



REPORT of CHIEF EXECUTIVE

to
PLANNING AND LICENSING COMMITTEE
14 SEPTEMBER 2017

MALDON DISTRICT DESIGN GUIDE - REPORT ON PUBLIC CONSULTATION AND PROPOSED AMENDMENTS FOLLOWING PUBLIC CONSULTATION

1. PURPOSE OF THE REPORT

- 1.1 To present the findings of the comments received through the public consultation.
- 1.2 To outline the proposed amendments and additions to the draft Maldon District Design Guide following public consultation.
- 1.3 To enable preparation of a final document for endorsement by the Committee and subsequent adoption as a Supplementary Planning Document

2. RECOMMENDATIONS

- (i) that the proposed amendments to the draft Maldon District Design Guide following public consultation (**APPENDIX 1**), be approved;
- (ii) To seek the Committee's approval to prepare the final document with a recommendation for adoption as a Supplementary Planning Document by the Council.

3. SUMMARY OF KEY ISSUES

- 3.1 This Committee approved the draft Maldon District Design Guide (**APPENDIX 1**) for public consultation as set out in a report to Committee on 2 March 2017 (Minute No. 1053 refers). A Maldon District Design Guide ('the Guide') is required under Policy D1 Design Quality and Built Environment, Local Development Plan (LDP). Policy D1 sets out ten criteria that all development should have regard to and are reflective of the unique character and distinguishing features of the District. Policy D1 LDP states that: *In addition, all developments must demonstrate that they are in general conformity with the design principles set out in the emerging 'Maldon District Design Guide SPD' and any other relevant local development documents, neighbourhood plans or village design statements (VDSs) adopted or endorsed by the Council.*
- 3.2 The LDP was approved by the Secretary of State on 21 July 2017. Policy D1 Design and the Built Environment, LDP is a key policy to deliver the desired design quality

throughout the District. The Maldon District Design Guide will supplement Policy D1 and is intended to be a Supplementary Planning Document (SPD).

- 3.3 In order to be adopted as SPD, the necessary public consultation took place over 6 weeks between 22 May and 30 June 2017. The consultation material included the Guide and the four Technical Documents: *Planning and Noise*; *Assessing Air Quality and Emissions Impacts from Development*; *Designing for Older Persons' Housing and Landscape and Green Infrastructure (including Open Space, Sport and Play Facilities, Biodiversity and Trees)*. The consultation material was available online with its own dedicated URL and hard copies were available at a static exhibition permanently on display in the Council offices for the duration of the public consultation with the opportunity for the public to speak to relevant officers.
- 3.4 Twenty responses were received to the public consultation and the respondents are detailed in **APPENDIX 2**.
- 3.5 All of the salient points from the consultation responses have been logged and considered against the LDP Policies, the National Planning Policy Framework (NPPF) and other statutory authorities and organisations' documentation. The responses, policy response and proposed amendments are set out in a table format in **APPENDIX 3**. The proposed amendments to the Guide and/or the Technical Documents are based on the public consultation responses taken from **APPENDIX 3** and set out in paragraph 3.8 of the report.
- 3.6 In May 2017 the Urban Design Officer reviewed a strategic site that is nearing completion with a view to testing the Guide during the consultation period. The site was also considered against the effectiveness of the Strategic Design Codes and Design Guidance for the Garden Suburbs. The site and number of dwellings delivered is comparable with residential land parcels in the garden suburbs that may come forward via Reserved Matters applications which will have regard to the Guide. Lessons have been learned from the exercise and consequently, additions are proposed to the Guide to ensure that all design considerations are considered at the earliest design stages. Additions to the Guide are proposed in paragraph 3.9 of the report.
- 3.7 Since the Technical Documents to the Guide were prepared it is apparent from reviewing the strategic site and considering pre-application discussion for Reserved Matters applications on major sites (over ten dwellings), that a further technical document is required to support 'C09 Waste Management and Utilities' in the Guide. The Council's Waste Management Team have commenced drafting a document to include waste management in residential and commercial contexts; access arrangements for collection operatives and vehicles and the dimensions of collection vehicles and waste containers. The technical document will inform development proposals at the earliest stage when waste management needs to be considered from the design stage to occupation. The technical document will be titled 'Planning and Waste Management' and will be prepared in-house.

