Central Bedfordshire Council

01 August 2023

Executive

Design Guide Supplementary Planning Document (SPD)

Report of:

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Responsible Director:

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This report relates to a decision that is Key

Purpose of this report

This report seeks the approval of the Design Guide Supplementary Planning Document (SPD) for adoption. The Design Guide sets out the key principles and standards of design for all new development in Central Bedfordshire. The draft SPD was published for an 8 week public consultation between 17 January 2023 and 16 March 2023 and has been updated to reflect the comments received through the consultation process. If approved, the Design Guide will be adopted as supplementary planning guidance to support the Local Plan and will be a material consideration in decision making on all planning applications.

RECOMMENDATION(S)

The Executive is asked to:

1. Note the proposed updates to the Design Guide SPD in response to public consultation.
2. Approve for adoption the Design Guide SPD (Appendix A) as supplementary planning guidance to support the Local Plan.
3. Delegate to the Director of Place and Communities, in consultation with the Executive Member for Planning and Development, the authority to make minor, non-material amendments to the document following its adoption.

Overview and Scrutiny Comments/Recommendations

1. The draft Design Guide SPD was considered at the Sustainable Communities Overview and Scrutiny Committee (SCOSC) on 19 January 2023.
2. The draft SPD was endorsed by SCOSC along with the following recommendations
    - The installation of LED lighting includes the appropriate light intensities, filters and temperatures appropriate to the surroundings, and that there should be remote access to be able to adjust this type of lighting remotely; and
    - Rear parking courts should be incorporated into new developments in certain schemes to help create vehicle free streets.
3. The above recommendations have been taken into account. Additional text on street lighting has been added to paragraph 7.8.19 of the Design Guide. The majority of guidance on car parking has been removed from the Design Guide to avoid duplication with the Parking Standards for New Developments SPD. Paragraphs 7.8.13 to 7.8.15 of the revised Design Guide set out high level principles relating to car parking, with a reference to the Parking Standards for New Development SPD for more detailed guidance.
4. Other observations made by Members at the meeting have been taken into consideration alongside the comments received through the wider public consultation. Amendments have been made to the SPD where appropriate. A summary of the main issues raised through the public consultation are included in Appendix C of this report and a tracked changed version of the SPD showing the detailed changes is included in Appendix B.

Executive Summary

5. The Council has prepared a revised Design Guide that sets out the key principles and standards of design expected for all new developments in Central Bedfordshire. It is an important planning policy document, as it helps to ensure development is of the highest quality. Once adopted, it will replace the existing Design Guide (adopted in 2014) and will be a material consideration in the determination of planning applications. Applicants will be required to demonstrate that they have taken the Design Guide into consideration. It will also provide a formal document for reference in committee reports and appeal statements.
6. Since the existing Design Guide was adopted, there have been many changes to national and local planning policy and guidance. The Government has placed an increased emphasis on the importance of high-quality design and has set a requirement for local design guidance. This has been implemented through changes to the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG); and through the introduction of the Government's National Design Guide (2021) and National Model Design Code (2021).
7. The Central Bedfordshire Local Plan was also adopted in 2021 and includes new policy areas such as electric vehicle charging and self and custom build housing. Other corporate documents such as the Sustainability Plan, the Vision for 2050 and the Strategic Priorities 2022-2027 are now in place, and a number of other local strategies and guidance documents have also been developed or updated, such as the Leisure Strategy.
8. The Design Guide has been updated to reflect these changes to national and local planning policy and guidance, as well as other local strategies that have an influence on design.

9. The SPD has been informed by engagement with Members, Town and Parish Councils, residents and other service areas within the Council.
10. The draft SPD was published for public consultation for an 8 week period between 17 January 2023 and 16 March 2023.
11. This report presents a summary of the consultation process and responses received and seeks approval of the amended SPD to be adopted as supplementary planning guidance to support the policies in the adopted Local Plan.

