

DESIGN AND CHARACTER (LOCAL CHALLENGES)

High quality design
High quality construction and use of materials
Landscape and character
Local green spaces
Design codes
Renewable and low carbon energy production
Public realm
Shop fronts (including shutters)



*Oadby and Wigston
Borough Council
Leicestershire*

High quality design

What the government says:

- 4.1 The NPPF makes it clear that creating high quality buildings and places is fundamental to what the planning system should achieve. NPPF states that *'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'*.
- 4.2 Government sets out that all development should; function well and add to the overall quality of an area; be visually attractive as a result of good architecture, layout and landscaping; be sympathetic to local character and history; establish or maintain a strong sense of place; and, create places that are safe, inclusive, and accessible that promote health and well-being, with high standards of amenity.
- 4.3 National policy also sets out that planning 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, taking into account any local design standards or style guides in plans or supplementary planning documents'*.
- 4.4 In order to ensure that design follows certain key principles, the Government produced the National Design Guide. According to Government, the guide illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. The guide sets out 10 key principles that should help shape places and support the inclusion of high quality design in all new development. In addition, the guide sets out an overarching framework from which more locally specific design guides can be formulated, to meet the priorities of local communities.

What the Council says:

- 4.5 High quality design, and the use of high quality materials is paramount in ensuring that new development creates attractive, buildings and spaces that are sustainable, well connected, and are in character within the locale they are set. It is imperative that new development provides buildings and spaces that people enjoy now and in the future.
- 4.6 Design in planning is about making places welcoming, easy and efficient for people to use in terms of functionality, durability, and accessibility. High quality and inclusive design should reflect local character and distinctiveness and be the basis for shaping balanced, safe, healthy and integrated communities. It is important to recognise that design is not just about the visual and functional aspects of a development but also its influence on social and environmental wellbeing.
- 4.7 Any development proposal should deliver the highest possible quality of design and use of materials. The Council will seek to ensure that all new buildings and spaces are 'fit for purpose' and are appropriate for healthy living.
- 4.8 The Council will also seek to ensure that any development proposal will have a significant positive effect on the community in which it is situated.

4.9 Current planning policy relating to design, set out in the current Local Plan, is somewhat criteria based and seeks the inclusion of good design through a number of key (generic) criteria. It is expected that the Council will continue to seek high quality design through a criteria based policy (in the new Local Plan, however will also seek the production of more locally specific design guides and / or codes that supplement adopted policy.

Potential options:

- Produce a criteria based design policy within the new Local Plan that is generic in nature, however is focussed on a number of key design principles.
- Produce locally specific design principles through the production of local design guides and / or codes.

Questions:

- What is good design to you?
- Should the Council be producing a criteria based policy, and if so, what criteria / design principles should be included?
- Should the Council be producing locally specific design guides or rely on the National Design Guide?
- How can the Council ensure that high quality design reflects the character of an area and the needs of the local community?

Please explain your answer in a few words. Also if there are other options that you feel are more appropriate please explain.



High quality construction and use of materials

What the government says:

- 4.10 NPPF states the *'creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve'*.
- 4.11 Further, new development should; be *'sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change'*...and also should *'establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit'*.
- 4.12 In addition, NPPF suggests that local planning authorities should always seek to ensure that the quality of any development approved is not materially diminished between permission through to completion.

What the Council says:

- 4.13 The Council is committed in ensuring that the standards of construction and materials are of the highest quality and last the test of time. Also, the Council is committed in ensuring that all new development uses materials and construction methods that conserve and enhance the environment, landscape and character area in which the development is located.
- 4.14 Through the use of policy set out in the new Local Plan, it is expected that the Council will require all new development to be of the highest quality both in terms of construction and use of materials. To ensure that the quality of development is maintained through the planning process and construction process, it is expected that the Council will monitor and use enforcement powers where necessary to do so.
- 4.15 The Council wants the Borough area to be a shining example of how high quality design, high quality construction, and use of high quality materials can make an important positive impact on local communities, both in place making but also health and wellbeing.

