

Bath and North East Somerset Council
Local Plan 2022 – 2042

Options Consultation
February 2024

Topic Paper: Heritage and Design

**Bath & North East
Somerset Council**

Improving People's Lives

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1 Background

1.1 The Bath & North East Somerset Local Plan 2022 to 2042: Launch Document consultation in October 2022 set out the central aims for the Local Plan. This included the following factors:

- Delivering high quality development that supports vibrant, healthy, successful communities, and addresses inequalities;
- Ensuring new development is aligned with the necessary infrastructure, including community facilities and green infrastructure;
- Setting a positive strategy for the conservation and enjoyment of the historic environment; and
- Creating vibrant town and city centres.

1.2 This document covers each of these aspects in turn.

2 Launch Document Consultation and Engagement Responses

2.1 The Local Plan 2022-2042 Launch Consultation – Finding Report included responses to the primary ambitions identified in the scope of the Local Plan. Many respondents highlighted the importance of having city better than the one we have inherited, having pride in a local area’s history, culture.

2.2 A range of workshops were held around key issues and priorities for the Local Plan in addition to the Launch Document consultation. Workshops took place around Bath and its Environs, Keynsham and Saltford, Whitchurch Village, Somer Valley, rural areas of the district. Seldom heard groups were also involved in the consultation process.

2.3 Feedback was as follows:

Bath and its Environs

- Adaptation to climate change should be integrated in design approaches – contributing to city wide flood mitigation and summer shade in streets.
- Streets need to be adapted and designed to prioritise walking and cycling with better storage/parking for cycles.
- There is ambition for ‘a city better than the one we have inherited’ and support for high quality design that is of its time, supported by clear guidance.

- There is an opportunity to push design standards for the integration of cycling, recycling and other facilities in new development and reduce the impact of parking decoupling this from the street.
- There is a role in the design of buildings and public spaces to shape safe places for women, with good natural surveillance and lighting.
- Encourage more child centred design in public parks and public spaces.

Keynsham and Saltford

- Preserve the essential characteristics of the area while adapting and changing.

Whitchurch Village

- Much of the surrounding area is used for agriculture, this is identified by the village as a key heritage asset, along with its important natural landscape.
- Residents do not feel that the newer areas of Whitchurch Village have integrated well with the historic village. There has been a lot of piecemeal development as 'add ons' to the existing village.
- Any further development in B&NES needs to be sustainable, add to the economy of B&NES, avoid urban sprawl and be sympathetic to the natural heritage.

Rural Areas

- Important to retain and enhance rural character of landscape and buildings - how building sit in the landscape, their form, styles and materials - see housing with good quality standards.

Seldom Heard Groups

- Preference for properties that allow self-sufficiency in terms of food growing and energy.
- Houses should have gardens to allow for personal food growing.
- Shared gardens should be provided for apartments.
- All houses should be provided with access to compost bins for food waste (either personal or communal), and rainwater collection butts.

- Houses should be designed using materials that help atmospheric climate change, e.g. reflective roofs.
- All new housing should provide electric vehicle charging infrastructure.
- If car parking is provided, this could be separated from the housing to encourage children to play on the street.
- Some places feel very hostile to people with disabilities. Can have impact on mental health and social anxiety about going out.
- Spaces are designed to accommodate one or two wheelchairs, for example only 2 disabled parking spaces, and buses only have one wheelchair spot. This makes it much more difficult for disabled people to come together.

3 Current position

3.1 The Heritage and design policies are currently set out within B&NES Placemaking Plan (Adopted 2017), and the Local Plan Partial Update (LPPU) (Adopted in January 2023). At the time of the LPPU being adopted design policies associated with building design and lighting listed within the Placemaking Plan had been updated.

4 Proposed Policy Areas

4.1 The following proposed policy areas are addressed in this topic paper. For each of these, further detail is provided on the national, regional and local policy context, current evidence, further work and proposed Options.

- **HDEQ - Environmental Quality** (Policy CP6 Core Strategy Policy)
- **HD/WHSS - The World Heritage Site and its Setting** (Policy B4 Core Strategy Policy)
- **HD/HE - Historic Environment** (Policy HE1 Placemaking Plan Policy)
- **HD/ SCCW - Somersetshire Coal Canal and the Wansdyke** (Policy HE2 Placemaking Plan Policy)
- **HD/GUDP - General Urban Design Principles** (Policy D1 Placemaking Plan Policy)
- **HD/LCD - Local Character and Distinctiveness** (Policy D2 Placemaking Plan Policy)
- **HD/UF - Urban Fabric** (Policy D3 Placemaking Plan Policy)