3.8 Amendments to the Guide

3.8.1 The Amendments proposed are set out in the following table and are taken directly from **APPENDIX 3** in the column titled ‘Amendments to the draft Maldon District Design Guide (MDDG)’:

Paragraph in MDDG	Chapter	Proposed Amendment
Page 2	Foreword	Include Foreword
A01	The Opportunity	Set out Policy D1, LDP.
A04	Key Design Objectives	Add to ‘Character’ box to read: Enhance identity and sense of place. All design proposals should be informed by a thorough contextual analysis of the built, natural and historic environment and respond to the scale height, density, urban grain, settlement pattern and layout, massing, type, materials, vernacular styles of construction and landscape details of the surrounding area.
A06	Who to talk to	Add Essex County Council as LLFA (Lead Flood Authority) and SuDs Authority to ‘initial advice’ box Add Sport England Authority to ‘initial advice’ box
B02 (p.10)	Helpful Documents	Add Sport England and Public Health England’s Active Design Guidance 2015 to Interactive page. Add Historic England ‘Streets for All’ to Interactive page.
B02 (p. 11)	Helpful Documents	Add new paragraph to read: Within areas subject of a Strategic Masterplan Framework and/or Strategic Design Code, these documents should form the basis of the design approach. In circumstances where the Maldon District Design Guide is not consistent with these documents, the principles established in the Strategic Masterplan Frameworks or Strategic Design Codes should be considered in the first instance.
B03	Landscape Settlement and Character	Add paragraph 2.7.7 on page 7: ‘Several documents are being prepared to provide up to date guidance relating to Green Infrastructure and Landscape. This includes a new Maldon Green Infrastructure Strategy and several area-specific masterplans and design codes where green infrastructure and landscape are central strands. For further details see www.maldon.gov.uk

Paragraph in MDDG	Chapter	Proposed Amendment
B04	Locational Characteristics	<p>Amend 'English Heritage' to Historic England.</p> <p>Add 'Further Guidance' box and add Historic England Guidance Documents: Good Practice Advice in Planning 3 – The setting of Heritage Assets; Understanding Place – Historic Areas Assessments.</p> <p>Add VDS and NPs to map on page 15</p>
B04 03	Riverside and Maritime Settlements	<p>Expand final sentence in first paragraph to read: These settlements have developed either as ports, recreation areas or from plot lands, when large areas of farmland were split up into plots for cheap building land. The settlements have a less defined urban character but are closely linked to the open nature of the surrounding landscapes and where the plot lands form the basis of the settlement seen today especially at St Lawrence, Mayland and North Farnbridge.</p>
B05	Site Appraisal	<p>Add to Bullet Point 4 to read: The contribution made by trees or other planting, landscape and biodiversity features within or adjoining the site.</p> <p>Add Bullet Point to read: Consideration of promoting healthy lifestyles in linking to destinations outside of the development by walking and cycling and the types of activities in green corridors and multifunctional open spaces within the development.</p>
B06	Site and setting summary	<p>Add to Bullet Point 3, second box: 'Areas, buildings and/or structures of historic significance and importance including man-made landmarks and below ground archaeology.'</p>
C02	Using the Sites Features	<p>Change Townscape Checklist Bullet Point 6 to read: The current routes including vehicle highway, cycle and footpath network, Public Rights of Way (PRoW) and Bridleways.</p> <p>Add to end of Bullet Point 6: 'to promote physical activity'.</p> <p>Add to 'Further Guidance' box: ECC Sustainable Urban Drainage Systems Design Guide 2016</p>