Purpose of the Design Guide

12. The Council's Local Plan was adopted in July 2021 and Policy HQ1 sets out the high-level requirements to ensure that new developments at all scales are of the highest design quality and enhance the area. The Design Guide SPD seeks to supplement that policy, providing more detail on how high quality design can be achieved and all new development will need to have regard to the guidance.
13. It sets out advice and guidance to allow developers to achieve good design solutions that respond positively to their surroundings, including landscapes, heritage and local character. It also shows how to embed green infrastructure, climate change, sustainability and the broader environmental principles covered in the Local Plan into the design and development process to deliver well-designed, high-quality development.

Reasons for updating the Design Guide

14. The revised Design Guide is an evolution of the previous iteration of the document, and seeks to incorporate the latest policy and guidance, best practice and case studies. Whilst some of the content of the existing 2014 Design Guide remains relevant, things have moved on nationally and locally.
15. The revised Design Guide reflects the policies in the adopted Local Plan (2021) and includes guidance on the new policy areas introduced in this Plan such as electric vehicle charging, self and custom build housing and climate change. Also reflected in the document are core Council documents such as the Sustainability Plan, the Vision for 2050 and the Strategic Plan 2022-2027, as well as other strategies and guidance from across the Council, such as the Leisure Strategy.
16. Nationally, the Government published a revised National Planning Policy Framework (NPPF) in July 2021, which sets out the national approach and principles for planning and includes an increased focus on design. Paragraph 134 of the NPPF, states: *"Development that is not well designed 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 such as design guides and codes."* The revised NPPF places increased weight on design quality and emphasises the need for local design guidance to set out the local context and requirements, and support decision making.
17. The Government also published the National Design Guide and the National Model Design Code in 2021. The National Design Guide is a high level policy document that sets out the principles and practice of creating well designed places. It confirms the Government's priorities for well-designed places in the form of ten characteristics:
    - Context (enhance the surroundings)
    - Identity (attractive and distinctive)
    - Built form (a coherent pattern of development)
    - Movement (accessible and easy to move around)
    - Nature (enhanced and optimised)

- Public spaces (safe, social and inclusive)
- Uses (mixed and integrated)
- Homes and buildings (functional, healthy and sustainable)
- Resources (efficient and resilient)
- Lifespan (made to last).

18. The National Design Guide is not limited to new buildings but covers the entire public realm including streets and green spaces. The principles contained within the document are well established, but this is the first time they have been set out formally within national guidance, as an indication of the Government's expectations. This is welcomed as it strengthens the ability of a Local Planning Authority to apply design standards in decision making.
19. The National Model Design Code complements the National Design Guide and provides detailed guidance on the production of design codes, guides and policies. It is a toolkit for Local Planning Authorities to use when producing their own documents. It also explains that the geographic coverage, level of detail and degree of prescription in a design code or guide should be tailored to the circumstances and scale of change in each place. There is also guidance on the involvement of the local community in the process.
20. The revised Design Guide reflects the changes to national policy and guidance and has been restructured to be in line with the 10 characteristics of the National Design Guide. It will remain a comprehensive document that covers a broad range of topics and will be supplemented by parish level guidance prepared through Neighbourhood Plans. Site specific design codes will also be required for qualifying development sites, in line with Policy HQ9 of the adopted Local Plan.

Early engagement to inform the updated Design Guide

21. Officers engaged with Members, Town and Parish Council's, residents, developers and other service areas within the Council to inform the scope and content of the revised Design Guide. A summary of engagement that has taken place during 2021 and 2022 is as follows:
    - Virtual workshops were held with Members to provide an update on the project and seek views on the scope of the guidance.
    - Virtual workshops were held with other service areas within the Council to identify whether existing guidance needed to be updated, whether there was any new information that could be included, and whether there were other plans/strategies/guidance to be cross referenced within the document.
    - A virtual topic session was held with Town and Parish Council's to introduce the project and seek feedback on the scope of the guidance.
    - A residents' survey was conducted to seek views on the design of new developments with Central Bedfordshire. This helped identify the topic areas that should be considered and included as part of the updated Design Guide.
    - Developer workshops were undertaken to seek views on the scope of the guidance.
    - Local Plan Members Workshops were undertaken and feedback relating to design was taken into account.
    - Following the initial engagement described above, follow-up meetings were held with other service areas within the Council to discuss particular topics in more detail, and early drafts of the document were also shared internally for feedback.

