



Reigate & Banstead
BOROUGH COUNCIL
Banstead | Horley | Redhill | Reigate

SIGNED OFF BY	Head of Planning
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TO	Executive
DATE	Thursday, 24 June 2021
EXECUTIVE MEMBER	Portfolio Holder for Planning Policy and Place Delivery

KEY DECISION REQUIRED	N
WARDS AFFECTED	All Wards

SUBJECT	Local Character and Distinctiveness Design Guide Supplementary Planning Document (SPD) for adoption and revocation of the Local Distinctiveness Design Guide Supplementary Planning Guidance (SPG) 2004
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RECOMMENDATIONS
<p>(i) The Executive adopt the Local Character and Distinctiveness Design Guide Supplementary Planning Document (SPD).</p> <p>(ii) The Executive revoke the Local Distinctiveness Design Guide Supplementary Planning Guidance (SPG) 2004</p>
REASONS FOR RECOMMENDATIONS
<p>Following adoption of the DMP in 2019 and changes to national policy and guidance, the 2004 Local Distinctiveness Design Guide SPG has been revised to reflect the changes to the national and local policy background and more recent development trends and issues in the borough. The Local Character and Distinctiveness Design Guide SPD will provide up to date guidance to assist developers in preparing planning applications.</p> <p>On adoption of the revised SPD, the 2004 SPG will require formal revocation as stipulated by the Local Planning Regulations.</p>

EXECUTIVE SUMMARY

This report requests that the Executive adopt the Local Character and Distinctiveness Design Guide SPD following formal public consultation and subsequent amendments to the draft SPD, and simultaneously revoke the Local Distinctiveness Design Guide SPG 2004 in order to keep the Council's guidance for developers up to date and relevant.

The costs of this work are within the Planning Policy budget.

Executive has authority to approve the above recommendations

STATUTORY POWERS

1. The Council has no statutory obligation to produce supplementary planning documents (SPDs) but has powers under planning legislation to adopt SPDs as appropriate, following a specified consultation period, and also to revoke planning guidance.

BACKGROUND

2. Supplementary planning documents provide guidance to assist in implementing development plan policies. They may be used to provide guidance for development of specific sites, or on particular issues such as design. They are material considerations in planning determinations where relevant.
3. The Local Planning Regulations (Regulation 8(3)) require that policies in SPDs do not conflict with the adopted development plan. The Council's planning guidance relating to design has therefore been revised to reflect the adoption of the DMP in 2019, national policy and guidance since 2004, and recent issues and trends in development design.

KEY INFORMATION

Adoption of the Local Character and Distinctiveness Design Guide

4. The Local Character and Distinctiveness Design Guide SPD reflects relevant national policy and guidance from the National Planning Policy Framework (NPPF) 2019, Planning Practice Guidance (PPG) and the National Design Guide 2019.
5. It also amplifies and provides guidance to support implementation of the Reigate and Banstead Core Strategy (2014, reviewed in 2019) and the Development Management Plan (2019).
6. The revised SPD analyses and provides guidance regarding area design character types and general design principles. It outlines and recommends design solutions and guidance on how to avoid poor design. It also includes examples of how new development can be designed to reflect local distinctiveness whilst complying with to national and local policy.
7. Adoption of this revised SPD will help the Council to provide a more consistent approach to assessing design aspects of relevant planning applications. The title of the revised SPD includes the word "character" within the title which reflects the enhancement of the local "character" guidance.

8. Twenty-four responses were received during a formal period of public consultation held for four weeks in February 2021. A summary of the main issues raised in these responses, and how these have been addressed in finalising the SPD for adoption are included in the SPD's Consultation Statement, annexed to this report. An updated character area map has been included in the SPD for adoption.
9. A formal Adoption Statement for the SPD will be made available for inspection on the Council's website, and in paper format at the six libraries in the borough alongside the SPD on its adoption, subject to Covid legislation restrictions. This Statement will also include formal details of the revocation of the 2004 SPG.

Revocation of the Local Distinctiveness Design Guide SPG 2004

10. The Local Distinctiveness Design Guide Supplementary Planning Guidance (SPG) 2004 no longer reflects national or local policy and has become outdated in places where design has evolved over the past 17 years. It is therefore recommended that this SPG be formally revoked under the Council's powers under the Local Planning Regulations (Regulation 15(2)), upon adoption of the Local Character and Distinctiveness Design Guide SPD.

