

Planning Committee

05 February 2021

Agenda item number 12

Consultation responses

Report by Planning Policy Officer

Summary

This report informs the Committee of the officer's proposed response to planning policy consultations received recently, and invites members' comments and guidance.

Recommendation

To note the report and endorse the proposed response.

1. Introduction

- 1.1. Appendix 1 shows selected planning policy consultation documents received by the Authority since the last Planning Committee meeting, together with the officer's proposed response.
- 1.2. The Committee's comments, guidance and endorsement are invited.

Author: Natalie Beal

Date of report: 20 January 2021

Appendix 1 – Planning Policy consultations received

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Organisation: East Suffolk Council

Document: Draft Historic Environment Supplementary Planning Document.

<https://eastsuffolk.inconsult.uk/consult.ti/HISTENVSPD/consultationHome>

Due date: 01 February 2021

Status: Draft

Proposed level: Planning Committee endorsed

Notes

The Historic Environment Supplementary Planning Document (SPD) will provide further guidance on the implementation of planning policy including guidance for developers and property owners who are either planning new development or making changes to an existing property. It will cover a range of topics including conservation areas, listed buildings, non-designated heritage assets and historic parks and gardens, as well as guidance on shop fronts, sustainable construction and renewable energy, extensions and alterations to a historic building, replacing windows, doors and porches and development within the setting of a historic building.

Supplementary Planning Documents expand upon policy and provide further detail to support the implementation of policies in Local Plans. Whilst not a part of the development plan, they are a material consideration in the determination of planning applications.

Proposed response

Summary

The SPD reads well and provides useful detail. Whilst it will not apply to the Broads, we do have some comments that we hope are helpful. Generally we identify areas that could benefit from referring to the Broads, we feel the lighting section needs to address issues of light pollution and negative impacts on dark skies, and there are also some technical issues that we identify could be clarified.

Detailed comments

1.3, 1.6 – Just say Broads, not National Park.

Para 1.7 Section 15 (Repairs and Maintenance) of the document may also be a useful reference for owners of pre-1919 unlisted properties built with traditional construction methods.

1.8 – Neighbourhood plans and Suffolk Minerals and Waste Local Plan are relevant to the Broads as well.

Para 2.4. I know it is mentioned in the paragraph above, but it might be worth repeating here that LBC is required for internal and external works? It's a common misconception that it isn't.

Para 3.5 Is it worth making clear that not all PD rights, but only specified PD rights, are removed by an Article 4 and also why a local authority would do this – eg to remove PD rights for works that could otherwise cause harm to the character and appearance of a conservation area.

We think there is one more Article 4's in CA's which is in BA area and not listed (although this does not relate directly to alterations to houses but the erection of gates/fences/means of enclosure but can change the historic character of this area in particular):

Oulton Broad– off Boathouse Lane	Erection of gates, walls, fences or other means of enclosure GDO 1977	1981	GPDO 1995 – Part 2 Class A
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Para 4.2 and through the Neighbourhood Plan process?

Para 5.5- should Somerleyton Park (grade II*) be included as a Registered Park and Garden? I think it's in ESC?

Para 7- should there be a small section on underfloor heating in historic properties? We are seeing more and more applications for this.

Section 7: Sustainable Energy and construction – as an introduction to this section would it be worth explaining the embodied energy inherently encapsulated within historic buildings and also outlining how buildings built with traditional methods and materials work differently to modern buildings, in terms of the need for adequate ventilation, for surfaces to be permeable etc. Leading on from this the 'whole house retrofit' approach might be worth referring to.

Para 7.13 Check solar panels PD?

Para 7.30 'The building is not listed' is on the list twice

10- Could there be an opportunity here to discuss the issues with using upvc in historic buildings? General guidance along the lines... *'In terms using upvc, the use of timber is traditional in the area both for joinery and boarding. It is also encouraged because the use of sustainably sourced timber is far more environmentally friendly than upvc which is an oil derived plastic material and far less sustainable in terms of its manufacture and use. The benefits of upvc such as improved seal and double or triple glazing are also standard features of timber with timber having the added benefit of a traditional appearance. In addition, it is considered that upvc is visually more prominent than timber. Unlike timber it does not soften visually through weathering and therefore always remains visually prominent throughout its*

lifetime and will be at odds with the soft and traditional materials of historic properties. The level of high quality detail that can be achieved with timber cannot be achieved in the same way with upvc because of the limitations of the manufacturing process, meaning the profile will be heavy in section and as a consequence the frames will appear bulky. Although not a planning matter a slimmer profiled window in timber can also improve the level of light into the property'.