Consultation on the draft Design Guide

Who was consulted and how?

22. The Council must prepare SPDs in accordance with its Statement of Community Involvement, which sets out its policy for consulting and engaging with individuals, communities and other stakeholders on planning related matters.
23. Consultation on the draft Design Guide SPD was in accordance with the Statement of Community Involvement (2022) and ran for an 8 week period between 17 January 2023 and 16 March 2023. The original consultation period was due to end on 1 March 2023 and was extended by an additional 2 weeks to allow respondents more time to submit comments. The consultation was hosted on the Council's website. Paper copies of the draft SPD and a statement setting out how to comment were available to view in all libraries in Central Bedfordshire. Copies were also available to view on request at the Council's Office in Priory House, Chicksands.
24. The Council sent an email or letter (where email was not available) to Statutory Consultees, and individuals and organisations registered to receive updates on the Local Plan and associated documents to inform them of the opportunity to comment. Emails were also sent to Members, Town and Parish Council's and local MPs. Consultees and interested parties were asked to submit their comments via the online consultation portal, by email or by post.
25. A press release was issued to mark the start of the consultation period. The consultation was also advertised in the staff newsletter (Staff Central) and Members Bulletin. Posters were sent to local libraries and leisure centres and were also sent to Town and Parish Councils to display on community noticeboards. Notifications were also published periodically on the Council's social media channels throughout the consultation period.
26. During the consultation period, Officers also held in person and virtual engagement events with Members and Town and Parish Councils to discuss the content of the document and allow an opportunity for questions and initial comments. Any comments made were noted and taken into consideration alongside formal comments.

How many responses were received?

27. In total, 210 representations were received by the Council during the consultation period.

Who responded to the consultation?

28. Responses were received from:
    - Residents;
    - Private organisations including developers;
    - Other Local Authorities;
    - Town and Parish Councils;
    - Members; and
    - Statutory organisations.

Summary of main responses received to the consultation and changes made to the SPD

29. A tracked changed version of the Design Guide (Appendix B) has been prepared to show all the changes that have been made to the text, images and layout. This includes the changes made in response to the main issues raised through the consultation, comments raised internally and more minor changes such as to provide

additional clarity. A summary of the main issues raised through the public consultation is included in the Consultation Statement (Appendix C). The summary is organised by chapter and sets out whether the Design Guide has been amended in response to the comments made. The following bullet points highlight some of the key comments made through the consultation and how they have been taken into account. This does not cover every comment made and all comments are available to view on our online consultation system.

