

Report to: Strategic Planning Committee



Date of Meeting 30th March 2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

East Devon District Design Guide

Report summary:

The report seeks to summarise the progress that has been made on production of an East Devon Design Guide detailing why work was paused due to the emerging work of the government on addressing the same issues. A number of options for progressing design coding in the district are presented informed by the emerging government guidance with Members views sought on the options presented.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

1. That Members consider the current position with the proposed East Devon Design Guide and the national design guidance and agree that work ceases on the Design Guide.
2. That Members agree that Officers focus on undertaking design coding for the main site allocations emerging from the new Local Plan noting that this would need to be done through supplementary planning documents post adoption of the Local Plan.
3. That a further report be brought to Committee in early 2022 to consider the need for and scope of design coding needed alongside the draft local plan, options for undertaking this work and the likely resource implications.

Reason for recommendation:

To ensure that an appropriate response is made to the emerging government guidance on design coding so that new developments coming forward in the district achieve a high level of design quality in-line with government guidance and the aspirations of the Council.

Officer: Ed Freeman – Service Lead – Planning Strategy and Development Management

Portfolio(s) (check which apply):

- Climate Action and Emergencies
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Culture, Tourism, Leisure and Sport
- Democracy and Transparency

- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities

Financial implications:

There are no direct financial implication from the recommendations of this report.

Legal implications:

The Local Development Scheme shall be updated at the relevant time to reflect any changes agreed by committee. Other than that comment there are no legal implications other than as set out in the report.

Equalities impact Low Impact

Climate change Medium Impact

Risk: Low Risk;

Links to background information

Link to [Council Plan](#):

Priorities (check which apply)

- Outstanding Place and Environment
- Outstanding Homes and Communities
- Outstanding Economic Growth, Productivity, and Prosperity
- Outstanding Council and Council Services

Introduction

At Strategic Planning Committee on the 26th June 2018 it was resolved to include production of an East Devon District Design Guide to the Local Development Scheme. The LDS at that time said:

“This SPD will set out the types of processes that should be followed by applicants and developers to ensure that the proposals they submit will be of a high design standard and quality. This guide should not only encourage and support applicants to incorporate high quality design in their work from the outset it should enhance and speed up officer time on reviewing design considerations in proposals.”

It was envisaged at that time that it would be completed by the end of 2019 but for a variety of reasons the work has been delayed. The Design Guide is still included on the current Local Development Scheme.

An officer project team was formed in 2019 and quickly scoped this work. It was considered that given the diversity of the built form of the district and the wide range of issues that would need to be addressed, as well as the limited available resources, that producing a detailed design code that prescribes what is considered to be good design for the whole district was unfeasible. A document that sought to provide guidance that would be relevant for all circumstances given the contrasts between the different towns and villages in terms of their history, urban form, context, materials and design features would be likely to run to hundreds of pages. It was also felt that many of the detailed design issues that are unique to specific settlements had in the past been well covered in local design guides and in many cases are covered in neighbourhood plans.

A document that sought to guide developers through an appropriate design process that would deliver good outcomes was considered to be the best way forward. The thinking was that by ensuring that designers considered all of the relevant issues and were directed to existing guidance from the Design Council and others through the document better outcomes should follow. The guide could then direct designers to consider local level guidance where that exists and consider the local circumstances to inform their work. This approach also aligned with the comments in the LDS around this being a process document rather than a “How to” guide.

A document was started on this basis with the aim of creating an East Devon specific design process and guidance document with a series of checklists to aid designers working in the district. This was to be loosely based on the Buildings for Life publications by the Design Council. By the end of 2018 such a document was beginning to take shape however the government announced that the Building Better, Building Beautiful Commission was to be established to consider how the planning system could support better design of homes and communities. Work on the project continued at a slowed pace while the commission were considering the issues because of concern about what government guidance may come out of the work of the commission and the impact it could have on the work given that any East Devon Guide would need to be in accordance with government guidance if it was to carry any weight in decision making.

