



# **Policy LP26 Design and Amenity Evidence Report**

**Proposed Submission  
April 2016**

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# 1 Introduction and Policy Context

## Introduction

- 1.1 A joint Local Plan for the Central Lincolnshire area is being produced which will set the framework for how development will be considered across the districts of the City of Lincoln, North Kesteven and West Lindsey to 2036.
- 1.2 This Evidence Report (which is one of a collection) provides background information and justification for policy LP26 which relates to design and amenity principles.

## National policy

- 1.3 The National Planning Policy Framework (NPPF) was published in March 2012 and the National Planning Practice Guidance (NPPG) was introduced in 2014 which offers 'live' government guidance.
- 1.4 One of the core planning principles (para 17) is that planning should "*always seek to secure high quality design and a good standard of amenity for all existing and future occupant of land and buildings*".
- 1.5 Furthermore section 7 of the NPPF concerns "Requiring good design" and there is a separate section on "Plan-making". The following paragraphs are particularly relevant:
  - Paragraph 58- Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. ... Planning policies and decisions should aim to ensure that developments... establish a strong sense of place... optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses... respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation,... create safe and accessible environments... and are visually attractive as a result of good architecture and appropriate landscaping.
  - Paragraph 60- Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.
  - Paragraph 61- Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies ... should address the connections between people and places and the integration of new development into the natural, built and historic environment.
  - Paragraph 64- Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 1.6 The above NPPF policy has been taken into account in preparing the Local Plan as a whole, and policy LP26 in particular.
- 1.7 The NPPG also includes guidance on design. Specifically, paragraph 001 highlights that "achieving good design is about creating places, buildings, or spaces that work well for

everyone, look good, last well, and will adapt to the needs of future generations” (reference ID 26-001-20140306). Paragraph 002 goes on to outline that good design can ensure that development delivers a wide range of planning objectives; enhances the quality buildings and spaces by considering, amongst other things, form and function; and address the need for different uses sympathetically.

## 2 Central Lincolnshire Context in Relation to Policy LP26

- 2.1 Securing good design in all development is essential to preserving and enhancing the quality and appeal of the Central Lincolnshire built environment.
- 2.2 The specific challenge facing the Central Lincolnshire authorities is the need to protect the intrinsic qualities of the landscape and built environment whilst delivering the housing, employment growth, and infrastructure necessary to meet local needs, deliver economic growth, and to make existing communities more sustainable.
- 2.3 The Central Lincolnshire Authorities will respond to this challenge through the development management system, by using the principal design and amenity considerations set out in policy LP26, which seek to ensure that the impact of development upon the landscape, as well as neighbouring occupants and users will not be adverse. Other Local Plan policies will also protect the intrinsic qualities of the landscape, such as policy LP25 The Historic Environment and LP27 Main Town Centre Uses - Frontages and Advertisements. Pre-application discussions, and the use of planning conditions and obligations where appropriate will support this approach.

## 3 Local Plan Policy: Preliminary Draft

- 3.1 The Preliminary Draft version of the Local Plan (published for consultation in October – November 2014) included policy LP21 ‘Design Principles’.
- 3.2 The majority of comments received in response to this policy at preliminary draft consultation stage were in support of the policy. The main issues raised during the consultation are outlined below (please note: all references to policies are as per the Preliminary Draft numbering).
- 3.3 In relation to specific criteria:
  - Criteria ‘f’, propose appropriate materials rather than high quality as the test of suitability.
  - Criteria ‘k’ could be amalgamated into shadowing and loss of light rather than specific sunlight/daylight which could lead to the imposition of complicated tests.
  - Criteria ‘m’ should be amended to include air quality: new agricultural development such as intensive poultry farming may pose a risk to air quality.
  - Criteria ‘o’ relates to measures to reduce traffic speed and volume: this is not a design or amenity issue and should not be included in this policy.
  - Criteria ‘p’ talks about pedestrian / cycle routes alongside the fear of crime - seems to unnecessarily link the two.

Other comments included:

- High quality and sustainable design needs more clarification / definition as the thrust of this policy.
- LP26 (Sustainable Urban Extensions) gives more detail on design requirements which should be consistent throughout the plan.

- The amenity section should be a separate policy – amenity impacts are not simply a sub-set of design.
- Policy needs to be aligned with LP16 (Climate Change and Low Carbon Living) to encourage sustainable buildings that may adopt a radical design to minimise climate change.
- Should make reference to the requirement to fully address flood risk.
- Welcome the requirement for proposals to incorporate natural and historic features such as hedgerows, trees and ponds. However, recommend that there is specific reference to the need for developments to enhance biodiversity and seek to produce a net gain in biodiversity.