- **HD/SS - Streets and Spaces** (Policy D4 Placemaking Plan Policy)
- **HD/BD - Building Design** (Policy D5 Placemaking Plan Policy)
- **HD/A - Amenity** (Policy D6 Placemaking Plan Policy)
- **HD/IBD - Infill & Backland Development** (Policy D7 Placemaking Plan Policy)
- **HD/L - Lighting** (Policy D8 Placemaking Plan Policy updated as part of the LPPU)
- **HD/AOSF - Advertisements & Outdoor Street Furniture** (Policy D9 Placemaking Plan Policy)
- **HD/PR - Public Realm** (Policy D10 Placemaking Plan Policy)
- **HD/DC - New Policy Design Codes**

5 HD/EQ: Environmental Quality

National Context

- 5.1 The National Planning Policy Framework (NPPF) sets out the approach to design under Section 12 'Achieving well designed places'. Paragraph 131 is of key consideration and notes the following:

'The creation of high quality, beautiful and sustainable 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.'

Regional / Local Context

- 5.2 Design policies are a key consideration in addressing the Local Plan's spatial priorities. The spatial priorities for the Local Plan that are particularly relevant include:
- Attractive, Healthy and Sustainable Places;
 - Improved Connectivity for All and Reduced Need to Travel;
 - Conserving and Enhancing Heritage Assets; and
 - Improve Physical and Mental Health and Wellbeing for all.
- 5.3 All policies will need to be updated to reflect the national policy context, particularly the National Design Guide and the requirement for Design Codes (see section on Design Codes below).
- 5.4 The West of England Combined Authority (the CA) and the region's local authorities are committed to bringing forward clean, inclusive growth and creating healthy, happy places. The CA and the four West of England Unitary Authorities worked together through 2020 to develop a Placemaking Charter in dialogue with stakeholders. The Charter sets out a shared ambition for the quality of development in the West of England and communicate the authorities' priorities and expectations to support clean, inclusive growth, responding to the climate and ecological emergencies.

- 5.5 At a local level design review, policy support, consultation and training for the South West is provided by Design West. Design West brings together expertise from across the built and natural environment sectors. The service is independent and not-for-profit working collaboratively with the development sector and decision-makers to shape better places.
- 5.6 Adopted Policy CP6 is an overarching design policy. The policy seeks to ensure Bath & North East Somerset's environmental quality is fostered both for existing and future generations.

Evidence Base

- 5.7 Key evidence as relating to this policy can be found via the following documents:

- National Design Guide

Further work Required

- 5.8 The policy will need to be amended to better reflect the National Design Guide 10 characteristics of good design, the B&NES Corporate Plan and priorities and WECA Placemaking Charter.

Policy Approach

- 5.9 The policy remains broadly fit for purpose. The policy broadly aligns with the National Design Guide 10 characteristics of good design, which reflects the government's priorities and provides a common overarching framework for design. Going forward as part of the new local plan the policy approach will seek to strengthen and provide more precise hooks/ links to the National Design Guide 10 characteristics of good design, the B&NES Corporate Strategy and priorities and WECA Placemaking Charter. Existing references to 'Building for Life 12' will be updated to its next iteration 'Building for a Healthy Life'.

- Approach - Retain policy CP6 with amendments as set out above.
 - Advantages – Adopted policy presents no issues or concerns arising from development management officers in its implementation. No evidence to suggest major changes are required.
 - Disadvantages – None identified.

6 HD/WHSS: World Heritage Site and its Setting

National Context

6.1 The National Planning Policy Framework (NPPF) lists World Heritage Sites (WHS) as Heritage assets which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

6.1 The NPPF Section 16 – Conserving and Enhancing the Historic Environment sets out under paragraph 190 the following:

‘Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:

a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;

b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;

c) the desirability of new development making a positive contribution to local character and distinctiveness; and

d) opportunities to draw on the contribution made by the historic environment to the character of a place.’

6.2 The NPPF further notes the following regarding the identifying and assessing the significance of heritage assets:

‘Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.’

6.3 When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Regional / Local Context

- 6.4 Core strategy Policy B4 seeks to prevent harm to the Outstanding Universal Value of the City of Bath World Heritage Site and its setting and is a material consideration when making planning decisions.
- 6.5 The World Heritage Site status of the city is a key material consideration when making planning decisions. As a designated heritage asset of the highest significance there is a strong presumption in favour of the conservation of the Outstanding Universal Value of the World Heritage Site.
- 6.6 The setting of the World Heritage Site, beyond its designated boundary, is important as inappropriate development here could impact upon the Outstanding Universal Value of the site. The setting is the surroundings in which the World Heritage Site is experienced. It includes a range of elements such as views and historical, landscape and cultural relationships. The World Heritage Site Setting Supplementary Planning Document (SPD) provides the information needed to assess whether a proposed development falls within the setting, whether it will have a harmful impact and to what extent. The Green Belt, which closely surrounds the city, also plays an important role in protecting the setting of the WHS.

