

Report to District Development Control Committee

Date of meeting: 10th October 2006

Subject: Essex Design Guide - Urban Place Supplement



**Epping Forest
District Council**

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Recommendation:

That Members note the contents of this report, the presentation to be given by Essex County Council officers at this meeting and proposals for the Portfolio Holder for Planning & Economic Development for consultation on the Urban Place Supplement as set out in this report.

Background Report

Urban Place Supplement – Introduction

The Urban Place Supplement (UPS) is intended to provide guidance that will help deliver a consistently higher standard of environmentally and contextually sensitive design within Essex. The UPS was initiated by Essex County Council because of concern that higher density urban developments in the county were not creating places that presented an attractive public realm and were often out of context with their surroundings. In addition, there was recognition that sustainability issues in development needed to be addressed. The growth proposed for Essex in coming years means that it is vital to grasp the opportunity to raise standards so that this growth can be harnessed to enhance rather than spoil our County. Although the UPS is particularly applicable to higher density, modern urban development, some aspects of it will be applicable to all new developments.

In addition, due to the current position of the East of England Plan it will be some time before the Council's design policies are reviewed (and updated as necessary). It is therefore appropriate that the Council continue to use the Essex Design Guide and its proposed Supplement to guide urban design policy decisions in the short term. This is best achieved by adopting the Urban Place Supplement as a Supplementary Planning Document. The UPS will also help to ensure that suitable design principles are implemented if large scale development is required as a result of the final version of the East of England Plan.

The UPS has been prepared in accordance with the Regulations relating to Supplementary Planning Documents by Essex County Council. It is intended that the UPS will be adopted across the County (with only a few exceptions) during a similar time frame (allowing for differences in various committee cycles across the County).

Urban Place Supplement – Contents

The UPS is structured around the three main themes of 'Building in Context', 'Design Quality' and 'Sustainable Development'.

(1) Building in Context

A thorough understanding of a site's context is a fundamental element in the approach of the UPS. An analysis of a site's spatial context, that is, where it fits into an urban hierarchy, will be used to determine density.

(2) Design quality

There is an emphasis within the UPS on the design and management of external space. In the public realm two new road types are introduced; a play street and a mixed-use street, and a new requirement that public space should be designed to accommodate bio-diversity. The UPS recognises the important role that private communal open space can play in high density developments and lays down criteria for such spaces, recognising at the same time that it is very difficult to provide space for car parking at ground level whilst still achieving an attractive living environment. Therefore at densities greater than 50 dwellings per hectare only underground, under deck, under-croft or remote multi-storey parking will be accepted.

(3) Sustainable Development

The UPS is intended to markedly improve the ability to deliver sustainable communities; the existence of a substantial and high density residential and business community within easy walking distance of a centre is the principle platform for achieving this. In addition the UPS will require high levels of energy efficiency and renewable energy technology to be integrated into buildings or neighbourhoods and will require water management and conservation measures, such as sustainable urban drainage systems, to be incorporated into schemes. A Green Points System will be introduced by the UPS to help achieve bio-diversity within new urban areas.

Relevance to other policies

The UPS is a Supplement to the Essex Design Guide, initially published in 1973. The Essex Design Guide was republished in revised form by the Essex Planning Officers' Association as 'The Essex Design Guide for Residential and Mixed Use Areas' in 1997 and was refreshed in 2005. Although the Essex Design Guide has successfully influenced the design and layout of housing in Essex it has been less capable in shaping responses to the more complex demands of a broader, urban agenda particularly higher density development. The UPS attempts to help deliver a consistently higher standard of environmentally and contextually sensitive design within Essex.

It is proposed the UPS will supplement policies DBE1, DBE3, DBE4, DBE5 and DBE6 of the 1998 Epping Forest District Local Plan. It will provide additional guidance on the implementation of higher density residential development to ensure that the schemes provide a high quality environment in which people want to live.

The Process to date

(1) Technical Working Group

Work on the UPS was advanced by a Technical Working Group led by officers of Essex County Council (Built Environment Branch) working with colleagues from both within Essex County Council and Essex local authorities.

(2) Production of the draft UPS

Part of the process of collaboration as the document has evolved has been through a series of workshops run as part of the Essex Design Initiative (EDI) in conjunction with CABA and EEDA, three workshops, attended by representatives from the development industry, local authorities and other local and national organisations (see list below) were organised on the basis of the three main themes in the UPS. The workshops, 'Quality is no Accident', 'Development in Context' and 'Sustainable Development', took place in February-April 2005. The ideas which were developed as a result of these workshops were fed into the first draft of the UPS that was launched at an EDI Plenary in November 2005. The three Essex Design Initiative workshops and plenary session were attended by a wide range of delegates from local and national bodies involved in the development process as well as consultants and a residents' panel (some 60 delegates attended each workshop).

(3) Technical consultation

A wide-ranging technical consultation was undertaken by Essex County Council, and included consultation with the Office of the Deputy Prime Minister (now DCLG), East of England Development Agency, English Heritage, Sustrans, Housing Corporation, Environment Agency, English Nature, Home Builders Federation, GoEast, Arts Council, Carbon Trust, Learning Skills Council, Business Link, Sport England, English Heritage, National Federation of Builders, Anglian Ruskin University, housebuilders and developers, architects, planning consultants, social housing providers, agents, and representatives of District and Borough Councils.

The draft Urban Place Supplement has found general support and there has been a desire to refine the UPS into a genuinely practical document. 200, often very detailed, points emerged for consideration and/or incorporation into the second draft. The main points that have emerged as a result of this consultation are outlined below.