Potential options:

- Require all new development to make use of the highest quality methods of construction and use the highest quality materials, and seek to refuse development proposals that do not provide this.
- Do not have a requirement for all new development to make use of the highest quality methods of construction and use the highest quality materials.

Questions:

- Which one of the above potential options do you consider to be the most appropriate?
- If you consider that the new Local Plan should require the highest levels of construction and material use, how do you consider that the Council could best require, monitor and enforce this?

Please explain your answer in a few words. Also if there are other options that you feel are more appropriate please explain.



Landscape character

What the government says:

- 4.16 NPPF suggests that planning policies should set out how the Council will seek to protect and enhance areas, such as, the natural, built and historic environment, including landscapes and green infrastructure.
- 4.17 Further, the NPPF states that *'planning policies should ensure that developments...are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)'*.
- 4.18 NPPF also suggests that planning policies should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, as well as recognising the intrinsic character and beauty of the countryside.

What the Council says:

- 4.19 It is vitally important that the Council recognises and protects the Borough's most distinctive and attractive landscapes through careful and consistent planning policies. The Borough contains ten Conservation Areas, as well as a number of nationally and locally listed buildings and important urban and rural character areas.
- 4.20 Together with the Council's Conservation Area Appraisals, the Borough Council's Landscape Character Assessment assists the Council in ensuring that development proposals in the most distinctive urban and rural character areas in the Borough are not only informed by and sympathetic to townscape and landscape character, but also, they contribute towards the regeneration, restoration, maintenance and conservation of the areas impacted.
- 4.21 The Council is committed to ensuring that the Borough areas rich, diverse and historic landscape and character are protected and enhanced so that they continue to play vital roles in both the local community and the local biodiversity. The Council's current planning policy relating to Landscape and Character, set out within the Local Plan, has been successful in managing growth within protected environments, as well as enhancing protected environments where possible to do so.
- 4.22 It is expected that the Council 'roles forward' the existing policy approach of the current Local Plan Policy 44 – Landscape and Character, into the new Local Plan, ensuring that it is up-to-date with current national planning policy and guidance.

Potential options:

- Continue with the existing policy approach set out within the current Local Plan as it has been successful in managing growth and enhancing protected or sensitive environments.



Questions:

- Should the Council 'roll forward' the current policy approach set out in Local Plan Policy 44 – Landscape and Character, ensuring that it is up to date with current national planning policy and guidance?
- Are there any other options available to the Council that would be appropriate?

Please explain your answer in a few words. Also if there are other options that you feel are more appropriate please explain.



Local Green Spaces

What the government says:

- 4.23 The Local Green Space designation is a way to provide special protection against development for green areas of particular importance to local communities. The NPPF states that *'the designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.'*
- 4.24 Further, the NPPF sets out tests that should be applied when land is being considered for Local Green Space designation.
- 4.25 Government is clear that Local Green Space designations should not be used in a way that undermines the aim of plan making and sustainable growth and should only be used to protect areas of green open land that are special to local communities.

What the Council says:

- 4.26 The Council is committed in protecting and enhancing areas of green open space that are important and / or special to the local communities that live within the Borough area.
- 4.27 Through the previous Local Plan process the Council undertook a call for sites process in relation to Local Green Space designation. A number of sites were put forward for assessment, with the majority of the sites submitted being designated and illustrated on the Adopted Policies Map.
- 4.28 It is expected that all of the sites currently designated as areas of Local Green Space will continue their designation, however a review assessment will take place to ensure that each of the sites continue to function as Local Green Spaces and meet the criteria set out in national planning policy.
- 4.29 In addition, it is expected that the Council 'roles forward' the existing policy approach of the Local Plan Policy 45 – Local Green Space, into the new Local Plan. The current policy approach has proven successful in managing the Local Green Space designations.