Evidence Base

- 6.7 Key evidence as relating to this policy can be found via the following documents:
- The City of Bath World Heritage Site Management Plan
 - Bath World Heritage Site Setting Supplementary Planning Document (SPD)

Further Work Required

- 6.8 The policy will need to reference the second UNESCO World Heritage Site inscription as one of the 11 Great Spa Towns of Europe – fashionable spa towns laid out around natural springs which are used for health and wellbeing. Inscribed on the World Heritage List on the 24th July 2021.
- 6.9 The new inscription will need to be referenced and linked with policy PCS8: Bath Hot Springs.
- 6.10 The WHS Setting SPD needs to be updated to reflect changes in guidance from Historic England and UNESCO since 2014.
- 6.11 Going forward policy B4 will need to reference the requirement to make use of the management plan(s) and the WHS Setting SPD when considering development within the site or its setting and when carrying out Heritage Impact Assessments (HIAs).

Policy Approach

- 6.12 The policy remains fit for purpose. The current policy accords with national and local strategies, however, amendments will be incorporated to reference the second UNESCO World Heritage Site inscription as one of the 11 Great Spa Towns of Europe – fashionable spa towns laid out around natural springs which are used for health and wellbeing. Inscribed on the World Heritage List on the 24th July 2021.
- 6.13 The new inscription will need to be referenced and linked with policy PCS8: Bath Hot Springs.
- 6.14 In addition reference will be required to making use of the management plan(s) and the WHS Setting SPD when considering development within the site or its setting and when carrying out Heritage Impact Assessments (HIAs).
- Approach - Retain policy B4 with amendments as set out above.
 - Advantages – Adopted policy presents no significant issues or concerns arising from development management officers in its implementation. No evidence to suggest major changes are required.
 - Disadvantages – None identified.

7 HD/HE: Historic Environment

National Context

- 7.1 The NPPF Section 16 – Conserving and Enhancing the Historic Environment sets out under paragraph 196 the following:

‘Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:

a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;

b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;

c) the desirability of new development making a positive contribution to local character and distinctiveness; and

d) opportunities to draw on the contribution made by the historic environment to the character of a place.’

- 7.2 The NPPF further highlights key considerations regarding proposals affecting heritage assets (Paragraphs 200-204), and consideration to potential impacts (Paragraphs 205-214).

Regional / Local Context

- 7.3 Sensitive management of Bath and North East Somerset’s outstanding cultural and historic environment is a key component in the delivery of sustainable development, and is an asset that adds value to regeneration, business and the growing tourism sector. It acts as a highly significant stimulus to local economic growth. Managing change in the historic environment involves well established close working with Historic England and the local community, including local preservation and amenity groups and other such organisations.
- 7.4 Policy CP6(2) of the Core Strategy includes the context for historic environment policy, and for development management purposes explains how the Council proposes to secure the conservation of its heritage assets throughout the District. Policy B4 seeks to prevent harm to the Outstanding Universal Value of the City of Bath World Heritage Site and its setting and is a material consideration when making planning decisions.

- 7.5 In accordance with national planning guidance the Council will expect that in all cases, land or site value should: reflect policy requirements and planning obligations and, where applicable, any Community Infrastructure Levy charge. This confirms the principle set out in the NPPF that where safeguards are necessary to make a particular development acceptable in planning terms, and these safeguards cannot be secured, planning permission will not be granted for unacceptable development. In this context it is particularly important that developers ensure that the policy requirement to sustain and enhance the District's historic environment is factored in land values and demonstrated in viability assessments.
- 7.6 The purpose of Policy HE1 is to add more detail to policies B4 and CP6 by setting out the circumstances in which development proposals affecting the historic environment will be considered. It reflects national policy and guidance and supports the Core Strategy's strategic policies for the historic environment and its positive approach to the conservation of the District's heritage assets. The aims of this policy approach are:
- To manage the historic environment in the most efficient and effective way to sustain its overall value to society.
 - To ensure the proper assessment and understanding of the significance of a heritage asset and the contribution of its setting in the development process.
- 7.7 Policy HE1 is, in the main, a robust policy consultation with Historic England indicates the policy is reasonable, appropriate and consistent with national policy. However, adjustments are suggested to improve its clarity, consistency with national policy and guidance, and effectiveness.