Paragraph in MDDG	Chapter	Proposed Amendment
C03	Creating a network of streets, footpaths, cycleways and access arrangements	<p>Add to first paragraph after ‘social interaction’ insert: ‘and to encourage healthy living’.</p> <p>Take out reference in Bullet Point 9 ‘including’ to read: Where appropriate, to consider access to PRow, Bridleways and potential for multi-user tracks and links.</p> <p>Add to ‘Further Guidance’ box: ECC Developers Guide Sport England and Public Health England Active Design Guidance 2015</p>
C05	Streets where everyone can rest, gather and meet	<p>Add to Bullet Point 1: ‘and supporting facilities for physical activity including seating and cycle parking.’</p> <p>Add Sport England ‘Active Design Guidance 2015’ in ‘Further Guidance’ Box</p>
C06	Open Spaces	<p>Add to first sentence of text at end: biodiversity and habitat.</p> <p>Change Bullet Point 3 to read: Links with existing spaces to form green routes and networks accessible for all users.</p> <p>Add to start of Bullet Point 6 to read: [Make sure that open space] Within the development, is appropriately defined and enclosed by buildings with windows on the ground floor from habitable rooms overlooking it where appropriate.</p> <p>Add Sport England ‘Active Design Guidance 2015’ in ‘Further Guidance’ Box</p>
C07	Residential Outdoor Amenity	<p>Bullet Point 6: Add reference to Essex Design Guide to read: Where new development backs on to the rear gardens of existing housing, the distances between buildings are as set out in the Essex Design Guide to a minimum of 25 metres.</p>
C10	Car Parking	<p>Revised wording for Bullet Point 7: Parking in front of dwellings is minimised in existing garden areas so as not to use up the front garden and avoids extensive areas of hard standing and car dominated frontage.</p>

Paragraph in MDDG	Chapter	Proposed Amendment
C11	Cycle Parking	Add to first sentence to read: "For cycling to become an alternative to the car, bicycles must be readily accessible with secure parking at home and outdoors. Support facilities for cycle parking are equally important in open space and at community facilities and other service areas in the development."
C12	Layout and Plot Size	In the opening first paragraph of text add at end of third sentence: 'and in the Garden Suburbs'.
C21	Future Proofing	<p>Change wording: Bullet Point 6: Shading is 'considered' (replaces 'provided'). Bullet Point 7: 'The use of green roof <u>systems or green walls</u> is considered...'</p> <p>Add new Bullet Point: Use of tree planting or changes to land management to provide shading or cooling.</p> <p>Add new Bullet Point: Consider bat or bird roosting or nesting facilities in buildings and grounds.</p> <p>Add in 'Further Guidance' box: Energy Efficiency in Historic Buildings; Green Infrastructure and Landscape Technical Document; Biodiversity by Design: A Guide to sustainable Communities TCPA 2004; TCPA/Wildlife Trusts - Planning for a Healthy Environment – Good Practice Guidance for Green Infrastructure Biodiversity, 2012.</p>
Technical Document	Planning and Noise	<p>Add reference to Essex CC's Minerals and Waste Management Plans at Para. 3.6</p> <p>Add AGP Acoustics 2015 guidance on Artificial Grass Pitches at Para 3.9.</p>
Technical Document	Assessing Air Quality and Emissions Impacts from Development	<p>Page 9, Add limit of 40µg to Checklist 2, Criteria 1 and 14.</p> <p>Page 11, Reference the updated 2017 IAQM to Classification of Impact Significance</p> <p>Page 12, second paragraph of recommendation: Remove the word 'LDP' and replace with 'All' to read: All sites will be expected to explore...etc. Remove reference to 'not an LDP site' in the 'Action' and add 'mitigations not agreed' to read: Recommend refusal if mitigations not agreed.</p>