Potential options:

- Continue with the existing policy approach set out within the current Local Plan as it has been successful in managing the Local Green Space Designations.
- Remove certain areas designated as Local Green Spaces should evidence dictate a need to do so.
- Designate new areas of Local Green Spaces should evidence dictate a need to do so.

Questions:

- Should the Council 'roll forward' the current policy approach set out in Local Plan Policy 44 – Landscape and Character, ensuring that it is up to date with current national planning policy and guidance?
- Do any of the currently designated sites need removing from the Local Green Space designation?

- Are there any new areas that should be considered for Local Green Space designation?

Please explain your answer in a few words. Also if there are other options that you feel are more appropriate please explain.



Design codes

What the government says:

- 4.30 NPPF suggests that all new development should follow the design principles set out in the National Design Guide and the National Model Design Code. Government suggests that a *'design code is a set of simple, concise, illustrated design requirements that are visual and numerical wherever possible to provide specific, detailed parameters for the physical development of a site or area'*. It goes on to suggest that the National Model Design Code is *'a toolkit to guide local planning authorities on the design parameters and issues that need to be considered and tailored to their own context when producing design codes and guides, as well as methods to capture and reflect the views of the local community from the outset, and at each stage in the process'*.
- 4.31 NPPF also suggests that local planning authorities should be producing area-based character assessments, design guides and codes and masterplans, to ensure that land is used efficiently while also creating beautiful and sustainable places.
- 4.32 Further, NPPF states that *'to provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences'*.

What the Council says:

- 4.33 The Council is committed to ensuring that high quality design is the 'norm' rather than the exception.
- 4.34 Historically, it has been challenging for local planning authorities to refuse poor design, as at a national level, there hasn't necessarily been the policy backing. However, with the Government's recent publications and strengthened policy position in relation to high quality design and the use of design coding, it is expected that poor design will be phased out of development proposals going forward.
- 4.35 In line with Government planning policy and guidance, the Council will produce local design codes for the Borough area. Currently there are no details in terms of how many design codes there will be, what parts of the Borough area the design codes will relate to, or what level of detail the design codes will hold; however, the Council will ensure that any design codes produced will be in conformity with the National Model Design Code and will be useful, relevant and innovative.
- 4.36 It is expected that the new Local Plan will contain a policy relating to local design codes, however will leave the detail to the local design codes themselves.

Potential options:

- Produce a smaller number of more generic local design codes that cover larger areas of the Borough area.
- Produce a larger number of local design codes that are less generic and cover smaller more bespoke areas of the Borough, so that individual character areas are taken account of.
- Keep any local design codes produced, quite high level, illustrative and less prescriptive, rather than having local design codes that are more detailed and prescriptive.



Questions:

- Which of the above potential options relating to local design codes do you consider to be the most appropriate for the Borough area?
- Which areas / parts of the Borough do you consider would benefit from the production of local design codes?

Please explain your answer in a few words. Also if there are other options that you feel are more appropriate please explain.



Renewable and low carbon energy production

What the government says:

- 4.37 The NPPF states that the planning system should support the transition to a low carbon future, which will help combat climate change. It goes on to suggest that the planning system should support the provision of renewable and low carbon energy technologies.
- 4.38 The NPPF defines renewable and low carbon energy as *‘energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass and deep geothermal heat. Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels)’*.
- 4.39 The NPPF also states that in order *‘to help increase the use and supply of renewable and low carbon energy and heat, plans should: a) provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts); b) consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and c) identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers’*.

What the Council says:

- 4.40 The Council, together with all public and private sector agencies, has a responsibility to plan for and implement a positive strategic approach that will:
- Ensure new developments adapt to, and mitigate for, the potential impact of climate change upon the natural and built environment;
 - Increase the energy efficiency of all new developments and major refurbishment, by respecting nationally prescribed sustainable standards, thus reducing carbon emissions; and,
 - Proactively seek to utilise more renewable and low carbon energy solutions within the Borough.
- 4.41 When it comes to tackling climate change and supporting the delivery of renewable and low carbon energy infrastructure, the Council wants to be proactive. With this in mind, the Council would expect all new development proposals to factor renewable and low carbon energy infrastructure into its design and build. For example, decentralised renewable or low carbon energy supply systems, or individual plot / site energy production utilising wind, sun and water energy.

