

## **Report to Cabinet**

**Subject:** Gedling Design Code: Supplementary Planning Document (SPD)

**Date:** 7<sup>th</sup> November 2024

**Author:** Planning Policy Manager

### **Wards Affected**

All

### **Purpose**

The purpose of this paper is to seek Cabinet approval to publish the Gedling Design Code Supplementary Planning Document.

### **Key Decision**

Yes

### **Recommendation(s)**

#### **THAT Cabinet:**

- 1) Adopts the Gedling Design Code Framework as a Supplementary Planning Document;
- 2) Authorises the Planning Policy Manager to publish the document; and
- 3) Delegates authority to the Planning Policy Manager to make any minor typographical, formatting or factual amendments to the Gedling Design Code Framework Supplementary Planning Document.

## **1 Background**

- 1.1 Supplementary Planning Documents (SPD) build upon and provide more detailed advice or guidance on policies in an adopted local plan. A SPD does not form part of the development plan and cannot introduce new planning policies into the development plan. However, they are a

material consideration in decision-making and carry significant weight provided they have been prepared within the statutory procedures and subject to public consultation.

- 1.2 Changes to the National Planning Policy Framework following the Levelling-up and Regeneration Act (2023) require local authorities to prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences.
- 1.3 Gedling Borough Council has been awarded two grants (totalling £200,000) by DLUHC (now MHCLG) to participate in the Design Code Pathfinder Programme and pilot the preparation of borough wide design codes. The initial bid was awarded in March 2022 and was subsequently extended so that the Design Code could be further refined.
- 1.4 The purpose of this Design Code Supplementary Planning Document is to provide clarity on design expectations, which are specific to the Borough and set out how this will be achieved through the Development Management process.
- 1.5 The process of preparing the Design Code has comprised:
  - an analysis of the Council's previous urban characterisation work;
  - a review of relevant national, sub-regional and local planning policies, guidance and development briefs as they relate to design matters;
  - a review of the design quality of previous development proposals;
  - a character analysis of the Borough's settlements and landscapes;
  - piloting against historic and current planning applications;
  - engagement with planning committee; and
  - engagement with officers, stakeholders, local communities and developers.
- 1.6 The Design Code applies to the entire Borough and sets out the Council's ambitions to improve the quality of design in the Borough. The Design Code aims to support good design of new residential development of all scales, including:
  - Major sites of 10 or more dwellings
  - Small sites of up to 9 dwellings
  - Extensions and alterations to dwellings
- 1.7 The Gedling Design Code has been prepared as a Framework, comprising a series of separate documents. A separate **standalone document** has been prepared to cover each of the above site sizes (**Appendices 1-3**), supported by a separate **Core Document**

(Background Paper A) which outlines the context, purpose and structure of the Design Code, sets out the design process and vision for the Borough.

- 1.8 The **Observation Library** (Background Paper B) is a key resource which contains valuable background information to support applicants in understanding sites and their context. A **Glossary**, appended to the Observation Library (p. 54), contains useful guidance and explanation for technical phrases and terms of reference used in the documents.
- 1.9 The **Baseline Assessment Report** (Background Paper C) is a historic document from the 1<sup>st</sup> stage of the project (April, 2023) which is being published for the sake of completeness. The document may include inconsistent references with the final presentation of the Design Code Framework in relation to design code vision, coding plan and strategy.
- 1.10 The Design Code does not seek to address employment, retail or development in town or local centres. In these areas, proposals will be considered against other local and national policies.
- 1.11 Once adopted, the Gedling Design Code Framework must be used by stakeholders, as well as applicants preparing development proposals, ranging from individual homeowners to multi-disciplinary teams assembled to prepare proposals for strategic housing sites. As a SPD, the Design Code Framework will be a material consideration in the determination of planning applications. The Design Code Framework will also be incorporated into a future review of the Council's part 2 local plan.

## **2 Proposal**

- 2.1 It is proposed that Cabinet agrees to the adoption of the Gedling Design Codes Supplementary Planning Document attached at **Appendices 1-3**.
- 2.2 By using the Design Code Framework, development proposals should be well designed, reflecting the character of the site and its context and contribute to the overall Vision of the Design Code, its supporting Themes and more detailed Visions and Placemaking Strategies for character-based Settlement and Area Types. The Design Code Framework will raise the profile of the principles of good design so that they are more likely to be taken into account prior to planning applications being submitted and also be a useful reference document for negotiations on design during the planning application process.

2.3 The Core Document outlines the context, purpose and structure of the Design Code Framework. It sets out the design process and outlines the Vision for the Borough which is supported by three key themes:

- Characterful Gedling
- Greener Gedling
- Connected and Healthy Gedling

The delivery of these three key themes is supported by a series of design principles which are to be followed in the development of design proposals.

2.4 Integral to improving design within the Borough is the appreciation of context and to assist this, a Coding Plan has been produced which characterises areas of the Borough into Settlement and Local Area Types. These are, in turn, supplemented by Settlement Visions which outline the heritage and growth of the settlement, as well as identifying key design features. Combined, they create an overall design goal for the Settlement and Local Area Types, the delivery of which is supported by Placemaking Strategies

2.5 The Design Code Principles are structured under three key themes listed above that support the Vision of the Design Code, to create a Characterful Gedling, Greener Gedling and Connected and Healthy Gedling. These Themes respond to the Council's corporate priorities. For each principle, there are three important components to consider to demonstrate compliance.

- Applicants will be expected to '**observe**' the application site and the surrounding area to identify any features, and '**evaluate**' how they will influence the design response.
- Any Mandatory Requirements in the documents '**must**' be met in light of the findings from observing and evaluating the site and surrounding area.
- Applicants '**should**' also consider any Desirable Requirements which could enhance the design proposal.