10.1- The statement about replacement windows not requiring PD is not technically correct, as the PD rights do not apply to blocks of flats, flats over shops or business premises and it can be argued that a change in windows and doors needs pp in some instances (even outside CA's).

Para 10.8/9 is it worth stating that where possible historic timber should be retained as it tends to be slower and grown and of better quality than more modern timber?

Section 3 – are some conservation areas shared with the Broads? If so, that should be mentioned.

11.7- The PD rights relating to a change to residential use of agri buildings also does not apply within the Broads Executive Area if you wanted to mention that.

11.17 – perhaps mention the Broads Landscape Character Assessment as the asset could be in the ESC area, but the Broads could be the landscape that surrounds a property.

11.20 – is it prudent to mention the Broads here as well?

Para 11.24 states, 'substantial alterations will mean that the building is of little value, despite the existence of some historic remains' – might it be the case that alterations that reinstated lost features may be considered acceptable?

Lighting section and also illumination section for shops

- Care needs to be taken here.
- I would suggest that the first part of this should be saying something about whether the property needs lighting in the first place, regardless of the scale and whether it needs permission or not, so 12.14 should be first. As written, the order is quite odd – all about lighting, then actually, do you need lighting in the first place. Querying the need in the first place needs to be first.
- Maybe refer to the benefits of a dark sky.
- Do state that the Broads has intrinsically dark skies and there should be no impact of a scheme on the dark skies of the Broads.
- I also think that you should say that lighting should point down, rather than up which can happen on older buildings. But equally, when pointing down, need to think about the surface and the issue of reflection.
- 12.16 – care taken about angle of lighting. I really think you need to refer to light trespass.

- Throughout the lighting section, you refer to security lighting. I would suggest you say external artificial lighting as the term. Maybe then say that one of its uses could be to address security. I think that people will say they have lighting for security... but there is some literature that queries how lighting something up is addressing security.
- If it is needed for security – maybe they need to say what the actual issue is and how they can prove that lighting and the lighting they propose, in the design they propose, will address that.

12.21 needs to be much earlier in this section.

Para 12.24 – add something along the lines of ‘are there other means of mitigating the security risk? – for example, a sign stating that CCTV is in operation, a managed approach with an increased physical presence on site etc’, rather than installing CCTV as a first step.

Para 12.27 as well as being small and in dark colours, CCTV cameras should make use of wireless technology wherever possible.

Para 13.41 Should it be said that UPVC will rarely be considered appropriate for shopfronts in a historic context?

Paras 13.46-13.49 It is my understanding that traditionally neither bright whites or true blacks were used but rather a slightly off-white colour and very dark colours used that almost appear black.

Paras 13.50-13.52 the material used can also have a big impact.

Para 14.1 all of the points listed under the bullet points need to be met OR it must be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

Section 14 – is the embodied energy of buildings something to consider in this section as well, in terms of climate change and carbon dioxide emissions?

Para 15.28-15.31 – should it be stated that the LPA need to be given 6 weeks’ notice of works to trees in a conservation area?

Para 15.69 – 15.72 should any advice be provided for instances where historic buildings have a cement render, which is unfortunately very common? Particularly advice re repairs or reinstatement with a lime render where it is damaged.

Para 16.3-16.9 should removal of redundant pipework (and other obsolete utilities) wherever possible be encouraged?

Organisation: Suffolk County Council

Document: Suffolk Design Guide for Streets: <http://www.suffolk.gov.uk/suffolkstreets>

Due date: 10 February 2021

Status: Draft.

Proposed level: Planning Committee Endorsed

Notes

A draft of the [Street Design: Street Guide](#) is now available to read and you are invited to shape the final version of the document by completing the [survey](#). Organisations such as yours are being invited to consider the document during a consultation period that will close on 10 February 2021. A report of the consultation will be published when Suffolk Design: Streets Guide is presented to Suffolk County Council's Cabinet.

The District, Borough and County Councils of Suffolk have been working to improve the design of new developments through the [Suffolk Design](#) initiative. As part of this programme, the County Council commissioned Stantec to produce a new Street Guide to update guidance for residential streets.