- Whilst there was some support for the target of properties attaining an Excellent standard under EcoHomes or the appropriate BREEAM methodology, it was generally considered not to be possible or realistic because of costs and practical issues.
- There was general support for Context Appraisals but there was thought to be a need to clarify and refine the process. Practical difficulties regarding public consultation being carried out by developers were identified and there was a feeling that some of the issues were for local authorities to address. The relationship between Context Appraisals and the newly introduced Statutory Design & Access statements needs clarifying.
- The suggestion of there being less private open space in return for high quality public realm space met with mixed views. Active Design principles are advocated by Sport England to encourage physical exercise.

- Biodiversity issues in the Supplement received general support and there was some feeling that this needed further emphasis. An expansion and clarification of the biodiversity approach required. The Green Points system was seen as potentially useful but may be inflexible/formulaic in operation.
- Lifetime Homes requirements will add to building costs but it is recognised that their use may encourage commitment to an area.
- The proposed introduction of the Play Street road type gained support but there was some concern about this road type needing to accommodate parked cars and the incompatibility that might result.
- Proposals that sites developed at a density in excess of 50 dwellings per hectare should have underground/ under-deck parking raised a number of concerns regarding costs and security and whether such a requirement might more properly be assessed on a site by site basis to accommodate the characteristics of particular sites.
- The requirement for 50% non-residential use requirement on some frontages is considered to be too rigid: the level of such uses should be judged on site merits. In addition it was felt that the definition needs tightening up to prevent parking being employed as a non-residential use.
- The requirement for 10% on-site renewable energy requires clarification and there was concern that sometimes untested technology may not pay back within its lifetime. The potential for savings should be made clearer where appropriate. The viability of SUDS and solar panels may depend on the characteristics of a particular site. Support for solar gain technology should be emphasised.
- Biodiversity and trees: in terms of their sustainability and visual amenity, trees deserve greater prominence in the text. More flexibility of approach is required in respect of the suggested tree list which is too prescriptive.
- The cost implications of the UPS were highlighted by some consultees. Additional requirements will affect property values and reduce the scope for Section 106 payments.
- Some consultees considered that the UPS should be less prescriptive in respect of waste collection, waste storage and composting facilities as the scope for these sometimes depends on local authorities. Also there is legislation involved to which reference might usefully be made.
- A number of detailed design and layout issues were highlighted including the need to adequately accommodate public transport as well as other forms of transport and the need to integrate bus stops/shelters into the planning of nodes and streetscape. The exclusion of subways queried as these can be attractive and needn't be excluded
- Some textual clarifications are necessary. Presentation issues should be addressed and the relevance or otherwise of some images needs sorting.

The feedback from this consultation led to a series of meetings with developers and their agents that explored in detail the implications of the UPS. The second draft of the Urban Place Supplement now submitted for approval for consultation purposes represents a synthesis of representations. Cost implications are being investigated further as a result of representations and initially, the 'Excellent' rating under EcoHomes and BREEAM

methodology, whilst remaining an aspiration for 2012 onwards, has been removed as a requirement. A 'Very Good' rating will now be required. Issues relating to micro-generation and sustainable drainage schemes have been addressed and the Green Points system has been revisited and revised.

Some of the consultation responses appear to represent a resistance to the changes that the UPS is seeking to bring about. It is worth noting however that, although in relation to prevailing policies certain elements of the UPS are 'pushing the boundaries', the general thrust of the document is very much in line with current government thinking. In particular, sustainable development, densities, energy conservation and micro-generation, sustainable drainage and car parking issues all have parallels in emerging Government thinking. Consultees who have made representations during the 'technical' consultation phase will have a further opportunity to comment as part of the second draft consultation which is now commencing.

The Essex Planning Officers' Association (EPOA) has endorsed the draft UPS.

Consultation Process

In accordance with the provisions set out in the Strategic Environmental Assessment (SEA) Directive and the Planning and Compulsory Purchase Act (2004), a Sustainability Appraisal/Strategic Environmental Assessment of the draft Urban Place Supplement must be undertaken and consulted on prior to the adoption.

Public consultation on the draft (and accompanying SA/ SEA) will be carried out in Epping Forest District for a six week period during October and November 2006. All responses will be returned directly to Essex County Council and, it is proposed that consultation responses, both for the Urban Place Supplement and the Sustainability Appraisal, will be considered by an Assessment Board. This Board will comprise representatives of both County and District Councils who, together with the Sustainability Appraisal adviser, will examine responses received from all sources and resulting from all District and Borough Council consultations and decide on what, if any, changes should be made to the draft UPS document as a result of these responses.

Purpose of the Sustainability Appraisal/ Strategic Environmental Assessment

The Environment Report has been devised to meet European Directive 2001/42/EC which requires a formal strategic assessment of certain plans and programmes which are likely to have a significant effect on the environment. The Directive has been incorporated into English Law by virtue of the Environment Assessment of Plans and Programmes Regulations (2004). In accordance with the provisions set out in the SEA Directive and the Planning and Compulsory Purchase Act (2004), a SA/SEA of the draft Urban Place Supplement must be undertaken and consulted on prior to the adoption.

The Sustainability Appraisal/SEA has been prepared for consultation by Essex County Council, the scoping report for which has been subject to the statutory consultation process. The report outlines the appraisal methodology, sustainability objectives, review of plans and programmes, baseline information used in the appraisal process, and the assessment of the draft Urban Place Supplement.

The Environment Report must be made available at the same time as the draft plan or programme, as an integral part of the consultation process.