- **Support for the Design Guide** - A number of respondents expressed their support for the Design Guide, indicating that the document was well structured and sufficiently detailed to guide new development. The use of diagrams and photographs was welcomed as they provide clarity and ensure the guidance is easy to follow and practical to use.
- **Concern about the size and complexity of the document -** The guidance needs to cover each of the topics that influence design as well as different development types to be successful. Consequently, this has led to the document being lengthy and detailed. However, the document is intended to be an online, searchable resource and to help readers navigate the document there is a contents page at the beginning of each chapter and an index has also been prepared to help find key topics within the new structure.
- **The need to strengthen the guidance -** There were many comments requesting that the guidance is strengthened, particularly around the topics of climate change, water efficiency, building standards, renewables, biodiversity and environmental improvement. There was also a comment made about the language used within the document, and that key priorities should use the phrasing 'must', 'should' and 'require', rather than 'encourage'. The purpose of the Design Guide is to implement the policies of the adopted Local Plan and national policy and as such it must be in conformity. The Legislation states that SPDs cannot set new policy requirements. Any push for higher standards would therefore have to come forward through a new Local Plan or amendments to national policy. A review of the Local Plan is currently underway, and a progress report was reported to committee on 4th April 2023. The comments relating to setting higher standards have been fed into the Plan Review process and a report will be presented to Members in due course setting out the outcome of the Review and the recommendations for next steps. The Design Guide does seek to 'encourage' measures above and beyond policy requirements such as solar panels (6.25.4) and green roofs (6.29.5). This is as much as it can do and whilst it does not carry significant weight without a policy, it sets out and makes clear the Council's ambitions moving forwards.
- **Changes proposed that conflict with Planning Regulations** - Some comments were seeking changes that would conflict with Planning Regulations such as the General Permitted Development Order, which allows certain types of development to come forward without planning permission. The Design Guide is not able to include guidance that would conflict with Legislation and these comments have not resulted in a change to the document.
- **Changes proposed outside the scope of the consultation -** There were some comments made that were outside the scope of the consultation, for example, relating to street widths and traffic calming measures that are set out within the Council's adopted Highways Construction and Specification Guidance. These comments have been collated and shared with the appropriate teams for consideration.

- **Changes to provide additional clarity -** A number of further changes have been made to provide additional clarity and explanation. For example, paragraph 6.2.2 has been updated to clarify that new development must be sympathetic to local character and paragraph 7.5.3 has included additional text on cycling signage to ensure that signage has network consistency.
- **New images and diagrams to support text -** New images and diagrams have been added to the document and some existing images have been replaced to help explain the measures set out in the text or provide good examples to replicate in new developments. This includes the replacement of images showing each type of childrens play areas, as well as new images showing the use of wildflowers meadows to support biodiversity. Reference has also been added to design decisions that may have an impact on biodiversity, such as the impact of lighting on bats, and the provision of bat and bird boxes is encouraged.
- **Neighbourhood planning -** Additional references have been added relating to Neighbourhood Plans and other guidance prepared by Town and Parish Council's, as they provide important information on local context and character that should be considered in the design of new development.
- **References to additional external and internal guidance -** References have been added within the body of the text to the Chilterns AONB and the development and design guidance prepared by the Chilterns Conservation Board; Natural England's Green Infrastructure Framework; and the Council's recently published Green and Blue Infrastructure Strategy.
- **Additional signposting to other relevant guidance –** Within the Introduction of each chapter, the Design Guide signposts to other guidance documents that are relevant for the chapter. A number of respondents have suggested further documents that could be added to the lists within each chapter. The chapters have been updated to reflect these proposed changes to provide a comprehensive list of key documents and resources.
- **Addition of guidance on waterways -** A further key change has been the addition of guidance to set out how waterways should be integrated into the design of places. This was suggested in response to the Grand Union Canal and the proposed Bedford to Milton Keynes Waterway Project, which is a requirement of the adopted Local Plan. Waterways are a key component of the design process and a positive relationship with new development is needed as it provides a setting or backdrop, and an important opportunity for leisure and commercial uses.
- **Clarity on bus stop distances** - Additional text has been added to make it clear that this should be 400 metres.
- **Additional case studies** - The case studies section of the Design Guide has also been expanded to include some examples of award-winning projects and developments from outside Central Bedfordshire, such as Marmalade Lane, Cambridge. This change was made to highlight good practice elsewhere, and to inspire future developments of a similar nature within Central Bedfordshire, particularly where sustainability and climate change were at the heart of the schemes.
- **Additional references to health and wellbeing** - Additional references to health and wellbeing have been added throughout the document such as additional text on overheating at 6.24.3, a health and well-being section at 10.3, and signposting to key documents and guidance such as:
    - Streets for a Healthy Life
    - Building for a Healthy Life

- Town and Country Planning Association Healthy Homes Principles
- Quality of Life Foundation Framework
- Healthy Urban Development Checklist.

