Cotswold District Local Plan 2018 – 2031 Update

Town and Country Planning (Local Planning) Regulations 2012

Regulation 18 "Issues and Options" consultation/participation

Evidence Paper: The Design of Development

1. Introduction

1.1 The planning system manages the design of development through a framework of strategic and non-strategic policies set out in development plans. Design guides and codes are important planning tools that support both tiers of policy. They promote patterns of sustainable development by establishing design principles that directly influence and shape considerations such as the layout of development and materials used. They can also help influence an occupant's behaviour.

1.2 Mitigating and adapting to the Climate Emergency requires radical change in a short space of time and design has an important role to play. It is within this context that a revised policy approach is explored, which focuses on Policy EN2 and its accompanying Design Code contained at Appendix D of the adopted Local Plan. Where relevant the paper also references other policies areas that are affected by design.

1.3 The fundamental principles of good design are simple and long standing. Good design is: fit for purpose; durable; and brings delight [1]. It follows from this that there is a significant degree of overlap with other topic papers notably the health, climate change, transport, green infrastructure, natural capital and biodiversity papers.

2. Objectives

2.1 The adopted Local Plan makes various references to design and its importance to the natural built and historic environments (Local Plan objectives 1 and 6). Reference is also made to promoting sustainable construction methods to help mitigate and adapt to climate change.

2.2 Having regard to the policy issues it considers, this paper does not identify a deficit and/or gap in the adopted vision and objectives of the adopted Local Plan. Consequently no amendment to the vision or objectives is recommended.

3. NPPF, NPPG and other material considerations

3.1 The following provides a high level summary of the policies, guidance and best practice influencing design.

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[1] National Design Guide (page 3)
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/962113/National_design_guide.pdf

National Policy and Guidance - background

3.2   Over recent years the Government has indicated their wish to see a marked improvement in the design quality of new developments. This led to the setting up of the "Building Better, Building Beautiful Commission (BBBB)". The Commission's objective of "putting beauty at the heart of the local planning system" has led to the following publications:

- the National Design Guide (2020) and National Model Design Code (2021) are recent publications. These are useful publications and they provide advice on various aspects of design, for example architectural, urban, landscape, etc. There are notable differences between design guides and design codes - see section 4 below; and

- various changes were made to the National Planning Policy Framework (NPPF – July 2021) and the national Planning Practice Guidance (PPG) to encourage high quality design, including an increased emphasis on local planning authorities preparing design guides and codes. This includes ensuring local planning authorities engage effectively with the local community when developing design policies[2].

National Planning Policy Framework

3.3   The government introduced various amendments to the NPPF in June 2021 to aid the transition towards a new planning system[3] and to deliver on its manifesto pledge for the built environment to be 'beautiful'.

3.4   Chapter 12 sets out that achieving high quality places and buildings is fundamental to what the planning and development process should achieve. It defines what is expected for well-designed places and explains how planning policies and decisions should support this.

3.5   Local Plans are required to set out a clear design vision and expectations to aid certainty and to be developed with local communities to ensure they reflect local aspirations. Policies must be "...grounded in an understanding and evaluation of each area's defining characteristics." The NPPF now places an expectation that local planning authorities either prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design to assist the early stages of the development management (planning application) process.

3.6   The NPPF advises local planning authorities to refuse permission that is not well designed, especially where it fails to reflect local design policies and government guidance on design. Significant weight should be given to development that accords with clear expectations in plan policies and/or would deliver outstanding or innovative designs that promote high levels of sustainability.

National Design Guide (2019)

3.7   The National Design Guide outlines and illustrates the government's priorities for well-designed places in the form of ten characteristics (see figure 1). It explains that, "well-designed places have individual characteristics which work together to create its

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[2] NPPG: 002 Reference ID: 26-002-20191001 (https://www.gov.uk/guidance/design) & NPPF para 125.
[3] House of Commons research briefing on proposed changes to the planning system
https://commonslibrary.parliament.uk/research-briefings/cbp-8981/

physical **Character**. The ten characteristics help to nurture and sustain a sense of **Community** and they work to positively address environmental issues affecting **Climate**."

3.8   Local planning authorities are expected to develop an overarching design vision and objectives that can inform design policies and guidance.

National Model Design Code (2021)

3.9   The purpose of the National Model Design Code is to provide detailed guidance on the production of design codes, guides and policies to promote successful design. It expands on the ten characteristics of good design set out in the National Design Guide.