### Consultation

2.6 Details of the consultation process are set out in the Consultation Statement attached as **Appendix 4**. The Gedling Design Code has been prepared as part of the Design Code Pathfinder Programme led by the Ministry of Housing, Communities and Local Government (MHCLG) in

close collaboration with the Design Council, Historic England and various stakeholders at local and National level. The SPD was also subject to formal public consultation between 12<sup>th</sup> July and 23<sup>rd</sup> August 2024. The documents were made available on the Council's website. Paper copies could be viewed at the Civic Centre in Arnold. Emails or letters were sent directly to statutory consultees and developers who have an interest in Gedling Borough and those who signed up for updates on Place Gedling digital platform (approximately 665 contacts). The consultation was shared more widely on Gedling Borough Council social media accounts and the 'News' page on the Council's website.

- 2.7 Comments were received from 21 respondents, and these are summarised in the Report of Responses (attached as an appendix to **Appendix 4**) along with the Council's response and any proposed changes. Comments were received from a range of bodies, including local authorities, statutory consultees, developers, local residents and councillors. The comments related to a wide range of issues.

#### Next Steps

- 2.8 The comments made during the consultation period have been carefully considered and a number of changes have been made to the final SPD.
- Standalone documents amended to benefit from the letter coding system used in the checklists.
  - Amended visuals (Figure 3, Extensions/Alterations; Figure 10, Small Sites; swift brick example in all three code documents) to provide clearer visual examples or to correct erroneous/duplicate imagery/figures.
  - Amended visual captions (Figure 31, Major Sites; gable-end photo, p. 66, Observation Library; Figure 26, p. 43, Observation Library) for clarity.
  - Additional or alternate photo/imagery (SuDS example, p. 34, Major Sites; gable example, p. 66, Observation Library) added.
  - Additional text added to confirm the code encourages exemplar and innovative design that aligns with the Framework principles.
  - Additional text added to clarify that design proposals need to refer to the wording of the mandatory requirements, and the checklist provides a summary for ease of reference.
  - Reference to G5 Low Carbon Homes included in the Extensions/Alterations Document.
  - Reference to 'pinfold' as a form of open space in the Historic Villages deleted.
  - Reference to 'terracotta pantile roofs' amended to word "*All The majority have terracotta pantile roofs*" (p. 28, Core Document).
  - Reference to 'climate resilience' added.

- Reference to Bulwell Stone added.
- C+H4 amended to clarify windows on gable end walls do not need to be to non-habitable rooms only, if it is a corner plot.
- Requirement highlighting the issues with overbearing dormers inserted into C2 Characterful Homes along with a visual to illustrate the difference between a good and a poor example.
- Various background colours in the documents updated to align with the Web Content Accessibility Guidelines (WCAG) conformance (AA and AAA) levels.

2.9 Other minor changes have been made by officers in order to improve clarity. Once adopted as a Supplementary Planning Document, the document will be a material consideration and can be given significant weight in decision making.

### **3 Alternative Options**

3.1 An alternative option would be to approve the draft SPD as informal planning guidance which could be undertaken without consultation. However, this would result in it having less weight in terms of decision making.

3.2 Another alternative option would be to wait until planning reforms have been introduced and approve the draft Design Code Framework as a Supplementary Plan (SP). However, this would result in significant delay as timescales for reform are uncertain. The delivery of the Design Code is supported by MHCLG Pathfinder funding which requires progress to continue.

### **4 Financial Implications**

4.1 The cost of preparing and consulting on the Design Code has been met from DLUHC's (now MHCLG's) Design Code Pathfinder Programme funding.

### **5 Legal Implications**

5.1 The 2004 Planning and Compensation Act empowers Local Planning Authorities to prepare local plans and supplementary planning documents. The document has been prepared as a supplementary

planning document and subject to public consultation and will be given appropriate weight in future decision-making

## **6 Equalities Implications**

- 6.1 None direct. However, by setting out design standards, this will ensure that new design proposals meet the needs of the users/occupants and achieve a step change in design quality creating distinctive places.

## **7 Carbon Reduction/Environmental Sustainability Implications**

- 7.1 The document will help to protect the environment by setting out standards in relation to building materials, Blue and Green Infrastructure, low carbon homes, 20-minute neighbourhoods, cycle parking, lower carbon technologies and EV charging.

## **8 Appendices**

- 8.1 **Appendix 1:** Design Code Framework: Major Sites (10+ dwellings) Supplementary Planning Document

**Appendix 2:** Design Code Framework: Small Sites (1-9 dwellings) Supplementary Planning Document

**Appendix 3:** GBC Design Code Framework: Extensions/Alterations Supplementary Planning Document

**Appendix 4:** Consultation Statement (including a Report of Responses attached as **Appendix A**)

## **9 Background Papers**

- 9.1 **Background Paper A:** Design Code Framework: Core Document

**Background Paper B:** Design Code Framework: Observation Library

**Background Paper C:** Design Code Framework: Baseline Assessment Report (April 2023)

**Background Paper D:** Equalities Impact Assessment

## **Background Paper E: Climate Impact Assessment**

### **10 Reasons for Recommendations**

10.1 The reasons for the recommendations are:

- a) To provide a clear framework which sets out design expectations that are specific to the Borough.
- b) To comply with statutory requirements and to publicise the approved document.
- c) For the purpose of efficiently rectifying minor errors as appropriate.

#### **Statutory Officer approval**

**Approved by:**

**Date:**

**On behalf of the Chief Financial Officer**

**Approved by:**

**Date:**

**On behalf of the Monitoring Officer**