Evidence Base

- 7.8 Within Bath and North East Somerset the designated heritage assets are:
- City of Bath World Heritage Site
 - UNESCO World Heritage Site inscription as one of the 11 Great Spa Towns of Europe
 - Over 6,000 listed buildings (3% Grade I, 10% Grade II*, 87% Grade II)
 - 36 conservation areas
 - 74 Scheduled Ancient Monuments
 - The Registered Lansdown Historic Battlefield site.
 - 16 Registered Historic Parks and Gardens

- 71 Parks and Gardens designated locally by the Avon Gardens Trust

7.9 Key evidence as relating to this policy can be found via the following documents:

- Locally Listed Heritage Assets SPD:
https://beta.bathnes.gov.uk/sites/default/files/2020-01/locallylistedheritagedraftapril_2018.pdf
- The City of Bath World Heritage Site Management Plan
- Bath World Heritage Site Setting Supplementary Planning Document (SPD)

Further Work Required

- 7.10 The Local Plan must recognise that heritage assets are an irreplaceable resource and need to be conserved in a manner appropriate to their significance.
- 7.11 There are threats to the character of the district from the cumulative impact of development proposals and associated infrastructure requirements The local plan must ensure development in or adjacent to conservation areas or listed buildings (and their settings) respects the character and context and enhances the quality of the built environment.
- 7.12 In relation to development in and around the City of Bath, there are both national and international landscape and heritage designations which surround the city. The setting of the City of Bath WHS, which is largely a landscape setting, including landscape views, has equivalent protection in law to the WHS itself.
- 7.13 The recent UNESCO World Heritage Site inscription as one of the 11 Great Spa Towns of Europe – fashionable spa towns will need to be referenced within policy wording. This will provide links with policy B4 and PCS8.
- 7.14 Links should also be considered to the natural environment Veteran and ancient trees/ woodlands. Link to ecological significance.
- 7.15 Going forward consideration is required regarding the evolving nature of energy efficiency in listed buildings or on heritage assets. Such work presents links to sustainable construction SPD, which presents opportunities for listed buildings.
- 7.16 Reference required for locally designated heritage assets.

Policy Approach

7.17 The policy remains fit for purpose. Policy HE1 is, in the main, a robust policy. Consultation with Historic England indicates the policy is reasonable, appropriate and consistent with national policy. However, adjustments are suggested to improve its clarity, consistency with national policy and guidance, and effectiveness. Specific changes are proposed as follows:

- Adding a reference to the World Heritage Site setting, and ensuring consistency when referencing the World Heritage Site;
- Reference required for Locally Listed Heritage Assets;
- Consideration regarding the evolving nature of energy efficiency in listed buildings or on Heritage Assets (Heritage assets are wide ranging and include designated and undesignated buildings), and how to facilitate energy efficiency within these buildings; and
- Consideration to the natural environment veteran and ancient trees/ woodlands.

7.18 Approach - Retain policy B4 with amendments as set out above.

- Advantages – Adopted policy is well used by Development Management Officers. Amendments outlined above will improve its clarity, consistency with national policy and guidance, and effectiveness.
- Disadvantages – None identified.

8 HD/SCCW: Somersetshire Coal Canal and the Wansdyke

National Context

- 8.1 The Somersetshire Coal Canal and the Wansdyke earthwork are two important linear historic assets in Bath and North East Somerset.
- 8.2 The Wansdyke is a nationally important and is one of the most significant historical features within the area and is a Scheduled Monument. This is defined as a Designated Heritage Asset within the National Planning Policy Framework (NPPF).
- 8.3 The NPPF Section 16 – Conserving and Enhancing the Historic Environment paragraph 196 sets out the context for local policy as outlined above.
- 8.4 The NPPF sets out the approach to considering impacts to designated heritage assets under paragraph 205 notes the following:

‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.’

- 8.5 Paragraph 206 further notes the following:

‘Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.’*

Regional / Local Context

- 8.6 The remains of the Somersetshire Coal Canal are a significant reminder of the District’s coal mining history. The canal was constructed between 1795 and 1801 to link the North Somerset coalfields with the Kennet and Avon Canal.
- 8.7 These historic assets benefit from the provisions of Core Strategy Policy CP6 and Policy HE1. However, the importance of these linear routes is highlighted in a separate policy and are defined on the Policies Map with a buffer to catch the widest point of the assets.

Evidence Base

8.8 Key evidence as relating to this policy can be found via the following documents:

- Green Infrastructure Strategy 2013
- The National Heritage List for England
- The Council's Historic Environment Record (HER)

Further Work Required

8.9 These linear historic assets are key components of wider multifunctional green corridors and have been highlighted in the Green Infrastructure Strategy 2013 (To be updated) and therefore also need consideration under Green Infrastructure Policy (Existing policy NE1) which is covered further under the Natural Environment Topic paper. Any amendments or development of this policy will need to take into consideration changes and amendments sought within the natural environment policy.

Policy Approach

8.10 The policy remains fit for purpose. However, the policy could be reworded to also encourage development or improvements which would sustain/enhance or better reveal the significance of the Wansdyke and/or Somersetshire Coal Canal. Amendments sought would also seek further consistency with national policy and guidance, and effectiveness.

- Approach - Retain policy HE2 with amendments as set out above.
 - Advantages – Adopted policy presents no significant issues or concerns arising from Development Management Officers in its implementation. Amendments sought would also provide further consistency with national policy and guidance, and effectiveness.
 - Disadvantages – None identified.

