Highways DM, Flood Management and Drainage, Public Health, the Landscape Architect Manager, the West Yorkshire Police Planning Liaison Officer, Client Design Advisor, Waste & Recycling Operations Planning Coordinator, Biodiversity Officer, Cultural Development and Climate Change Officer.

External consultees were provided questionnaires to provide their views on the following:

- Good design - How successful have Kirklees been in securing good design in new housing developments? Are there any examples of good design in Kirklees or from elsewhere and what are the qualities that make these examples successful?
- Barriers - What are considered the main barriers to achieving good design in new housing developments or for extensions and alterations to existing residential properties. Are there any barriers to achieving good design in Kirklees which have been successfully overcome in other local authorities and can you provide examples of these?
- Design Guidance in the SPD - What key principles and elements of good design should be included in the Residential Design SPD and what guidance would be helpful to achieve this.

A Strategic Environmental Assessment (SEA) Screening has been undertaken by the council, which concluded that a full SEA is not required. This screening outcome has been sent to the three statutory consultees (Environment Agency, Natural England and Historic England) to seek their views on this conclusion who have all commented that no SEA is required.

## 5. Next steps and timelines

It is intended the Council will consult on the draft Housebuilders Design Guide SPD in mid-October 2020 for a period of six weeks (the minimum legal requirement is four weeks). The consultation will be carried out in accordance with Statement of Community Involvement. Following the consultation, all comments will be considered, enabling any changes to be incorporated in the final Housebuilders Design Guide SPD. It will be a decision for Cabinet to adopt the SPD at that stage.

The next steps:

- **Public consultation** on the draft Housebuilders Design Guide SPD – proposed for mid-October 2020
- **Anticipated Cabinet** decision on adoption of the Housebuilders Design Guide SPD – Early 2021

## 6. Officer recommendations and reasons

- Scrutiny Panel to note the content and timeline of the draft SPD and provide feedback during the Scrutiny Panel session.

Reason: Scrutiny Panel requested to have early input into the content of draft SPDs.

## 7. Cabinet Portfolio Holder's recommendations

Cllr Peter McBride, Cllr Cathy Scott and Cllr Manisha Kaushik were briefed on the Housebuilders Design Guide SPD on Tuesday 1<sup>st</sup> September 2020. All were supportive of the document being prepared for public consultation.

## **8. Contact officer**

John Buddle (Planning Policy and Strategy Team Leader, Planning Policy Group)

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(01484) 221000

## **9. Background Papers and History of Decisions**

- Local Plan adopted 27<sup>th</sup> February 2019 ([www.kirklees.gov.uk/localplan](http://www.kirklees.gov.uk/localplan))
- Local Plan Examination Library (<https://www.kirklees.gov.uk/beta/planning-policy/local-plan-examination-library-2017.aspx>)

## **10. Service Director responsible**

Karl Battersby

Strategic Director for Economy and Infrastructure

E-mail: [karl.battersby@kirklees.gov.uk](mailto:karl.battersby@kirklees.gov.uk)

Tel: (01484) 221000

**APPENDIX 1: EXTRACT FROM THE KIRKLEES LOCAL PLAN STRATEGY AND POLICIES (Adopted 27<sup>th</sup> February 2019)**

**Policy LP24**

**Design**

**Good design should be at the core of all proposals in the district and should be considered at the outset of the development process, ensuring that design forms part of pre-application consultation of a proposal. Development briefs, design codes and masterplans should be used to secure high quality, green, accessible, inclusive and safe design, where applicable. Where appropriate and in agreement with the developer schemes will be submitted for design review.**