The commissions initial findings were published in July 2019 and this led to the government publishing a National Design Guide in October 2019 and updating Planning Practice Guidance at the same time. The National Design Guide does much of what officers had been working on in terms of detailing a good design process. It also indicated that further guidance would be produced by government about how local authorities should produce local design guides, undertaking master planning and design coding. As a result of all of this the project was put on hold until the government position was better understood and we could ensure that our efforts were directed in the best way to respond to the forthcoming government guidance.

The Planning White Paper then outlined proposals for a more design led planning system and greater community engagement on design issues. All of this has led to the guidance and draft national design code that the government is now consulting on and is the subject of a separate report on this agenda. This indicates an approach focused around design coding for specific sites and areas is favoured albeit a district code is still a possibility.

Current Position

It is considered that it is now appropriate to review how design guides and design coding is taken forward in the district. There are considered to be a number of key options to be considered. These are:

1. District Design Guide and Checklists

It is considered that there is an option to still pursue the originally proposed design guide and checklist. Although it would largely duplicate the national design guide and other design guidance it could provide a more local interpretation and more detailed checklists. Although quite a lot of work was done on the design guide there is still much to do to develop this into a supplementary planning document including refining and finalising the document and then undertaking consultation. It is considered that in light of the government guidance now in place there is little benefit in completing this work and given that the planning policy teams resources are now dedicated to production of the Local Plan completing this work would only delay plan production.

2. District Design Codes

Detailed design coding for the whole district could be pursued but as mentioned above is likely to lead to a very detailed document given the diversity of the built form in the district and the likely scope of this work. It is considered that it would be impossible to consider every eventuality and design codes that become very large and detailed documents are generally not well used or liked by the development industry. There is also a danger that such a document becomes very prescriptive reinforcing traditional design principles and stifling innovation. It is considered that we do not have the resources or the expertise in house to undertake this work and it would have to be sent out to external consultants and could easily lead to a 6 figure cost.

3. Site Specific Design Codes

Government guidance has rightly put a greater emphasis on design codes and experience shows the importance of these for large scale development sites particularly where a number of different parties are bringing forward development and a co-ordinated approach is needed. It is also important that proper public engagement is done as part of this work and that the Council leads in this work to ensure that an appropriate quality of design and layout is secured. In an ideal world this work would be done alongside local plan production so that each major site allocation is accompanied by a design code at adoption. In order for this to be feasible changes to the legislation envisaged in the Planning White Paper are needed. It is considered that to take this approach under the current plan making system would delay the plan by many months while engaging communities in design coding for proposed allocations which they may be objecting to through the plan production process is considered to be inherently problematic.

It is therefore considered that design coding should be a top priority upon adoption of the plan with these coming forward for each of the large scale site allocations as supplementary planning documents. Given the likely workload and expertise that would be needed it is considered that at least some of this work would need to be undertaken by external consultants if it is not to hold up site delivery in the early years of the new plan or be overtaken by work being produced by the site developers without them understanding the council and the communities expectations.

4. No Design Codes

There is of course an option to not undertake design coding at all and rely on the developers of specific sites to develop appropriate design codes and proposals and rely on government policies and guidance and those of the local plan to resist inappropriate development. This is not considered to be an appropriate response as it would not lead to the uplift in design quality being sought by government and considered to be desirable at local level as well. Such an approach would potentially be out of conformity with emerging legislation that is likely to follow the Planning White Paper. It does however have the least cost and resource implications.

Conclusions

Overall it is considered that the best way to deliver appropriate design coding in the district is to undertake design code exercises for each of the major site allocations coming through the Local Plan and for the Council to lead on this work and engage with the community on the codes. This can best be done through the production of SPD's once the new Local Plan has been adopted and there is clarity over the sites being allocated and hopefully greater buy in from the affected communities to enable proper engagement with this work. It is important however to note that this work could not all be done in house and would create a cost for the council. Further work would be

needed to understand the extent of design coding needed to deliver the Local Plan once a draft strategy has been developed and a draft plan produced.