BOLSOVER DISTRICT COUNCIL
LOCAL PLAN EXAMINATION
Matter 2 SOUNDNESS OF THE LOCAL PLAN

Issue 15: Is the Local Plan justified, effective and consistent with national policy in respect of design?

Rob Routledge,
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Issue 15 Is the Local Plan justified, effective and consistent with national policy in respect of design?

Q208. Is Policy SC2 consistent with national policy in respect of the requirements for sustainable design and construction?

Council Response

208.1. Policy SC2 is considered to be justified, effective and consistent with National Policy which places the issues of sustainability as the golden thread running through the NPPF.

208.2. Policy SC2 is a promotional policy that promotes higher standards than Building Regulations where not contrary to viability, so as not to overburden developers or be overly restrictive. This reflects BDC’s approach in the plan viability assessment.

208.3. Para 17, Bullet 6 identifies that planning should:

“support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy).”

208.4. Chapter 10 (Meeting the Challenge of Climate Change, Flooding and Coastal Change) focuses on the issue and impacts of climate change. Para 93 recognises that:

“Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.”

208.5. More recently, the IPCC Special Report on The Impacts of Global Warming (October 2018) has highlighted the urgency for policymakers to take action to in order curb global temperature increases to 1.5 degrees, which are expected to be reached by 2030. Temperature increases beyond this level, increase the climate related risks to both natural and human systems.

208.6. The NPPF and new NPPF (2018) state that “the purpose of the planning system is to contribute to the achievement of sustainable development”, and the Council considers that all of the criteria set out in policy SC2 guide development towards achieving this purpose.

Q209. Is Policy SC3 consistent with national policy in respect of seeking a high quality design for development proposals?
Council Response

209.1. It is considered that Policy SC3 is justified, effective and consistent with National Policy (NPPF 2012) which places high quality design at the heart of the NPPF, with a number of references to design quality and place-making within the Core Planning Principles.

209.2. The absence of a policy that addresses design would be inconsistent with these objectives of the NPPF (both 2012 and 2018 editions) and would weaken the quality of design coming forward from applicants. The inclusion of SC3 therefore ensures a more effective approach to achieving well-designed places.

209.3. Para 17, Bullet 2 identifies planning as “a creative exercise in finding ways to enhance and improve the places in which people live their lives”. This is about the designing development to overcome challenges and improve the quality of place as part of the process.

209.4. Bullet 4 goes on to state that planning should: “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”.

209.5. The NPPF (2012) also goes on to include an entire chapter dedicated to delivering good design (Chapter 7: Requiring Good Design) and Paragraph 56 starts the Chapter by stating that:

“The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development is indivisible from good planning, and should contribute positively to making places better for people”.

209.6. The inclusion of Policy SC3 is justified on the basis that the NPPF recognises the importance of good design as a key component of sustainable development. It is therefore appropriate for the Plan to include a policy that addresses design matters within the context of Bolsover District.

209.7. The Policy includes criteria relating to:
   a. Local distinctiveness
   b. Connectivity and context
   c. Height, scale, massing, density, layout and materials
   d. Provide a positive sense of place
   e. Deterring crime and anti-social behaviour
   f. Accessible, legible environments
   g. Incorporating natural features support biodiversity
   h. Recognising and responding to local landscape character
   i. Supporting active travel and sustainable transport
   j. Supporting health, well-being and physical activity
k. Achieving a good standard of amenity for existing and future occupiers

209.8. Policy SC3 is supported by design guidance contained within the Interim SPD Successful Places: A guide to sustainable housing Layout and design (2013), which provides detailed guidance in respect of the design process and good practice urban design principles.

209.9. Successful Places is a cross boundary document that was prepared jointly in collaboration with three other neighbouring planning authorities (Chesterfield Borough Council, North East Derbyshire District Council and Bassetlaw District Council). This provides greater consistency of approach to design across a wide geographical area and improves certainty for applicants.

209.10. The document has been recognised at a national level, being shortlisted as a finalist at both the RTPI Planning Excellence Awards (2014) and the National Urban Design Group Awards (2014) in the Design Excellence Category, as an example of good practice design guidance.

209.11. This guidance has been put into practice since December 2013 and has proved to be effective in assisting with the delivery of better quality design outcomes, both through the pre-application discussions and the application process.

209.12. The criteria covered by SC3 are consistent with the NPPF (2012) and the Policy is therefore aligned with national policy in respect of design. The policy also continues to be consistent with national policy into the future, as paragraph 28 of the new NPPF (2018) states that. "Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include…establishing design principles".

Q210 Should Policy SC3 include reference to a footnote in respect of the incorporation of opportunities for sport and physical activity? Should any requirements be set out in the policy?

Council Response

210.1 Criterion M) is written in very general terms and in a similar fashion to the other criteria in the policy. The footnote provides a helpful link to Sport England’s website where further information can be found in respect of this issue. To set out detailed policy requirements for just this issue would be out of kilter with the rest of the policy criteria.

Q211. Is Policy SC4 consistent with national policy in respect of the delivery of large developments?

Council Response
211.1 Good practice seeks considered and co-ordinated approaches to developments to ensure the proper planning of the wider area, as well as the site itself. Consideration of the functioning of the area beyond the individual site is an important factor in achieving well-planned sustainable places.

211.2 Policy SC4 is required to ensure a comprehensive approach to large sites in multiple ownership and to prevent fragmented, inward looking or disjointed approaches to their development. This can also result in the sterilisation of adjoining land preventing its future development.

211.3 Paragraph 58 of the 2012 NPPF states that:

“Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics. Planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place...;
- are visually attractive as a result of good architecture and appropriate landscaping”

211.4 Permitting developments that do not consider the ‘bigger picture’ would clearly not be in accordance with national policy; leading to lower quality developments that do not have a strong sense of place and potentially being less visually attractive due to being comprised of uncoordinated piecemeal developments. It is also likely that such developments would not function well if their integration and cumulative implications are not considered comprehensively.

211.5 Paragraph 17 of the NPPF says that planning should “be genuinely plan led” and “be a creative exercise in finding ways to enhance and improve the places in which people live their lives”. It goes on to state that planning should “actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable”.

211.6 Policy SC4 is therefore considered to be consistent with these objectives and is in the interests of the best planning of an area, supporting the Council’s ability to ensure development can be properly co-ordinated across large sites or areas in multiple ownership. The policy is therefore consistent with national policy in respect of the delivery of large developments.