Emerging Future Homes Standards (2020) & Future Buildings Standards (2021)

3.10   In March 2021 the government published its response to its consultation[4] on the Future Homes Standard. In simple terms the new standards are:

● interim standards - 31% reduction in CO2 from 2021;
● reduce CO2 emission from new homes by at least 75% from 2025;
● no new gas central heating in new homes from 2025; and
● councils are not prevented from setting more ambitious local targets - for example the Council could require zero carbon homes rather than zero carbon ready homes.

3.11   The Future Buildings Standards focus on changes to Part L (conservation of fuel and power) and Part F (ventilation) of the Building Regulations for non-domestic buildings and dwellings; and overheating in new residential buildings[5]. Both standards seek to make new buildings "carbon zero ready". This is proposed as a minimum standard and it does not prevent local authorities from requiring energy efficiency standards above Building Regulations.

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[4] INSERT LINK TO GOVERNMENT'S RESPONSE
[5] https://www.gov.uk/government/consultations/the-future-buildings-standard

3.12   Other guidance and practical advice notes, listed below, are also relevant to the design process. There are likely to be others also - please feel free as part of your response to bring relevant guidance notes and papers to our attention.

- Cotswold District Council's Net Zero Carbon Toolkit [6];
- Manual for Gloucestershire Streets[7];
- Principles of Nature Recovery Networks across the South West [8];
- Living with Beauty[9];
- Driving sustainability in new home: a resource for local authorities [10];
- The New Homes Policy Playbook[11];
- UK Heat and Buildings Strategy[12];
- Building for a Healthy Life[13].

4.   Background evidence and Sustainability Appraisal – setting out the issues.

4.1   The Cotswold Design Code provides information and advice on how to achieve good design in the Cotswolds especially in terms of architectural styles and Green Infrastructure. Since its adoption in Aug 2018 the Code has been used to good effect in the Development Management process and it continues to provide a firm basis within which to determine planning applications.

4.2   The SA scoping document and Local Plan review has nevertheless identified the need to update the Council's Design policy and code. The government sets out a range of plan making responses that local planning authorities can use when influencing the design of development and can be largely described as:

- **Local Plan**: Sets the overarching planning framework and vision - e.g. deliver carbon zero development;

- **Local Design Guide**: sets out the general design principles and standards that development proposals should follow in the area building on policies in the development plan. Sets expectations and requirements.

- **Design Codes:** Design codes are a set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area. Design codes can be applied to all development types.

4.3   When considering possible issues it is useful to start at the beginning and reflect on what the adopted Cotswold Design Code is looking to achieve. Its aim, *"is to ensure the highest standards of new development, respecting the distinctive qualities of the District for the benefit of current and future generations."* Clearly this remains consistent with national policy and with the Council's corporate aims. However and in general terms, the Local Plan Review raised concerns that design policies aren't proactively responding to known issues in

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[6] https://www.cotswold.gov.uk/media/05couqdd/netzero-carbon-toolkit.pdf
[7] https://www.gloucestershire.gov.uk/highways/plans-policies-procedures-manuals/manual-for-gloucestershire-streets/
[8] https://www.gloucestershirenature.org.uk/nature-recovery-network
[9] https://www.gov.uk/guidance/design
[10] https://www.ukgbc.org/wp-content/uploads/2018/07/Driving-sustainability-in-new-homes-UKGBC-resource-July-2018-v4.pdf
[11] https://www.ukgbc.org/wp-content/uploads/2021/01/New-Homes-Policy-Playbook-January-2021.pdf
[12] https://www.gov.uk/government/publications/heat-and-buildings-strategy
[13] https://www.creatingexcellence.net/wp-content/uploads/2020/07/Building-for-a-Healthy-Life-July-2020.pdf

a timely manner or sufficiently emphasising the role of the design code in place shaping and tackling climate change.

4.4   The following provides a summary of the issues:

A. The Climate Emergency:

a.   Mitigation - Design and planning measures should contribute to slowing, peaking and then reversing the emission of 'greenhouse gases' to the atmosphere, in order to minimise further climate destabilisation.

b.   Adaptation: This will be required regardless of mitigation measures designed to decarbonise the world. This is because past emissions will continue to destabilise the climate for many years to come. Design and planning measures should be assisting residents and businesses to prepare for climate destabilisation - for example: heat, drought, flooding, and building heave/subsidence. Measures will need to be taken to adapt to, and mitigate the risks of, these impacts.