**Proposals should promote good design by ensuring:**

- a. the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape;**
- b. they provide a high standard of amenity for future and neighbouring occupiers; including maintaining appropriate distances between buildings and the creation of development-free buffer zones between housing and employment uses incorporating means of screening where necessary;**
- c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers;**
- d. high levels of sustainability, to a degree proportionate to the proposal, through:**
  - i. the re-use and adaptation of existing buildings, where practicable;**
  - ii. design that promotes behavioural change, promoting walkable neighbourhoods and making walking and cycling more attractive;**
  - iii. considering the use of innovative construction materials and techniques, including reclaimed and recycled materials;**
  - iv. where practicable, minimising resource use in the building by orientating buildings to utilise passive solar design. This includes encouraging the incorporation of vegetation and tree planting to assist heating and cooling and considering the use of renewable energy;**
  - v. providing charging points to encourage the use of electric and low emission vehicles;**
  - vi. incorporating adequate facilities to allow occupiers to separate and store waste for recycling and recovery that are well designed and visually unobtrusive and allows for the convenient collection of waste;**
  - vii. designing buildings that are resilient and resistant to flood risk, where such buildings are acceptable in accordance with flood risk policies and through incorporation of multi-functional green infrastructure where appropriate;**
  - viii. designing places that are adaptable and able to respond to change, with consideration given to accommodating services and infrastructure, access to high quality public transport facilities and offer flexibility to meet changing requirements of the resident / user.**

- e. the risk of crime is minimised by enhanced security, and the promotion of well-defined routes, overlooked streets and places, high levels of activity, and well-designed security features;**
- f. the needs of a range of different users are met, including disabled people, older people and families with small children to create accessible and inclusive places;**
- g. any new open space is accessible, safe, overlooked and strategically located within the site and well-integrated into wider green infrastructure networks;**
- h. development contributes towards enhancement of the natural environment, supports biodiversity and connects to and enhances ecological networks and green infrastructure;**
- i. the retention of valuable or important trees and where appropriate the planting of new trees and other landscaping to maximise visual amenity and environmental benefits; and**
- j. the provision of public art where appropriate.**



## **APPENDIX 2: Integrated Impact Assessment**

# EIA STAGE 1 – SCREENING ASSESSMENT

## PROJECT DETAILS

**Name of project or policy:**  
Housebuilders Design Guide Supplementary Planning Document (SPD)

**Directorate:** Housing and Growth  
**Senior Officer responsible for policy/service:** Mathias Franklin, Acting Head of Planning and Development

**Service:** Planning  
**Lead Officer responsible for EIA:** Steven Wright, Planning Group Leader

**Specific Service Area/Policy:** Residential Design Supplementary P  
**Date of EIA (Stage 1):** 31/03/2020

### Brief outline of proposal and the overall aims/purpose of making this change:

The purpose of the House Builders Design SPD is to provide guidance for interested parties submitting a planning application (applicants and developers), the local community, other stakeholders and development management officers on what features the Local Planning Authority will seek to determine a well designed residential development.

The SPD provides detailed guidance and additional information about the implementation of Kirklees Local Plan policy LP24 'Design' and will be a material consideration in the determination of planning applications.

## ASSESSMENT SUMMARY

| Theme       | Calculated Scores |        |       |            |          |       | Stage 2 Assessment Required |
|-------------|-------------------|--------|-------|------------|----------|-------|-----------------------------|
|             | Proposal          | Impact | P + I | Mitigation | Evidence | M + E |                             |
| Equalities  | 0                 | 4.4    | 4.4   | 0          | 4        | 4     | No                          |
| Environment |                   | 3.6    | 3.6   | 0          | 4        | 4     | No                          |

## NATURE OF CHANGE

| WHAT IS YOUR PROPOSAL?   | Please select YES or NO |
|--|-------------------------|
| To <b>introduce</b> a service, activity or policy (i.e. <b>start</b> doing something)  | NO                      |
| To <b>remove</b> a service, activity or policy (i.e. <b>stop</b> doing something)  | NO                      |
| To <b>reduce</b> a service or activity (i.e. <b>do less</b> of something)  | NO                      |
| To <b>increase</b> a service or activity (i.e. <b>do more</b> of something)  | NO                      |
| To <b>change</b> a service, activity or policy (i.e. <b>redesign</b> it)   | NO                      |
| To <b>start charging</b> for (or increase the charge for) a service or activity (i.e. ask people to <b>pay</b> for or to pay more for something) | NO                      |