The Streets Guide seeks to draw together national policies, guidance and other best practice and set within the Suffolk context. It covers more than just technical standards for roads. Requirements for footpaths, cycleways, utilities, sustainable drainage are also set out for example. It also sets out a design approach that is needed to deliver genuinely attractive walking and cycling routes.

This [Streets Guide](#) provides a new process for thinking about how new development provides access for all sorts of users, not just to the road network but the surrounding area. This follows on from the [National Design Guide](#) and [Manual for Streets 2](#) which set out design approaches to encourage walking and cycling, but also the needs of vulnerable users.

The focus on users and then translates to movement corridors to inform layouts for new developments of any scale. The approach can also help to develop new policy through local and neighbourhood plans.

The Guide does not set out detailed parking standards or measures to control the volume of traffic. It also does not provide the answer to all sites and, although examples are provided, these might not apply on all cases. The provision of electric charging points has been a particular challenge to address because standard charging points for use on streets are not yet available. The County Council is part of an innovate project known as [Live Labs](#) that is investigating how existing lighting infrastructure could create vehicle charging.

The guide is not intended to be used to resist development. It is to guide designers and developers and, hopefully, small-medium-sized companies will find this guide helpful in drawing together proposals that they want to put forward.

Account has been made of the Planning White Paper that was published by the Government in August 2020 and the detailed guidance on the provision of cycling infrastructure.

The Streets Guide is not intended to be a formal supplementary planning document but will be used by the County Council in responding to applications as the highway authority.

Proposed response

Summary

The guide is welcomed. There are some detailed comments, listed below, but the main issue is the need for greater emphasis on justifying the need for lighting in the first place and also on good design of lighting that is justified.

Generally

- On a few occasions the wording along the lines of 'look to' is included (search the document for the word 'look'). What does this actually mean? Is there a better way of getting across the instruction? For example, 'Should look to minimise the number of vehicular crossovers' – does that mean 'Should ~~look to~~ minimise the number of vehicular crossovers'?
- All the photos used could do with a caption to explain why they are in there and explain the features in the photos.

Detailed comments

1.8 – should light pollution be referred to here?

2.3.1 – what about those on mobility scooters and those on push scooters and electric scooters? So, do developers need to do a destination analysis so they understand where people will want to go?

Figure 9 – recreation cyclists, not so fast commuter cyclists, scooter (electric and push), mobility scooters.

Page 15 photo – should that have a caption saying that this shows a route with smooth surface, good sight lines and passive surveillance?

Page 16, column 2, 2.3.3.3, 2.6.2.10 – where you say that lighting has a role to play/certain provision should be well lit, say that the lighting should be well designed and of the right intensity so as to reduce potential for light pollution.

Page 23 – you mention 'recreation cyclists', but these are not included elsewhere in the various figures about the types of cyclists. For example, figure 9, page 14.

Figure 14 – what is CPTED?

2.6, second para – not sure it is complete.

Last para of page 41- do they also need to consider how to stop parking on the service strips?

P35-36 it is suggested that most adoptable paved surfaces should use flexible asphalt with precast concrete kerbs and edgings. It goes on to state that Granite setts and Yorkshire paving may be used for locations of significance such as neighbourhood squares and local centres – could conservation areas or areas that provide the setting for listed buildings be added to this?

P36 kerbing: it states conservation kerbs can be used in conservation areas but generally materials should match the existing. I would suggest that where possible an enhancement to the CA should be sought.

P39 Private lighting – should reference be made to questioning whether it is necessary, directed appropriately, Dark Skies policy etc.

P40 are there measures / or should measures be put in place to ensure that proposals for trees and planting as part of new developments are fully implemented? Perhaps a statement to say it is expected that approved schemes will be fully implemented, as there is a tendency for developers to leave landscaping to last and then leave site without completing it?

P42 could there be something about replacement of street surfaces on a like-for-like basis should maintenance be required to underground utilities, requiring the street to be dug up? This can be a particular problem where there are non-standard road surfaces such as cobbles or granite setts.

Page 42, column 1, para 4 – you talk about impact on visibility splays, but what about causing obstruction to pedestrians, cyclist, wheelchairs, pushchairs etc? I suggest this para is expanded to mention impact on those users. Also, does this section need to mention this: [Cabinet Siting and Pole Siting Code of Practice, Issue 2, 2016 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/541233/Cabinet_Siting_and_Pole_Siting_Code_of_Practice_Issue_2_2016.pdf)?