8.11 The boundary of the Somersetshire Coal Canal and the Wansdyke is displayed on the policies map. Development that would harm the assets within the defined boundary for Policy HE2 area is restricted through the policy. However, consultation with the Somersetshire Coal Society has indicated some developments have taken place which will present significant challenges to the successful restoration of the Somersetshire Coal Canal to navigation.

8.12 The Somersetshire Coal Society's current focus is the conservation of the Combe Hay Lock Flight and the restoration of the canal profile and stonework structures leading to the Paulton / Timsbury terminus with the objective of restoring the western terminus of the canal to water.

- 8.13 Several locations already protected from development (as defined by policy HE2 on the policies map) have been highlighted as having potential for expansion. The expansions are required to allow for diversions from the historic route where the original canal line has been blocked by recent developments.
- 8.14 This approach seeks to offer a solution which allows the canal to be restored to navigation while minimising the impact of that restoration on landowners/homeowners. The expansions indicated below are proposed to be shown on the Policies Map accompanying the Draft Local Plan and are situated at the following locations (expansions highlighted in red with the existing route shown in blue):

Radford

Proposed Extension to Local Plan Policy HE2 Buffer
Radford Proposed Extension



Camerton

Proposed Extension to Local Plan Policy HE2 Buffer
Camerton Proposed Route Expansion



Camerton - New Pit

Proposed Extension to Local Plan Policy HE2 Buffer
Camerton Proposed Extension at New Pit



Dunkerton

Proposed Extension to Local Plan Policy HE2 Buffer
Dunkerton Proposed Route Expansion



Combe Hay Cemetery

Proposed Extension to Local Plan Policy HE2 Buffer
Combe Hay Proposed Extension



9 HD/GUDP: General Urban Design Principles

National Context

- 9.1 The delivery of well-designed places is a key consideration set out within the NPPF. Section 2 - Achieving sustainable development notes the planning system has three overarching objectives, paragraph 8 b) which sets out the 'Social objective' notes the following:

'To support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.'

- 9.2 The NPPF further sets out the approach to design under Section 12. Achieving well-designed places. Paragraph 131 is of key consideration and notes the following:

'The creation of high quality, beautiful and sustainable 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.'

- 9.3 Paragraph 132 is also of consideration and sets out the following:

'Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so, they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.'

Regional / Local Context

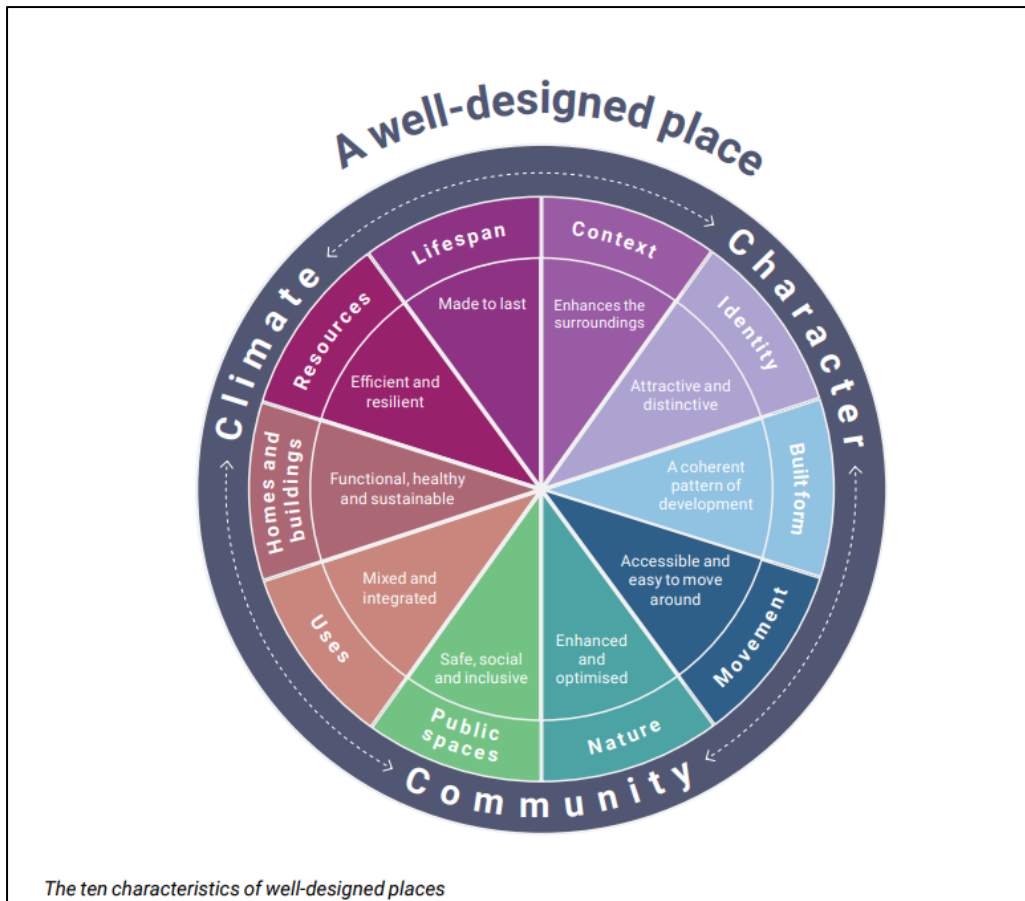
- 9.4 The West of England Combined Authority (the CA) and the region's local authorities are committed to bringing forward clean, inclusive growth and creating healthy, happy places. The CA and the four West of England Unitary Authorities worked together through 2020 to develop a Placemaking Charter in dialogue with stakeholders. The Charter sets out a shared ambition for the quality of development in the West of England and communicate the authorities' priorities and expectations to support clean, inclusive growth, responding to the climate and ecological emergencies.
- 9.5 At a local level design review, policy support, consultation and training for the South West is provided by Design West. Design West brings together expertise from across the built and natural environment sectors. The service is independent and not-for-profit working collaboratively with the development sector and decision-makers to shape better places.
- 9.6 Policy D1 sets out the general urban design principles that will be applied at a high level. These are particularly relevant for large development sites or Masterplans but apply equally to all development scales.