## 4 Local Plan Policy: Further Draft

- 4.1 The policy in the Further Draft version of the Local Plan was amended from the original in response to comments received during the consultation on the Preliminary Draft Local Plan.
- 4.2 The various comments relating to the specific criteria were noted, and the criteria were amended or deleted as appropriate. High quality and sustainable design was defined in the introductory text to provide clarity.
- 4.3 Given the interrelationship between design and amenity, the amenity considerations were retained in the policy, though the policy title was revised to better reflect the scope of the policy, and a clear distinction between the design and amenity criteria was made.
- 4.4 The design and amenity considerations which were featured in the Sustainable Urban Extension (SUE) policy but are relevant to all development were moved from the SUE policy to the Design and Amenity policy.
- 4.5 In response to the comment referencing climate change and radical design, criteria 'j' was introduced which positively encourages the use of innovative design and new technologies: the policy would therefore not preclude radical design solutions aimed at addressing climate change.
- 4.6 Regarding the comments about flood risk and net biodiversity gain, it was considered that these issues are suitably addressed in other policies of the Local Plan, namely LP14 Managing Water Resources and Flood Risk and LP23 Biodiversity and Geodiversity respectively, and that it was not necessary to repeat the requirements of these policies as they would be applied as necessary to all development proposals.
- Further Draft consultation**
- 4.7 Responses to the Further Draft consultation demonstrated that the revised policy was generally supported, though there were various comments and concerns relating to the detailed wording.
- 4.8 There were diverse comments on the content of the policy, ranging from “policy is overly generic” to concern that the policy too detailed and would be hard to apply in practice, especially given that there is no indication of the number of tests a scheme has to meet to be deemed acceptable.
- 4.9 It was commented that there is a degree of conflict between competing design issues; that the amenity considerations were too stringent; and that the requirement to demonstrate that matters “have been considered” is vague and inadequate.
- 4.10 Some objected to the use of ‘where applicable’ throughout the policy, given that this is not defined and results in uncertainty.

- 4.11 It was observed that the wording “places and buildings are accessible to all” may be narrowly interpreted as physical accessibility and suggested that the policy needs to be clearer that issues such as dementia and sight impairment need to be catered for.
- 4.12 Others commented that some of the criteria should include reference to ‘enhancement’, and that the policy should include a criteria on energy and renewables.

## 5 Local Plan Policy: Proposed Submission

- 5.1 The Proposed Submission version of the policy has been amended in response to the various issues raised, and where opportunity to strengthen the policy has been identified.
- 5.2 Firstly, the introductory sentence to the design principles now states that the criteria should be applied ‘where applicable’, and that in demonstrating that a proposal meets the criteria this should be ‘to a degree proportionate to the proposal’. This clarifies that not all the criteria will be relevant to all proposals.
- 5.3 Criteria ‘a’ now requires the effective use of land, as well as the efficient use.
- 5.4 Criteria ‘i’ now refers simply to ‘local views’ rather than ‘long local views’, in recognition that a view may not necessarily be long for it to be of importance to the character and setting of a place.
- 5.5 Criteria ‘l’ now emphasises that accessibility should not be limited to physical accessibility, to avoid narrow interpretation of this requirement.
- 5.6 An additional amenity criteria has been added regarding an increase in artificial light or glare, which could also have an adverse impact on amenity.
- 5.7 Furthermore, an additional consideration has been introduced to the end of the policy in relation to ‘bad neighbour’ uses. It was felt that this point was not previously addressed in the Further Draft Local Plan: this consideration has been introduced to prevent new development adversely impacting upon the operation of existing land uses, and vice versa.

## 6 Alternative Reasonable Options

- 6.1 The following alternative options have been considered for this policy. (Option 1 is the preferred policy approach which has been included in the Proposed Submission Local Plan.)
- 6.2 **Option 2:** have specific design criteria for defined character areas. This approach has been discounted because identifying character areas and defining the specific criteria for each of these would be very resource intensive and as such have significant implications for the Local Plan timetable. Furthermore, it is not felt that this approach would derive any significant benefits over the preferred approach, as criteria ‘j’ and ‘k’ require that proposals respond to the original local architectural style and reinforce local distinctiveness. Nevertheless, there is no reason why Neighbourhood Plans could not take forward this ‘option 2’, if, locally, there was deemed to be a desire to prepare a local design and amenity related policy that reflected the distinctive characteristics of that local area.
- 6.3 **Option 3:** No policy on design and amenity considerations and rely on other Local Plan policies and national policy. This option has not been taken forward in light of the significant importance the NPPF places on ensuring good design and a good amenity.

## 7 Conclusion

- 7.1 This Evidence Report demonstrates the rationale for the proposed policy as contained in the April 2016 Proposed Submission Local Plan. We hope this helps demonstrate how we have responded to comments received during both the Preliminary and Further Draft consultations, as well as how the latest evidence and national guidance has been taken into account.