B. The Ecological Emergency and the importance of **Green Infrastructure** to deliver biodiversity net gain and support healthy lifestyles.

C. Updated national planning policy and guidance which is emphasising the importance of delivering beauty through the local planning system;

D. The local economy. Design will play an important role in shaping public spaces and supporting the well established transition away from retail dominated High Streets. The effect that the Covid19 pandemic is having on traditional patterns of work is another consideration especially where buildings are converted to other uses;

E. Accessible Neighbourhoods. Promoting and facilitating walkable neighbourhoods to support health lifestyles, climate change mitigation, improved traffic safety, access to services and facilities, etc.

F. Healthier Homes. The Council has committed to promoting healthier homes and neighbourhoods in its corporate strategy. The Town and Country Planning Association's Health Homes Act campaign [14] offers useful insight and overarching principles that could be incorporated in the Local Plan partial update.

5.   Current Local Plan Policy

5.1   Policy EN2: Design of the Built and Natural Environment links with Local Plan Appendix D - The Cotswold Design Code.

5.2   The Code articulates the Cotswold vernacular and helps to ensure that the local context is fully considered when determining planning applications. It applies to all aspects of design - including architectural, landscape, ecological, urban and sustainable design - within developments of every scale. In simple terms it adds the local flavour to higher order government policy and guidance.

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[14] https://www.tcpa.org.uk/Handlers/Download.ashx?IDMF=3ecf26b8-a418-4bae-83d2-3ec1b624d3e6

5.3   The inclusion of the Design Code in the Local Plan ensures the Design Code has the full force of policy in the planning decision process - in legal terms it is the starting point for determining planning applications. The Design Code was recently commended as an example of best practice in the Living with Beauty report of the Building Better, Building Beautiful Commission but improvements can still be made.

"We note the existence of contrasting local codes, and notably of the excellent Cotswold Design Guide, the purpose of which is to encourage sympathetic housing in one of the most aesthetically sensitive areas of the country."[15]

6.   Potential Policy Responses

6.1   The Cotswold Design Code has been in place for over 20 years and has periodically been updated to take account of new issues and changing standards. The context has again shifted and changes are required once more. In design terms, engaging meaningfully with the Climate Emergency and the recent global pandemic broadly means:

- reducing the energy consumption and completely removing carbon emissions in new buildings and supporting residents to retrofit their traditionally built Cotswold homes to achieve similar standards whilst respecting local character and heritage;

- creating space for people to walk and cycle more, potentially by reducing space currently devoted to vehicles; and

- protecting our air, water, landscape and descendents from the impacts of pollution and climate change we will need to explore clean methods of energy generation, such as wind turbines and solar panels.

6.2   Some of the changes are relatively simple; a change of emphasis in the wording from "support" to "must"; other changes may require a new approach such as introducing new local building standards and / or ensuring adherence with the National Design Guide. To aid consistency the Code would also benefit from being formatted based on the ten characteristics of good places as set out in the National Design Guide. Where possible the Code should become a more visual tool.

6.3   The changing or raising of standards will be keenly examined by various stakeholders and any changes will need to be fully justified. Economic viability cannot be ignored but neither can adapting to or mitigating the impacts of climate change. Expert advice will be sought to examine the scale of change required and to better understand the ability of developers to deliver zero carbon development within the next decade. Encouragingly, the House Builders Federation recognise the importance of improved energy performance of buildings and the need to transition to building zero carbon homes.

Policy Options

6.4   **Present a new strategic policy** titled "Sustainable Development Standards / Goals" or "Climate Change Adaptation and Mitigation" that draws various interconnected themes and

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[15]

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/861832/Living_with_beauty_BBBBC_report.pdf

threads together at high level. In many respects good design is an expression of sustainable development and therefore the policy could incorporate the United Nations' 17 Sustainable Development Goals[16]. The purpose of the policy would be to emphasise:

A. the interconnectedness and interdependence of these issues; and

B. that the themes/goals are equally important and relevant in a modern development context and that all proposals must fully comply with their requirements.

6.5   The individual topic policies would remain in the Local Plan but the strategic policy would provide an overarching context. Supporting text should include commentary explaining why the Design Codes is part of the Local Plan and not a supplementary planning document and the significance of this approach.