Options for consideration

30. There is an option to not adopt the revised Design Guide, and instead rely on the 2014 version of the document and the high level National Design Guide. However, there have been many changes to national and local planning policy and guidance since the current Design Guide was adopted in 2014, with an increased emphasis on the importance of local Design Guides to inform high quality development. Adopting the updated Design Guide will ensure the guidance is fit for purpose and effective in shaping all new development in Central Bedfordshire.

Reason/s for decision

31. This report seeks the approval of the Design Guide, as amended, for adoption by the Council as an SPD to support the implementation of the Local Plan and national planning policy.
32. The Design Guide is a material consideration in determining planning applications. It has a key role in delivering sustainable development in Central Bedfordshire and creating places in which people want to live, work and play. It clearly sets out the required mechanisms for delivering high quality design and provides signposts to other Council documents and strategies, to ensure their aims and objectives are also delivered.

Council priorities

33. The Design Guide is a key document that supports many of the policies within the adopted Local Plan. The importance of good design cannot be underestimated as it can impact on all aspects of people's lives. The Design Guide will contribute to the four cornerstones of the Council's 2050 vision by creating a 'unique and special environment', giving people 'the best quality of life', creating a place where we will 'have a prosperous and innovative economy' and encouraging 'thriving communities'.
34. The Design Guide will also contribute towards achieving the following aims of the Council's Strategic Plan:

    - Delivering Quality Housing – the Design Guide aims to deliver high quality and well-designed places. It provides design guidance that seeks to create sustainable developments which incorporate the built and natural environment.
    - Enabling people to live their best lives – the multifaceted nature of the Design Guide means that it will influence all aspects of peoples' lives and have a positive impact on the health and wellbeing of communities within Central Bedfordshire. It will have positive influences on things such as reducing vehicle emissions, enhancing land values, creating more vibrant places and communities, boosting the local economy, and better public health.
    - Making the best use of resources – the Design Guide has been updated to provide cross references to existing guidance, rather than replicate it within the document. This helps to make the document as streamlined and succinct as possible, and other documents can be updated separately without the need to update the Design Guide. The guidance will help Development Management Officers undertake their role more effectively, therefore, helping to make the

best use of resources. The final document will be published on the Council's website, with an accompanying index, to ensure it is accessible for all to view. Hard copies of the document will only be printed where necessary to meet a Statutory requirement, for example providing copies in libraries.

- Improving educational achievement and progress - the Design Guide aims to achieve greater social equity and improve the environment in which children grow up in. It also includes specific guidance for new school locations and buildings.

Implications

Legal Implications

35. The Council has a statutory duty to prepare and monitor the Local Plan. Policies HQ1, HQ7, T2, T3 and EE5 of the Local Plan make specific reference to the Design Guide. Reference is also made to the Design Guide in the supporting text for many other policies within the Local Plan. The Design Guide SPD supports the implementation of the policies within the Local Plan and all new development proposals will be expected to have regard to the principles and guidance set out within the document.
36. The guidance in the SPD will inform Members' decision making at Development Management Committee, by clearly setting out the requirements and expectations for high quality design.
37. Consultation on the draft SPD has been undertaken in accordance with the adopted Statement of Community Involvement. The Council has complied with the consultation requirements under the Town and Country Planning (Local Planning) (England) Regulations 2012 ("the Regulations"). Regulation 13 requires that before an SPD is adopted, a Consultation Statement must be prepared setting out who was consulted in connection with the preparation of the SPD and how they were consulted. This is confirmed in the Consultation Statement appended to this report in Appendix C, which also sets out a summary of the comments received during the preparation of the SPD.

Financial and Risk Implications

38. There are no significant direct financial implications relating to the Design Guide.
39. The Design Guide has been drafted in collaboration with other service areas within the Council and the content reflects the requirements of national policy and guidance and adopted local planning policies and guidance. The guidance will help Development Management Officers undertake their role more effectively, therefore, helping to make the best use of resources.

