
Decision Maker: EXECUTIVE

**FOR PRE-DECISION SCRUTINY AT THE RENEWAL,
RECREATION AND HOUSING PDS COMMITTEE AND
DEVELOPMENT CONTROL COMMITTEE**

Date: DCC: 13 June 2023
RRH PDS: 15 June 2023
Executive: 5 July 2023

Decision Type: Non-Urgent Executive Key

Title: ADOPTION OF THE URBAN DESIGN GUIDE SUPPLEMENTARY
PLANNING DOCUMENT

Contact Officer: Ben Johnson, Head of Planning Policy and Strategy
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Chief Officer: Tim Horsman, Assistant Director (Planning)

Ward: All Wards

1. Reason for report

- 1.1. This report recommends the adoption of the Urban Design Guide Supplementary Planning Document (SPD). The SPD provides guidance on urban design to inform development proposals coming forward in Bromley, with the aim of ensuring consistent high quality design.
- 1.2. A draft SPD underwent public consultation from 28 October 2022 to 9 December 2022. A number of responses were received covering various issues. The final SPD includes a number of amendments in response to comments received.

2. RECOMMENDATION(S)

For Development Control Committee and Renewal, Recreation and Housing PDS Committee:

- 2.1 That members note the Urban Design Guide Supplementary Planning Document (shown at Appendix 1) will be presented to Executive for adoption.

For the Council's Executive:

- 2.2 That Executive adopt the Urban Design Guide Supplementary Planning Document (shown at Appendix 1) as a local development document, subject to any further minor changes (e.g. related to formatting or mapping) prior to adoption.**
- 2.3 That Executive withdraw the following documents:**
- **Supplementary Planning Guidance 1 - General Design Principles**
 - **Supplementary Planning Guidance 2 - Residential Design Guidance**
 - **Design guides for shop fronts in Beckenham, Chislehurst and Bromley North Village**

Impact on Vulnerable Adults and Children

1. Summary of Impact: No Impact
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Transformation Policy

1. Policy Status: Existing Policy – document provides guidance to assist the implementation of adopted Development Plan policy set out in the Bromley Local Plan and the London Plan.
 2. Making Bromley Even Better Priority (delete as appropriate):
(3) For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
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Financial

1. Cost of proposal: Costs associated with publicising the adopted SPD will be met from the Planning Policy and Strategy budget.
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Planning Policy and Strategy
 4. Total current budget for this head: £0.568m
 5. Source of funding: Existing Revenue Budget for 2023/24
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Personnel

1. Number of staff (current and additional): 10 FTE
 2. If from existing staff resources, number of staff hours: N/A
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Legal

1. Legal Requirement: Town and Country Planning (Local Planning) (England) Regulations 2012
 2. Call-in: Applicable: Further Details – Executive Decision
 3. It is necessary to have due regard to the public sector equality duty, which sets out the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations between people who share a protected characteristic and people who do not share it. It is not anticipated that adoption would adversely affect any of those objectives.
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Procurement

1. Summary of Procurement Implications: N/A
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Property

1. Summary of Property Implications: N/A
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Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: the SPD will assist the implementation of Development Plan policies which seek design which responds to the impacts of climate change, is fit for purpose and adaptable over time and adopts technologies to minimise their environmental impact.
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Impact on the Local Economy

1. Summary of Local Economy Implications: The Urban Design Guide SPD supports the implementation of London Plan and Local Plan economic policies.
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Impact on Health and Wellbeing

1. Summary of Health and Wellbeing Implications: The Urban Design Guide SPD supports the implementation of London Plan and Local Plan policies relating to health and wellbeing.
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): N/A
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

Background

- 3.1 The National Planning Policy Framework (NPPF) encourages local planning authorities (LPAs) to prepare design guides to provide maximum clarity about design expectations at an early stage. Such guides should be consistent with the principles set out in the National Design Guide (NDG) and National Model Design Code (NMDC); and reflect local character and design preferences. In the absence of locally produced design guides, these national documents should be used to guide decisions on applications.
- 3.2 Design guides provide a local framework for creating beautiful and distinctive places with a consistent and high-quality standard of design. They can also provide a basis for developing design codes; the Government have suggested that LPAs will, in future, be required to produce design codes. The guidance in the SPD has been developed by the Council's policy and urban design officers, with consideration of the national, London-wide and local planning framework, including the emphasis on design quality in national policy.