Page 42, column 1 – should fire hydrants have its own sub section? So, the first part talks about utilities, then the next about fire hydrants and so on.

Page 42, bottom of column 2 – and the third think to consider, after safe movement and sufficient illumination is impact on dark skies or adding to light pollution. This needs to be mentioned in the same sentence.

2.7.1.2 – there is no mention of the specifics of good lighting that benefits dark skies. Like being on a curfew of specifics about the kelvin and a picture showing good design of lighting. This section would benefit from that. Also, is it worth mentioning the potential for street lighting to also host 5g infrastructure, if indeed there is such potential? I believe that there will need to be many 5g units, a short distance from each other and I believe that street lighting may have the potential to host such infrastructure. You may need to look into this in more detail, but it may be appropriate to refer to that.

2.8.1.3 – should this title be ‘adoption of community open space’? It does not make sense to me as written.

Page 47, 48, 49, 50, 56, 64, 65, 66 – it is not clear what the images are actually showing. Suggest you add an explanation to help the reader understand.

Last para, page 48 – ‘As well as providing high quality primary and secondary cycle routes the designer will need to ensure that access for all user’. This sentence is not finished.

3.1.3 – perhaps you need to say that even if separate cycling infrastructure is provided, more confident or faster cyclists may still use the road. I am aware that some motorists think that if there is a cycle path, then a cyclist must use it. Whereas actually, faster cyclists may tend to use the road as it is quicker.

3.1.5.2 says ‘giveaway’. Do you mean ‘give way’? If not, what is a ‘giveaway point’?

3.1.5.3 – the speed is kph. But in the previous para, was mph. Might be worth checking if it should be kph or mph.

Page 51 looks interesting and useful, but needs more explanation.

3.3 – I don’t quite understand what this is showing. You might want a couple of examples written out saying something like ‘as can be seen from the table, cycle track and primary pedestrian route is down as a x which means xxxxxxxx’.

3.4.1.2 – in the introduction you say that the planting help reduces road spends. But in the bullets, landscaping is a ‘should’ whereas there are other bullets that are listed as a ‘must’. Is there a consistency issue here between the intro para and the should/must? The differentiation between some aspects being must, and others should, implies some are more important and are a stronger requirement than others.

3.4.1 – is there some acknowledgement that pedestrians may not cross the roads at crossings? Did you want to show tactile paving on the figures?

Figure 21 title is obscured by the figure.

Figure 22 – I don’t quite get what this is showing. Should such a large area be shown as pink including the footways?

Figures 23 to 26. They are not ordered from left to right in figure number. And if they were in that order, it does not line up with the option number. For example, option number 1 is figure 26. Whereas Figure 23 is option 3. Also, they could do with a few words to explain what they are showing.

3.4.1.7 – I thought that the Manual for Streets suggested tighter junctions because of the arc that pedestrians need to turn to see if something is coming and also to try and reduce vehicle speeds. Should there be some more caveats on this part of the document?

Page 68, 1.3 – rather than ‘council’, how about ‘local planning authority’?

Page 69 – should there be reference to planting in the public realm section? Component of the Public Realm – Materials – should whether the area is within a Conservation Area or forms the setting of listed buildings be a consideration?

Grammar/typo issues to consider

Page 15, column 2: A narrow pathway with close boarded fencing is not attractive **to** users and is likely to encourage anti-social behaviour; this will discourage use and not create a sense of place.

2.3.1.1 'colour agnosia, hearing loss'

Page 16, column 2: Safe streets should have a sense of personal safety; routes should be overlooked where possible from neighbouring properties.

Page 30: 'The highway authority will not adopt dual systems, that is to say, if a swale is proposed to capture highway run-off, it will not be acceptable to also have a piped highway system under the road'. Does there need to be a . or ; at the yellow?

2.6.3 They **are**-benefit users' health and wellbeing, reducing pollution, providing shade and encouraging wildlife.

Page 42, column 1, para 2 – 'Joint trenching principles should be adopted and **coordination** to remove clashes is required'. Should this be 'coordinated'?

Page 42, column 1 – 'Suffolk Fire and Rescue Service requires, through a condition of planning permission, the prior agreement of the location and specification of fire hydrants within developments, this normally occurs when the water mains are being agreed'. This may need a . or a ; or an 'and'.

3.4.1.1 'Must minimise the crossing distance for **non** motorised users; this must not exceed 11m'