| WHAT LEVEL OF IMPACT DO YOU THINK YOUR PROPOSAL WILL HAVE ON...      | Level of Impact<br>Please select from drop down |
|--|---|
| Kirklees <b>employees</b> within this service/directorate? (overall) | Positive  |
| Kirklees <b>residents</b> living in a specific ward/local area?      | Positive  |
| Please tell us which area/ward will be affected:                     | All wards                                       |
| <b>Residents</b> across Kirklees? (i.e. most/all local people)       | Positive  |
| Existing <b>service users</b> ?                                      | Neutral   |

| Each of the following <b>groups</b> ?  |  | Please select from drop down |
|--|--|------------------------------|
| <i>(Think about how your proposal might affect, either positively or negatively, any individuals/communities. Please consider the impact for both employees and residents - within these protected characteristic groups).</i> |  |                              |
| ...age   | What impact is there on Kirklees <b>employees</b> /internal working practices? | Neutral                      |
|  | What impact is there on Kirklees <b>residents</b> /external service delivery?  | Neutral                      |
| ...disability  | What impact is there on Kirklees <b>employees</b> /internal working practices? | Neutral                      |
|  | What impact is there on Kirklees <b>residents</b> /external service delivery?  | Positive                     |
| ...gender reassignment   | What impact is there on Kirklees <b>employees</b> /internal working practices? | Neutral                      |
|  | What impact is there on Kirklees <b>residents</b> /external service delivery?  | Neutral                      |
| ...marriage/ civil partnership   | What impact is there on Kirklees <b>employees</b> /internal working practices? | Neutral                      |
|  | What impact is there on Kirklees <b>residents</b> /external service delivery?  | Neutral                      |
| ...pregnancy & maternity   | What impact is there on Kirklees <b>employees</b> /internal working practices? | Neutral                      |
|  | What impact is there on Kirklees <b>residents</b> /external service delivery?  | Neutral                      |
| ...race  | What impact is there on Kirklees <b>employees</b> /internal working practices? | Neutral                      |
|  | What impact is there on Kirklees <b>residents</b> /external service delivery?  | Neutral                      |
| ...religion & belief   | What impact is there on Kirklees <b>employees</b> /internal working practices? | Neutral                      |
|  | What impact is there on Kirklees <b>residents</b> /external service delivery?  | Neutral                      |
| ...sex   | What impact is there on Kirklees <b>employees</b> /internal working practices? | Neutral                      |
|  | What impact is there on Kirklees <b>residents</b> /external service delivery?  | Neutral                      |
| ...sexual orientation  | What impact is there on Kirklees <b>employees</b> /internal working practices? | Neutral                      |
|  | What impact is there on Kirklees <b>residents</b> /external service delivery?  | Neutral                      |
| ...those in poverty or low-come  | What impact is there on Kirklees <b>employees</b> /internal working practices? | Neutral                      |
|  | What impact is there on Kirklees <b>residents</b> /external service delivery?  | Neutral                      |

...unpaid carers

What impact is there on Kirklees **employees**/internal working practices?

Neutral

What impact is there on Kirklees **residents**/external service delivery?