Consultation on the draft Urban Design SPD

- 3.3 Executive approved the draft Urban Design Guide SPD for consultation at their meeting of 6 October 2022¹. The Council consulted on the draft SPD from 28 October 2022 to 9 December 2022. The consultation statement (provided at Appendix 2) sets out details of how the consultation was undertaken (section 2); and summaries of the responses received and details of how the Council has addressed these responses in the final SPD (section 3).

Proposed adoption draft Urban Design Guide SPD

- 3.4 The Urban Design Guide SPD is a technical document which provides guidance on urban design to inform development proposals coming forward in Bromley, with the aim of ensuring consistent high quality design. The proposed adoption draft SPD at Appendix 1 includes a number of amendments in response to comments received during the public consultation, as well as additional amendments following further internal discussions.
- 3.5 The SPD first sets out the national, London and local planning policy framework which informs the document. Several amendments have been made to this section, including the addition of references to the listed building consent regime and information about pre-app services of statutory bodies who may be involved in the decision-making process.
- 3.6 It then sets out a broad character appraisal of the borough, focusing on historical development in the borough and then the character of Bromley today. With reference to current character, the SPD assesses character based on a number of 'places', which are not rigidly delineated areas and hence deliberately overlap, acknowledging the gradual transition from one place to another. These 'places' differ from wards, which are defined for electoral purposes, and whose sharp boundaries may cut through places and communities. The 'places' map has been revised for clarity. Several of the 'places' character descriptions have been amended to include new/amended details.

¹ URBAN DESIGN GUIDE SUPPLEMENTARY PLANNING DOCUMENT – CONSULTATION DRAFT, available from: <https://cde.bromley.gov.uk/documents/s50100154/Exec%20210922%20Urban%20Design%20Guide%20SPD%20Report.pdf>

3.7 After establishing the borough character appraisal, the SPD sets out the following principles for achieving good design with the aim of significantly raising the quality of development within the borough:

- Contextual (Character and Identity)
- Responsive (Architecture and Landscape)
- Connected (Movement and Connectivity)
- Inclusive (Access and Inclusion)
- Healthy (Health and Well-being)
- Sustainable (Sustainable Design, Adaptability and Resilience)

3.8 The SPD then provides detailed guidance for each principle. The guidance introduces each characteristic and its importance to good urban design, its relevance to national/regional/local policy guidance, and its application within the context of Bromley. Specific requirements are provided in the form of detailed design guidance notes which include links to relevant planning policies. A number of precedent images are used to highlight good examples of each principle.

3.9 There have been a number of changes to the guidance (including the guidance notes). These include:

- An amendment to DG2 to clarify the process for assessing harm to a heritage asset, in line with the NPPF.
- The addition of a guidance note on architectural design to summarise the requirements set out in the guidance.
- Reference to solar tiles, with encouragement to use them instead of solar panels in more sensitive areas of the borough (such as conservation areas or ASRCs) in order to minimise visual impacts.
- Additional guidance on artificial nesting (e.g. bird boxes, swift bricks) and native plant species.
- The addition of a guidance note on landscape design to summarise the requirements set out in the guidance.
- A new section and guidance note on designing out crime.
- A new section on biodiversity, including reference to biodiversity net gain.
- The addition of further policy and guidance references to a number of design guidance notes.

4. TRANSFORMATION/POLICY IMPLICATIONS

4.1 SPDs should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development.

4.2 The Urban Design Guide SPD provides guidance to assist with the implementation of the Local Plan, London Plan, NPPF and other documents.

4.3 The SPD includes a detailed section on Shopfront Design. In 2021, Development Control Committee informally approved three shopfront guides for publication on the Council's website²; these informal guides cover Beckenham, Chislehurst and Bromley North Village.

² <https://www.bromley.gov.uk/planning-policy/shop-fronts-guidance>

These guides have been used to inform the SPD section on Shopfront Design. Upon adoption of the Urban Design Guide, the three guides will be removed from the website to avoid any confusion over the role of these informal documents.