Evidence Base

- 9.7 Key evidence as relating to this policy can be found via the following documents:
- National Design Guide;
 - The Urban Design Compendium Key principles of Urban Design;
 - Manual for Streets (parts 1 and 2) Guide to Planning & Design of Residential Streets;
 - Planning Practice Guidance - Design: process and tools;
 - Active Design Criteria & Matrix (Sport England) Design principles to encourage activity and sport; and
 - Trees in Townscape (Trees and Design Action Group) Design principles supported by the Woodland Trust to encourage tree friendly spaces within developments.

Further Work Required

- 9.8 The policy will need to be amended to better reflect the National Design Guide 10 characteristics of good design, the B&NES Corporate Plan and priorities and WECA Placemaking Charter.



Source - National Design Guide 2021

Policy Approach

9.9 Going forward as part of the new local plan the policy approach will be updated and amended to better reflect the National Design Guide 10 characteristics of good design, the B&NES Corporate Plan and priorities and WECA Placemaking Charter.

- Approach - Retain policy D1 with amendments as set out above.
 - Advantages – Adopted policy presents no significant issues or concerns arising from development management officers in its implementation. No evidence to suggest major changes are required.
 - Disadvantages – None identified.

10 HD/LCD: Local Character and Distinctiveness

- 10.1 The delivery of well-designed places is also a key consideration set out within the NPPF. Section 2 - Achieving sustainable development amongst other things notes the planning system has three overarching objectives, paragraph 8 b) which sets out the 'Social objective' notes the following:

'To support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.'

- 10.2 The NPPF further sets out the approach to design under Section 12. Achieving well-designed places. Paragraph 126 is of key consideration and notes the following:

- 10.3 *'The creation of high quality, beautiful and sustainable 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.'*

Regional / Local Context

- 10.4 Placemaking Plan Policy D2 sets out the policy on local character and distinctiveness, and designs should respond to an analysis of the place in a positive way. Evidence of locally specific analysis which underpins the design rationale will be sought to demonstrate that this policy has been met. Existing local character appraisals, site briefs, and other evidence should be considered when establishing the local character and distinctiveness.
- 10.5 To deliver this policy, a scheme must have a strong appreciation of local context and how the development responds and contributes towards this.

Evidence Base

- 10.6 Key evidence as relating to this policy can be found via the following documents:
- National Design Guide

Further Work Required

- 10.7 The policy presents links and crossovers with policy NE2 and NE2A both of which are covered under the natural environment topic paper. Going forward the policy could be amended to better align with these policies.
- 10.8 The policy will need to be amended to better reflect the National Design Guide 10 characteristics of good design, the B&NES Corporate Plan and priorities and WECA Placemaking Charter.

Policy Approach

- 10.9 The policy remains fit for purpose. The policy broadly aligns with the National Design Guide 10 characteristics of good design, which reflects the government's priorities and provides a common overarching framework for design. Going forward as part of the new local plan the policy approach will seek to strengthen and provide more precise hooks/links to the National Design Guide 10 characteristics of good design, the B&NES Corporate Plan and priorities and WECA Placemaking Charter.
- 10.10 The policy presents links/ crossovers to policies NE2 and NE2A (covered in greater detail within the Nature and Ecosystems Topic Paper). Any changes or amendments to this policy will need to reference the links/ crossovers.
- Approach - Retain policy D2 with amendments as set out above.
 - Advantages – Adopted policy presents no significant issues or concerns arising from development management officers in its implementation. No evidence to suggest major changes are required.
 - Disadvantages – None identified.