Potential options:

- Require all new buildings to have at least one renewable and low carbon energy producer built into its design and build.
- Require all new developments to have decentralised renewable or low carbon energy supply systems built into its design and build.
- Not require any further elements of sustainability to that expected through the building control process.



Questions:

- Which of the above potential options do you consider to be the most appropriate?
- Are there any elements of renewable and low carbon energy infrastructure that have not been mentioned, however should be a fundamental part of new development design and build?

Please explain your answer in a few words. Also if there are other options that you feel are more appropriate please explain.



Public realm

What the government says:

- 4.42 The NPPF makes it clear that creating high quality places is fundamental to what the planning system should achieve. NPPF states that *'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'*.
- 4.43 Government sets out that all development should; function well and add to the overall quality of an area; be visually attractive as a result of good architecture, layout and landscaping; be sympathetic to local character and history; establish or maintain a strong sense of place; and, create places that are safe, inclusive, and accessible that promote health and well-being, with high standards of amenity.
- 4.44 NPPF suggests that all new development should follow the design principles set out in the National Design Guide and the National Model Design Code. Both the guide and the code, focus on public spaces and public realm and suggest that public spaces should be generous, well designed and contribute positively to the local context.

What the Council says:

- 4.45 Public realm is the public spaces between buildings and structures that are of the built and / or natural environment, that are open and freely accessed by the public. Public realm also provides the context and setting for existing and new development. It includes hard and soft surfacing materials, street furniture (including lighting, benches, litter bins), traffic and pedestrian signage, way finding and control, trees, and landscaping.
- 4.46 Any public realm scheme proposed within the Borough area must ensure that it is designed and developed to the highest standards. All schemes must improve the attractiveness of the streets and make the areas more desirable places to visit, to shop, work and live.
- 4.47 The use of high quality materials presents an attractive and welcoming environment, and they also ensure longevity against deterioration. The Council is committed in ensuring that all development proposals that have an impact on public realm, display the highest levels of design and material use, and not only maintain a sense of place and character, but improve it.
- 4.48 The Council is also committed in ensuring that the pedestrian is prioritised over any other form of movement or transport within a public realm setting. In March 2021, the Council published its latest supplementary planning document relating to all things public realm within the Borough. The document sets out the Council's proactive attitude towards improving public realm and public spaces in the Borough area.
- 4.49 The document suggests that with the Borough being diverse in so many ways, a single Borough-wide approach to Public Realm would be inappropriate and too generic. Standard public realm design principles and use of materials for the entire Borough would stifle the rich diversity and heritage, restrict unique identity and curb innovative design. The document therefore focuses on a number of topic areas and has best practice design principles for each, for example, parks and recreation grounds, conservation areas, town and district centres, canal tow paths, new development etc.



4.50 Well-designed public realm will make best use of the opportunities available for improving the character and quality of an area, the way that it functions and will seek to meet the demands of the wider community.

4.51 The Council's current policy approach set out in the Local Plan is fairly generic in its approach, however does make reference to the principles set out in the Public Realm Supplementary Planning Document. Due to the detail contained within the recently published Public Realm Strategy Supplementary Planning Document, it is expected that a similar approach is taken with the policy contained within the new Local Plan, ensuring that it is up-to-date with national planning policy and guidance.

Potential options:

- Continue with the more generic policy approach, however have more detailed public realm principles set out within the Public Realm Strategy Supplementary Planning Document.
- Have detailed policy principles set out in the new Local Plan.
- Do not have a specific public realm policy and deal with provision of and design of public realm within the more generic design policies and design codes.