6.6   Require all applications over a certain size to be accompanied by a **Sustainable Development Statement** that shows how the early stages of the design process has incorporated sustainability development principles. A supporting checklist would point applicants to standards contained within the local plan and other regulations/law and in effect would support adherence with the proposed new Sustainable Development Standards policy advocated on the previous page. West Oxfordshire District Council provides a local example of how this might work[17].

6.7   **Richer detail for new site allocations ('S' Policies).** New site allocations would benefit from greater detail on the design influences, access arrangements and necessary infrastructure within the policy to provide more clarity and expectation to the development management process.

6.8   **Introduce a new building standards policy** that requires new buildings to be low carbon or zero carbon. To be truly zero carbon the standard would need to focus on the building fabric, its lifetime use and its role within the wider site and settlement. The Council will need to investigate the cost of such an approach and the impact it will have on development viability and its impact on delivering other policy aspirations such as increasing the supply of affordable homes and securing planning obligations to deliver new schools and open spaces, etc.

6.9   **Partially update the Cotswold Design Code** to:

a. improve the visual quality of the guidance, without freighting the guidance with pages of information and avoiding repetition of national guidance; and

a. improve consistency with the National Design Guide's ten characteristics of good places. The approach will provide a sense of familiarity with national guidance albeit with a local flavour.

The Ten Characteristics	Issues / Matters

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[16] The United Nations' 17 Sustainable Development Goals https://sdgs.un.org/goals
[17] West Oxfordshire District Council's Sustainable Development Checklist
https://www.westoxon.gov.uk/planning-and-building/planning-permission/make-a-planning-application/sustainability-standards-checklist/

Context – enhances the surroundings.	Context is an incredibly important component of the design process and it presents the opportunity to consider 'bigger picture' considerations. For example: ● Delivering contemporary, inclusive and sustainable design that meets the challenges of the climate and ecological emergencies while reflecting the character of the Cotswolds. ● How does new development deliver modal shifts to more sustainable forms of transport? ● How do we balance the need to protect and enhance the Cotswold Area of Outstanding Natural Beauty whilst accommodating renewable energy infrastructure and proposals; ● How can heritage be incorporated into proposals so it is inclusive and accessible to all? ● How can design respond to changing demographics, such as an ageing population. ● Designing for climate resilience (e.g. designing in areas with increased flooding and droughts; coping with extreme rainfall events and increasing summer temperatures).
Identity – attractive and distinctive.	The Cotswolds has a strong international identity which is derived from a combination of natural, historic and built environment features. Challenges include: ● Meeting future needs (e.g. more housing and renewable energy installations) whilst protecting and enhancing the Cotswold landscape; and ● Delivering modern zero carbon buildings that respects, conserves and enhances the Cotswold vernacular. ● Designing buildings and landscapes to increase their biodiversity value and ensuring the delivery of biodiversity net gain.
Built form – a coherent pattern of development	The built pattern of the Cotswolds is largely rural with a dispersed number of rural market towns, villages, hamlets and farmsteads that have been built at the crossroads of ancient routes and/or natural resources. Future proposals will likely need to: ● consider patterns of development that will promote walking and cycling to local destinations and prioritise public transport routes; ● support evolving lifestyles, such as more working remotely or from home; Intergenerational living and Cohousing. ● increase the densification and use of land in the larger town centres so as to place homes and businesses as close to facilities as possible .e.g town centre redevelopment. However, not at the expense of losing valuable green spaces and eroding local character; ● help deliver better access to high quality green spaces