OPTIONS

11. Recommendation 1: The Executive adopt the Local Character and Distinctiveness Design Guide Supplementary Planning Document (SPD).
 - a. Option 1: Adopt the SPD. This option is recommended as it would enable the Council to have up-to-date guidance to provide clarity and certainty for developers, the Council's Development Management Team, and the public.
 - b. Option 2: Do not adopt the SPD. This option is not recommended as Regulation 8(3) of the Local Planning Regulations requires that SPDs /SPGs must not conflict with the adopted development plan.
12. Recommendation 2: The Executive revoke the Local Distinctiveness Design Guide Supplementary Planning Guidance (SPG) 2004
 - a. Option 1: Revoke the SPG. This option is recommended as the current SPG conflicts with the adopted development plan.
 - b. Option 2: Do not revoke the SPG. This option is not recommended as the current SPG conflicts with the adopted development plan.

LEGAL IMPLICATIONS

13. Following consultation on the draft Local Character and Distinctiveness Design Guide SPD, on its adoption, it will be a material consideration in planning determinations where relevant. The adopted SPD would then be consistent with the adopted development plan and current national planning policy.
14. The current SPG, contains elements which conflict with more recently adopted development plan and national policy. It is recommended that the SPG be revoked under Regulation 15(2) of the Local Planning Regulations.

FINANCIAL IMPLICATIONS

15. The costs of the adoption of the SPD, and revocation of the SPG, will be met from

existing Planning and Facilities (printing) budgets.

EQUALITIES IMPLICATIONS

16. In accordance with the Council's Public Sector Equality Duty, an Equalities Impact Assessment (EqIA) screening was undertaken for the pre-submission DMP (at the Regulation 19 stage). This identified no negative equalities impacts, and identified positive equalities in relation to older people, younger people and children, disability, pregnancy and maternity, racial and specific ethnic groups. An updated EqIA was then prepared in respect of the DMP for adoption (including the Main Modifications proposed by the Inspector). This similarly identified no negative equalities, but further positive outcomes.
17. Given that no negative equalities impacts were identified for the DMP, a full EqIA is not required for this SPD, which provide guidance on implementation of the adopted Core Strategy and DMP Policies.

COMMUNICATION IMPLICATIONS

18. A formal communications plan was not considered necessary for the SPD, as its preparation was governed by clearly defined requirements set out in national legislation (Local Planning Regulations) and supplemented by the Council's adopted Statement of Community Involvement (SCI), both background papers to this report.

RISK MANAGEMENT CONSIDERATIONS

19. No risk management considerations have been identified in relation to this SPD

OTHER IMPLICATIONS

20. No additional implications to be aware of.

CONSULTATION

21. Details of the consultations undertaken in preparing the Local Character and Distinctiveness Design Guide SPD for adoption, the informal consultation in preparing the draft SPD for its formal consultation, and the formal consultation, are set out in Consultation Statement, annexed to this report.
22. All consultations have complied with the relevant legislative requirements, including the Council's "Community Involvement in Planning" 2019, published on the Council's website (see Background Documents), subject to pandemic limitations in place at the time.

POLICY FRAMEWORK

23. Supplementary planning documents are optional for the Council to produce and are not part of the Council's Policy Framework under the existing Constitution.

BACKGROUND PAPERS

1. Corporate Plan 2015-20 - http://www.reigate-banstead.gov.uk/council_and_democracy/about_the_council/plans_and_policies/corporate_plan/index.asp
2. [Planning and Compulsory Purchase Act 2004 \(as amended\)](#)
3. [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(as amended\)](#)
4. [National Planning Policy Framework \(NPPF\) 2019](#)
5. [Planning Practice Guidance \(PPG\)](#)
6. [National Design Guide](#)
7. [Reigate and Banstead Development Management Plan \(DPM\) 2019](#)
8. [Reigate and Banstead Community Involvement in Planning 2019](#)

Annexes

- Annex 1: Local Character and Distinctiveness Design Guide Supplementary Planning Document (SPD)
- Annex 2: Local Character and Distinctiveness Design Guide SPD Consultation Statement
- Annex 3: Local Character and Distinctiveness Design Guide SPD Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening Statement
- Annex 4: Local Character and Distinctiveness Design Guide SPD Adoption Statement and Local Distinctiveness Design Guide Supplementary Planning Guidance (2004) Revocation Statement