Questions:

- Which of the above potential options do you consider is the most appropriate?
- What do you consider to be the most important aspects of public realm?

Please explain your answer in a few words. Also if there are other options that you feel are more appropriate please explain.



Shop fronts (including shutters)

What the government says:

- 4.52 The NPPF states that *'planning policies and decisions should aim to achieve healthy, inclusive and safe places'* and with regards to town centres, National Planning Practice Guidance (NPPG) suggests that *'local authorities will also need to consider and address any wider impacts in relation to crime, noise and security'*.
- 4.53 The NPPG highlights a number of indicators that are seen as useful when assessing the health of town centres and planning for their future:
- *'diversity of uses*
 - *proportion of vacant street level property*
 - *commercial yields on non-domestic property*
 - *customers' experience and behaviour*
 - *retailer representation and intentions to change representation*
 - *commercial rents*
 - *pedestrian flows*
 - *accessibility – this includes transport accessibility and accessibility for people with different impairments or health conditions, as well as older people with mobility requirements.*
 - *perception of safety and occurrence of crime*
 - *state of town centre environmental quality*
 - *balance between independent and multiple stores*
 - *extent to which there is evidence of barriers to new businesses opening and existing businesses expanding*
 - *opening hours/availability/extent to which there is an evening and night time economy offer'.*
- 4.54 The Government has made recent changes to the Use Classes Order (2015) with the latest updates coming into force in July 2021. In relation to retail and town centres, the Government is keen to allow greater flexibility of uses and provide a greater mix of uses on the high street and increase footfall, and bring community uses closer to communities.
- 4.55 The National Design Guide (2021) sets out that *'National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. This National Design Guide, and the National Model Design Code and Guidance Notes for Design Codes illustrate how well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools'.*
- 4.56 The National Design Guide also states that *'well-designed public and shared amenity spaces feel safe for people who occupy the buildings around them, and also for visitors and passers-by. They help to overcome crime and the fear of crime. Careful planning and design create the right conditions for people to feel safe and secure, without the need for additional security measures'.*



What the Council says:

- 4.57 Corporate branding and signage will not always be appropriate and in sensitive locations (for example within and adjoining Conservation Areas) and applicants will be encouraged to use alternative designs and approaches that are in keeping with the local area. The colours used for shop fronts should be consistent with the local area in which it is located and should not be stark in contrast.
- 4.58 In order to ensure a high standard of shop front design, the Council's current Local Plan includes Policy 32 – Shop Fronts, that requires all proposals to provide detailed elevation drawings of the proposed shop fronts (to include shutter detail if required in accordance with the policy) in relation to the building within which it is to be located, as well as showing adjacent shop fronts and buildings for contextual purposes.
- 4.59 Whilst the attractiveness of a building should not be compromised, in accordance with guidance set out in the National Design Guide (2021), consideration should be given to natural surveillance and safety and security when designing new shop fronts. This also applies to the size and height of any canopies which should not compromise pedestrian or vehicular safety or visibility.
- 4.60 It is expected that the Council 'roles forward' the existing policy approach of the Local Plan Policy 32 – Shop Fronts, into the new Local Plan. The current policy approach has proven successful in managing the Shop Fronts in the Borough, although wording amendments will be made to take account of the National Design Guide, the National Model Design Code and Guidance Notes for Design Codes.

Potential options:

- Continue with the existing policy approach set out within the Local Plan as it has been successful in managing the Shop Fronts in the Borough.
- Remove the policy approach and only apply the policy principles and guidance set at a national level through the National Planning Policy Framework and the National Planning Practice Guidance.

Questions:

- Should the Council 'roll forward' the current policy approach set out in Local Plan Policy 32 – Shop Fronts, ensuring that it is up to date with current national planning policy and guidance?
- Should the Council remove the policy approach and only apply the policy principles and guidance set at a national level through the National Planning Policy Framework and the National Planning Practice Guidance?

Please explain your answer in a few words. Also if there are other options that you feel are more appropriate please explain.