- 4.4 The Council also has two extant Supplementary Planning Guidance (SPG) documents³ - Supplementary Planning Guidance 1 - General Design Principles; and Supplementary Planning Guidance 2 - Residential Design Guidance. These documents provided guidance on a number of UDP policies; although the UDP has now been superseded by the Local Plan, these two SPG documents have, to date, remained material considerations where justified, albeit their weight is very limited. Upon adoption of the Urban Design Guide, these SPGs will cease to have any relevance and would no longer be material to decision-making in Bromley. They will be removed from the Council's website as a result.

5. FINANCIAL IMPLICATIONS

- 5.1 The production of the Urban Design Guide SPD and the costs associated with adoption will be funded from the Planning Policy and Strategy budget.

6. LEGAL IMPLICATIONS

- 6.1 The SPD has been prepared in line with relevant planning guidance and regulations, including the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). If adopted, the SPD will be a material consideration in the determination of relevant planning applications. Any requirements relating to adoption will be undertaken in line with regulations.
- 6.2 A Screening Statement to determine the need for a Strategic Environmental Assessment (SEA) has been prepared by officers, in accordance with the requirements of European Directive 2001/42/EC; and the Environmental Assessment of Plans and Programmes Regulations 2004; this is provided at Appendix 3. The screening has concluded that an SEA does not need to be prepared as the SPD does not introduce new policies but provides further guidance on adopted Development Plan policy. This policy has been sufficiently appraised in the Sustainability Appraisals of the Local Plan and London Plan documents; it is considered that the Urban Design Guide SPD will not result in any additional significant effects to those already identified through these higher-level Sustainability Appraisals.
- 6.3 This approach is consistent with national planning guidance which states that SPDs are only likely to require an SEA in exceptional circumstances, where they are likely to have significant environmental effects that have not already been assessed during the preparation of the relevant strategic policies.
- 6.4 There is a requirement to consult three statutory consultation bodies designated in the SEA Regulations (the Environment Agency, Historic England and Natural England) on whether an environmental assessment is required. Officers have consulted each of the three bodies prior to the consultation on the draft SPD and as part of the draft SPD consultation. Comments received are set out in Appendix 3. Only Natural England responded in relation to the SEA; they noted agreement with the Council's SEA screening statement and considered that an SEA is not necessary.

³ <https://www.bromley.gov.uk/downloads/download/80/adopted-supplementary-planning-guidance>

7. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS

7.1 The Urban Design Guide SPD supports the implementation of London Plan and Local Plan policies on carbon reduction. The SPD does not introduce new policy but will help to deliver existing sustainable design policy and lead to positive outcomes.

8. IMPACT ON THE LOCAL ECONOMY

8.1 The Urban Design Guide SPD supports the implementation of London Plan and Local Plan economic policies. The SPD includes guidance on non-residential development (e.g. industrial space) and shopfronts, which will support the delivery of well-designed economic uses.

9. IMPACT ON HEALTH AND WELLBEING

9.1 The Urban Design Guide SPD supports the implementation of London Plan and Local Plan policies relating to health and wellbeing. The SPD includes the 'Healthy' design principle which promotes healthy living by ensuring that new development seeks to maximise opportunities to support and enhance health and well-being, encouraging physical activity, providing accessible and adaptable homes, ensuring social inclusion and access to open space particularly in areas of deficiency, and optimising health benefits throughout each stage of the design process.

<p>Non-Applicable Sections:</p>	<p>IMPACT ON VULNERABLE ADULTS AND CHILDREN</p> <p>PERSONNEL IMPLICATIONS</p> <p>PROCUREMENT IMPLICATIONS</p> <p>PROPERTY IMPLICATIONS</p> <p>CUSTOMER IMPACT</p>
<p>Background Documents: (Access via Contact Officer)</p>	<p>Bromley Local Plan 2019, available from: https://www.bromley.gov.uk/downloads/file/51/bromley-local-plan</p> <p>London Plan (adopted 2 March 2021), available from: https://www.london.gov.uk/sites/default/files/the_london_plan_2021.pdf</p> <p>National Planning Policy Framework (July 2021), available from: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf</p> <p>National Planning Practice Guidance – https://www.gov.uk/guidance/plan-making</p> <p>The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) - https://www.legislation.gov.uk/uksi/2012/767/contents</p>