11 HD/UF: Urban Fabric

11.1 The delivery of well-designed places is also a key consideration set out within the NPPF. Section 2 - Achieving sustainable development amongst other things notes the planning system has three overarching objectives which set the overarching context for local policy. As outlined in the section above the NPPF further sets out the approach to design under Section 12 - Achieving well-designed places (see paragraph 126).

Regional / Local Context

11.2 Placemaking Plan Policy D3 relates to the way in which development needs to weave together and connect urban fabric, to ensure that places are well connected, safe, inclusive and walkable.

Evidence Base

11.3 Key evidence as relating to this policy can be found via the following documents:

- National Design Guide

Further Work Required

11.4 The policy will need to be amended to better reflect the National Design Guide 10 characteristics of good design, the B&NES Corporate Plan and priorities and WECA Placemaking Charter.

Policy Approach

11.5 The policy remains fit for purpose. The policy broadly aligns with the National Design Guide 10 characteristics of good design, which reflects the government's priorities and provides a common overarching framework for design. Going forward as part of the new local plan the policy approach will seek to strengthen and provide more precise hooks/links to the National Design Guide 10 characteristics of good design, the B&NES Corporate Plan and priorities and WECA Placemaking Charter.

- Approach - Retain policy D3 with amendments as set out above.
 - Advantages – Adopted policy presents no significant issues or concerns arising from development management officers in its implementation. No evidence to suggest major changes are required.
 - Disadvantages – None identified.

12 HD/SS: Streets and Spaces

12.1 The delivery of well-designed places is also a key consideration set out within the NPPF. Section 2 - Achieving sustainable development amongst other things notes the planning system has three overarching objectives, paragraph 8 b) sets out the context for local policy as outlined above. The NPPF further sets out the approach to design under Section 12 - Achieving well-designed places. Paragraph 126 as outlined above is of key consideration.

Regional / Local Context

12.2 Placemaking Plan Policy D4 seeks to reinforce the importance of development making appropriate connections and relates specifically to streets, highways design and public realm.

Evidence Base

12.3 Key evidence as relating to this policy can be found via the following documents:

- National Design Guide

Further Work Required

12.4 Going forward the policy could be amended to better strengthen the requirement for street trees. The current policy requires for street trees and green spaces to contribute to a network of Green Infrastructure and should be adequately sited to promote connectivity for people and wildlife. The NPPF has a requirement for street trees. This means that streets need to be appropriately designed with sufficient space to accommodate trees without being too close to buildings and to accommodate walkers including for example wheel chairs and buggies, street furniture and underground services.

12.5 The policy will need to be amended to better reflect the National Design Guide 10 characteristics of good design, the B&NES Corporate Plan and priorities and WECA Placemaking Charter.

Policy Approach

12.6 The policy remains broadly fit for purpose and accords with national and local strategies, however, amendments could be incorporated.

12.7 Going forward the policy could be amended to better strengthen the requirement for street trees. The current policy requires for street trees and green spaces to contribute to a network of Green Infrastructure and should be adequately sited to promote connectivity for people and wildlife. Trees are also important in respect of street design and quality. Streets need to be appropriately designed with sufficient space to accommodate trees without being too close to buildings and to accommodate walkers including for example wheelchairs and buggies, street furniture and underground services. This should be made clearer in Policy D4.

12.8 The policy broadly aligns with the National Design Guide 10 characteristics of good design, which reflects the government's priorities and provides a common overarching framework for design. Going forward as part of the new local plan the policy approach will seek to strengthen and provide more precise hooks/ links to the National Design Guide 10 characteristics of good design, the B&NES Corporate Plan and priorities and WECA Placemaking Charter.

- Approach - Retain policy D4 with amendments as set out above.
 - Advantages – Adopted policy presents no significant issues or concerns arising from development management officers in its implementation. No evidence to suggest major changes are required.
 - Disadvantages – None identified.

13 HD/BD: Building Design

13.1 The delivery of well-designed places is also a key consideration set out within the NPPF. Section 2 - Achieving sustainable development amongst other things notes the planning system has three overarching objectives, paragraph 8 b) sets out the context for local policy as outlined above. The NPPF further sets out the approach to design under Section 12 - Achieving well-designed places. Paragraph 126 as outlined above is of key consideration.

Regional / Local Context

13.2 Placemaking Plan Policy D5 relates specifically to building-scale design and materials. Reference is also made to the need to design-out nesting and roosting area for seagulls which can pose public health and safety problems.

Evidence Base

13.3 Key evidence as relating to this policy can be found via the following documents:

- National Design Guide

Further Work Required

13.4 The policy will need to be amended to better reflect the National Design Guide 10 characteristics of good design, the B&NES Corporate Plan and priorities and WECA Placemaking Charter.