	and amenities that support the overall quality of the place.
Movement – accessible and easy to move around.	Owing to the rural nature of the district and lower levels of public transport provision compared to more urban locations the dominant mode of transport is often the car, this is the case for very short (less than one mile) journeys. The Transport topic paper considers these issues in more detail but in summary future development will likely need to: • reduce reliance upon the car by promoting walking and cycling to local destinations and prioritising public transport routes; • consider how changing technology will continue to affect movement? E.g. Electric vehicles (cars and e-bikes) and their charging requirements; Private hire/driverless vehicles in terms of parking provision; Car Pooling / Sharing in new housing estates and developments; • consider how to improve air quality.
Nature – enhanced and optimised.	There is considerable interrelationship and interplay between the built, natural and historic environment. Environmental elements are in some respects indivisible and collectively contribute to the Cotswold character. That said the following natural environment issues would be expected to be addressed throughout the Local Plan and the Design Guide. • guiding proposals to achieve a net gain in biodiversity; • understanding and mitigating the impact of climate change on biodiversity; • showing how natural features can contribute to high quality places and how natural features can contribute to climate change mitigation and / or adaptation. E.g Tree planting for CO2 absorption and/ or shade. • Consider incorporating Building with Nature (BwN) standard into the Cotswold design code. This is a benchmark and set of standards for the design and maintenance of green infrastructure in housing and commercial development.
Public spaces – safe, social and inclusive.	Key issues include: • designing public spaces that can mitigate the 'heat island' effect, for example by planting trees and introducing water into spaces; • accommodate different users to prioritise walking and cycling by considering segregated spaces, traffic calming measures, pedestrianised high streets,etc. • considering how public spaces meet the needs of the most vulnerable users – both young and old. The design of new and existing public spaces must build in the need to secure the personal safety of women, public spaces should ensure the needs of young women and girls are

	being met. Engagement with local communities will be important. ● returning public space to pedestrians and cyclists and away from motorised vehicles.
Uses – mixed and integrated.	Key considerations will be: ● introducing or promoting a broad mix of uses to bring vibrancy to high streets within the context of permitted development rights; ● supporting historic buildings to adapt to evolving uses, especially as changing habits and technology affects patterns of work, shopping and leisure; ● ensuring community buildings and other facilities can be shared; and ● making sure that developments are tenure neutral and do not disadvantage any group of residents.

Homes and buildings – functional, healthy and sustainable	Key considerations will be:
	● designing homes that addresses different lifestyles, abilities and stages of life, including an ageing population. This would also include designing adaptable homes that meet the future needs of residents - e.g. lifetime homes;
	● enabling a variety of different development models. e.g. community-led development, cohousing, etc.;
	● responding to an increasing need to mitigate and adapt to climate change. e.g. creating new building standards above and beyond government regulations:
	  ○ regulated components (space heating, hot water, lighting, auxiliary cooling);
	  ○ unregulated components - behavioural - cooking appliances, plug loads

Resources – efficient and resilient.	Key considerations will be: ● ensuring developments are designed so that they can mitigate and / or adapt to extreme weather events; ● supporting residents to retrofit their homes; ● providing flexible policies that support changing energy technologies, including electrical storage; ● a consideration of how design, procurement and construction can take up new opportunities and future trends to minimise the use of resources. ● a presumption against demolition when new homes are planned and ensuring embodied energy of existing development on a site are fully considered in the design of new places.
Lifespan – made to last	Key considerations will include: ● a consideration of how changing construction technologies will influence management and maintenance - building standards will be a key factor in this regard;

	how greenspaces, unadopted roads and informal spaces are maintained; including cost are not prohibitively expensive.

<mark>Opt X:</mark> Updating the Local Plan's Design Policies and Code

Policy Approach	Discussion of impacts, effectiveness etc - justification
(A) Preferred Option:	**Present a new strategic policy** that incorporates the United Nations' 17 Sustainable Development Goals[18]. The purpose of the policy would be to emphasise the interconnectedness and interdependence of these issues; and require that all proposals be fully compliant with their requirements.
(A) Preferred Option:	**Present a new Sustainable Development Checklist and Statement** that sets out the standards that applicants are expected to demonstrate their compliance with and require applicants to evidence how proposals meet the standards, respectively.
(A) Preferred Option:	**Richer detail for new site allocations ('S' Policies).** New site allocations would benefit from greater detail on the design influences, access arrangements and necessary infrastructure within the policy to provide more clarity and expectation to the development management process.
(A) Preferred Option:	**Introduce a new building standards policy** that requires new buildings to be low carbon or zero carbon, in terms of the construction and life time use.
(A) Preferred Option:	**Partially update the Cotswold Design Code** (Local Plan Appendix D) to improve the visual quality of the guidance, improve consistency with the National Design Guide's ten characteristics of good places and support corporate objectives to respond to the Climate and Ecological Emergencies and create healthy homes and places.
(B) Alternative Option:	Follow current and emerging government standards which adopt a slower and longer transition towards zero carbon development.
(C) Rejected Option:	The global significance of Climate Change means the option to "do nothing" is not a reasonable alternative.

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[18] The United Nations' 17 Sustainable Development Goals https://sdgs.un.org/goals