Paragraph in MDDG	Chapter	Proposed Amendment
Technical Document	Green Infrastructure and Landscape	<p>Add paragraph 2.7.7 on page 7: ‘Several documents are being prepared to provide up to date guidance relating to Green Infrastructure and Landscape. This includes a new Maldon Green Infrastructure Strategy and several area-specific masterplans and design codes where green infrastructure and landscape are central strands. For further details see www.maldon.gov.uk</p> <p>Add substantial additional paragraphs in the ‘Biodiversity’ section to incorporate ECC comments in relation to detailed biodiversity enhancements such as wildlife features in buildings, planting and boundary features for nature conservation, lighting mitigation and management.</p> <p>Add additional paragraphs to include references to Sport England & Public Health England’s ‘Active Design’ guidance.</p>
Technical Document	Older Person’s Housing	Remove references to Life Time Homes

3.9 Additions to the Guide

- 3.9.1 The Additions to the MDDG and Technical Documents are set out in the table below following review of the strategic site and to ensure that all design elements of a proposal are considered at the design concept stage. The Additions expand on and clarify the existing detail within the draft MDDG.

Paragraph in MDDG	Chapter	Proposed Addition
C07	Residential outdoor amenity	Add additional Bullet Point to read: Boundary treatments for secure and private amenity space are considered as a design feature of the scheme and plot layout.
C08	Street Furniture, Lighting and Public Art	<p>Add to first paragraph of text to read: The design and location of street furniture, <u>lighting and public art</u> should be simple, high quality, well designed..... etc.</p> <p>Add new Bullet Point after Bullet Point 6 to read: Public lighting on streets and private lighting in shared space areas or Public Open Space is clearly defined and located at the design stage.</p>

Paragraph in MDDG	Chapter	Proposed Addition
C09	Waste Management and Utilities	Add to Bullet Point 4: Manholes Add new Bullet Point 5: Consideration is given to the installation or provision of Superfast Broadband. Add 'Further Guidance' box and add Planning and Waste Management.
C12	Layout and Plot Size	Add to Bullet Point 2 at end: 'for all modes of transport'. Add to Bullet Point 3 at end: 'and spaces between buildings'. Add new Bullet Point 8 to read: Lighting is used to create safe inviting routes and spaces but avoids over-lighting. Public lighting on streets and private lighting in shared space areas or Public Open Space is clearly defined and located at the design stage.
C20	Materials and Details	Add additional Bullet Point: Elevational materials are considered alongside hard landscape materials for shared surface streets, car parking, parking courts and public realm.
Technical Document	Green Infrastructure and Landscape	Add reference to Essex CC's and Natural England's Biodiversity considerations
Technical Document	Planning and Waste Management	New Technical Document to be prepared in-house to expand on C09 Waste Management and Utilities.

3.10 A few typos and grammatical errors have been identified in the document and these will be amended as a matter of course.

4. CONCLUSION

4.1 The Maldon District Design Guide sets out the design considerations and design quality expected in the District for all development proposals and aligns with Policy D1 LDP and supporting the LDP as a whole.

4.2 The Maldon District Design Guide is intended as a Supplementary Planning Document. Once adopted, the Guide will become a material consideration in the planning process.

5. IMPACT ON CORPORATE GOALS

5.1 Planning supports corporate goals which underpin the Council's vision for the District and in particular protecting and shaping the District and balancing the future needs of the community.

6. IMPLICATIONS

- (i) **Impact on Customers** – All planning applications for proposed developments will be determined in accordance with the Maldon District Design Guide ensuring delivery of high quality design throughout the District.
- (ii) **Impact on Equalities** – The Maldon District Design Guide will inform inclusive development and social cohesion through good design.
- (iii) **Impact on Risk** – The Maldon District Design Guide has been prepared in accordance with the approved Local Development Plan.
- (iv) **Impact on Resources (financial)** – The preparation of the Maldon District Design Guide is in accordance with the costs assigned via the Project Brief approved by the Committee.
- (v) **Impact on Resources (human)** – Project Management of the Maldon District Design Guide is in-house by the Urban Design Officer.
- (vi) **Impact on the Environment** – The Maldon District Design Guide will assist the Council in promoting high quality and inclusive design and sustainable development to support new and existing communities and safeguard the character and distinctiveness of the District.

Background Papers:

Maldon District Local Development Plan, July 2017.

Report to Planning and Licensing Committee dated 2 March 2017.

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