Neutral

| WHAT LEVEL OF IMPACT DO YOU THINK YOUR PROPOSAL WILL HAVE ON...                             |                      |                     |                      | Level of Impact              |
|---|----------------------|---------------------|----------------------|------------------------------|
|   |                      |                     |                      | Please select from drop down |
| Kirklees Council's <b>internal practices</b> ?  |                      |                     |                      | Positive                     |
| Lifestyles of <b>those who live and work</b> in Kirklees?                                   |                      |                     |                      | Positive                     |
| <b>Practices of suppliers</b> to Kirklees council?  |                      |                     |                      | Neutral                      |
| <b>Practices of other partners</b> of Kirklees council?                                     |                      |                     |                      | Neutral                      |
| Each of the following <b>environmental themes</b> ? (Please select from the drop down list) |                      |                     |                      |                              |
|   | People               | Partners            | Places               |                              |
| ...clean air (including Climate Changing Gases)   | Positive<br>Score: 1 | Neutral<br>Score: 2 | Positive<br>Score: 1 |                              |
| ...Clean and plentiful water  | Neutral<br>Score: 2  | Neutral<br>Score: 2 | Neutral<br>Score: 2  |                              |
| ... Wildlife and habitats   | Positive<br>Score: 1 | Neutral<br>Score: 2 | Positive<br>Score: 1 |                              |
| ...Resilience to harm from environmental hazards  | Neutral<br>Score: 2  | Neutral<br>Score: 2 | Neutral<br>Score: 2  |                              |
| ... Sustainability and efficiency of use of resources from nature                           | Positive<br>Score: 1 | Neutral<br>Score: 2 | Positive<br>Score: 1 |                              |
| ...Beauty, heritage and engagement with the natural environment                             | Positive<br>Score: 1 | Neutral<br>Score: 2 | Positive<br>Score: 1 |                              |
| ... Resilience to the effects of climate change   | Positive<br>Score: 1 | Neutral<br>Score: 2 | Positive<br>Score: 1 |                              |
| ...Production, recycling or disposal of waste   | Positive<br>Score: 1 | Neutral<br>Score: 2 | Positive<br>Score: 1 |                              |
| ... Exposure to chemicals   | Neutral<br>Score: 2  | Neutral<br>Score: 2 | Neutral<br>Score: 2  |                              |

## HOW ARE YOU USING ADVICE AND EVIDENCE/INTELLIGENCE TO HELP YOU?

Please select YES or NO

### Equality Themes

|   |     |
|---|-----|
| Have you taken any <b>specialist advice</b> linked to your proposal? (Legal, HR etc)?                                       | Yes |
| ...employees?   | Yes |
| Do you have any <b>evidence/intelligence</b> to support your assessment (in section 2) of the impact of your proposal on... | Yes |
| ...Kirklees residents?  | Yes |
| ...service users?   | No  |
| ...any protected characteristic groups?   | No  |

Please list your **equalities** evidence/intelligence here [you can include hyperlinks to files/research/websites]:  
The SPD provides additional guidance to help implement Local Plan policies and it's use by empolyees from development management and external applicants will have a positive effect in helping determine planning applications and evolving scheme designs.

The House Builders Design Guide SPD aims to ensure that the future housing developments in the district have high quality and socially inclusive design that help deliver quality places. The SPD provides guidance on how to plan for streets,

|  |                              |
|--|------------------------------|
|  | Please select from drop down |
| To what extent do you feel you are able to mitigate any potential negative impact of your proposal outlined on the different groups of people? | FULLY                        |
| To what extent do you feel you have considered your Public Sector Equality Duty?   | FULLY                        |

### Environmental Themes

|   |     |
|---|-----|
| Have you taken any <b>specialist advice</b> linked to your proposal?  | Yes |
| ...Kirklees Council practices?  | Yes |
| Do you have any <b>evidence/intelligence</b> to support your assessment (in section 2) of the impact of your proposal on... | Yes |
| ...resident and worker lifestyles?  | Yes |
| ...Practices of Supplier to Kirklees Council?   | No  |
| ...Practices of other Kirklees Council partners?  | No  |

Please list your environmental evidence/intelligence here [you can include hyperlinks to files/research/websites]:  
The SPD sets out what the council considers to be good residential design and how to ensure the quality of future housing development within the district. The document will be used by the council's development management teams when determining planning applications.

The document seeks to plan for climate change and respond to the climate emergency throughout the life cycle of the development mitigating and adapting to climate change.

|  |                              |
|--|------------------------------|
|  | Please select from drop down |
| To what extent do you feel you are able to mitigate any potential negative impact of your proposal on the environmtenal issues identified? | FULLY                        |