Equalities and Fairness Implications

40. Central Bedfordshire Council has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics: age disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
41. All new developments in Central Bedfordshire will be expected to comply with both national and local planning policies and guidance. National planning policy requires new development at all scales to create well-designed and well-built places that are

inclusive and benefit people at different stages of life and with different abilities. This is also supported by policies within the Local Plan, which have been subject to an Equalities Impact Assessment (EQIA) as part of their development.

42. An EQIA has been prepared for the Design Guide SPD and is appended to this report in Appendix D. The draft Design Guide provided accessibility guidance, for example signposting to Inclusive Mobility – a Guide to best Practice on Access to Pedestrian and Transport Infrastructure (DfT, 2021). Through the consultation one of the representations highlighted the difficulties that those with disabilities can face in certain environments, particularly wheelchair users. Additional information has been included on balance impairment, ramp design and advice on street furniture not causing obstructions for pedestrians. The Design Guide supports the implementation of the Local Plan and national planning policy and has been updated to include additional guidance on accessible design to ensure places are inclusive for all. The guidance will inform the design of all new development within Central Bedfordshire.

Sustainability Implications

43. The Council's Sustainability Plan recognises the importance of planning policy in promoting sustainability and ensuring resilient, sustainable communities are established across the area. It confirms that design guidance is an important tool in ensuring sustainability is fully embedded within new development.
44. The nature of the Design Guide means that it provides guidance on many different themes linked to sustainability, including for example:

    - Sustainable transport, the prioritisation of walking and cycling and the concept of the 20-minute neighbourhood.
    - The integration of green infrastructure and providing a network of habitat types to accommodate a net gain in biodiversity.
    - Retention of existing trees and new tree planting, contributing to sequestering carbon dioxide from the atmosphere, mitigating urban heat gain and capturing water to prevent surface water flooding, for example.
    - Encouraging the creation of a network of green routes that facilitate walking, cycling and horse riding, and provide health and wellbeing benefits.
    - Specific measures to reduce energy demand, such as solar orientation, energy efficient buildings, green and blue roofs etc.

45. Sustainability and climate change are key themes that have been embedded throughout the document, with references in every chapter. Chapter 12 of the Design Guide (Resources) also provides specific guidance on sustainability and climate change mitigation/adaptation, linked to the climate change policies within the adopted Local Plan.
46. The Design Guide supports the delivery of sustainable development in accordance with the Local Plan, alongside other supporting planning documents.

Conclusion and next Steps

47. The Council has prepared a revised Design Guide that sets out the key principles and standards of design expected for all new developments in Central Bedfordshire. It is an important planning policy document, as it helps to ensure development is of the highest quality. Once adopted, it will replace the existing Design Guide (adopted in 2014) and will be a material consideration in the determination of planning applications.

Applicants will be required to demonstrate that they have taken the Design Guide into consideration. It will also provide a formal document for reference in committee reports and appeal statements.

48. The Design Guide has been updated to reflect changes to national planning policy as well as the new policies contained within the adopted Local Plan (2021). It also reflects the Council's 2050 Vision, Strategic Priorities and the Sustainability Plan.
49. The draft Design Guide was published for public consultation for an 8 week period between 17 January and 16 March 2023. Consideration has been given to the 210 representations that were formally received during the consultation period as well as the comments made by SCOSC and the Members and Town and Parish Council representatives present at the engagement sessions. Changes have been made to the Design Guide where appropriate and are set out in Appendix B of this report.
50. Executive are asked to note the proposed updates to the Design Guide SPD in response to public consultation and approve Officers recommendation for the document to be adopted as supplementary planning guidance to support the Local Plan.
51. Following its adoption, the Design Guide will be monitored on a periodic basis to ensure it remains fit for purpose and deliverable. Any further updates to the guidance would be subject to public consultation in accordance with the Legislation.

Appendices

Appendix A: Design Guide SPD
Appendix B: Tracked changed version of the Design Guide SPD
Appendix C: Consultation Statement
Appendix D: Equalities Impact Assessment

Background Papers

None

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