Policy Approach

13.5 The policy remains fit for purpose. The current policy accords with national and local strategies, however, amendments could be incorporated.

13.6 The policy broadly aligns with the National Design Guide 10 characteristics of good design, which reflects the government's priorities and provides a common overarching framework for design. Going forward as part of the new local plan the policy approach will seek to strengthen and provide more precise hooks/links to the National Design Guide 10 characteristics of good design, the B&NES Corporate Plan and priorities and the WECA Placemaking Charter.

13.7 Opportunities will also be sought to strengthen the requirement of the inclusion of habitat features (e.g. nesting birds within buildings and connectivity measures for hedgehogs), aligning with the options and approaches as set out under the nature and ecosystem services section.

- Approach - Retain policy D5 with amendments as set out above.

- Advantages – Adopted policy presents no significant issues or concerns arising from development management officers in its implementation. No evidence to suggest major changes are required.
- Disadvantages – None identified.

14 HD/A: Amenity

- 14.1 The delivery of well-designed places is also a key consideration set out within the NPPF. Section 2 - Achieving sustainable development amongst other things notes the planning system has three overarching objectives, paragraph 8 b) sets the overarching context for local policy. The NPPF further sets out the approach to design under Section 12 - Achieving well-designed places. Paragraph 126 as outlined above is of key consideration.

Regional / Local Context

- 14.2 Placemaking Plan Policy D6 covers the issue of amenity, ensuring that developments provide the appropriate level of amenities for new and future occupiers, relative to their use and avoiding harm to private amenity in terms of privacy, light and outlook/overlooking.

Evidence Base

- 14.3 Key evidence as relating to this policy can be found via the following documents:

- National Design Guide

Further Work Required

- 14.4 The policy will need to be amended to better reflect the National Design Guide 10 characteristics of good design, the B&NES Corporate Plan and priorities and WECA Placemaking Charter.

Policy Approach

- 14.5 The policy remains fit for purpose. The policy broadly aligns with the National Design Guide 10 characteristics of good design, which reflects the government's priorities and provides a common overarching framework for design.
- 14.6 Going forward as part of the new local plan the policy approach will seek to strengthen and provide more precise hooks/links to the National Design Guide 10 characteristics of good design, the B&NES Corporate Plan and priorities and WECA Placemaking Charter.
- 14.7 There are also opportunities to better align with the NPPF in particular the 'Agent of Change' requirement whereby existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established as outlined by paragraph 192.

- Approach - Retain policy D6 with amendments as set out above.
 - Advantages – Adopted policy presents no significant issues or concerns arising from development management officers in its implementation. No evidence to suggest major changes are required.
 - Disadvantages – None identified.

15 HD/IBD: Infill & Backland Development

15.1 The delivery of well-designed places is also a key consideration set out within the NPPF. Section 2 - Achieving sustainable development notes the planning system has three overarching objectives, paragraph 8 b) sets the overarching context for local policy as outlined above. The NPPF further sets out the approach to design under Section 12 - Achieving well-designed places, paragraph 126 also as outlined above is of key consideration.

Regional / Local Context

15.2 Placemaking Plan Policy D7 relates specifically to infill and backland development, it applies to all parts of the district both urban and rural and emphasises the importance of an approach based on a sound understanding of character and context.

Evidence Base

15.3 Key evidence as relating to this policy can be found via the following documents:

- National Design Guide

Further Work Required

15.4 Amendments could be incorporated to ensure the policy is clearer particularly regarding planning balance and judgement.

Policy Approach

15.5 The policy remains fit for purpose. The current policy accords with national and local strategies, however, amendments could be incorporated to ensure the policy is clearer particularly regarding planning balance and judgement.

- Approach - Retain policy D7 with amendments as set out above.
 - Advantages – Adopted policy presents no significant issues or concerns arising from development management officers in its implementation, but the proposed change would aid implementation. No evidence to suggest major changes are required.
 - Disadvantages – None identified.

16 HD/L: Lighting

- 16.1 The NPPF makes it clear that planning policies should limit the impact of light pollution from artificial light. Section 15 – Conserving and enhancing the natural environment sets out amongst other things the following:

‘Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.’

- 16.2 National Planning Policy Guidance (NPPG) includes further guidance on the factors that are relevant in considering the implications of light pollution, including ecological impact.

Regional / Local Context

- 16.3 Placemaking Plan Policy D8 sets out several general principles that apply to all proposals for artificial lighting.
- 16.4 Within Bath and other urban areas, a high level of lighting exists and is generally accepted whilst recognising even within the urban area, important dark corridors and dark spaces do exist and these are used by, if not essential for, wildlife. The floodlighting of many historic buildings enhances the night time scene. However, badly designed lighting schemes can be just as damaging to private and public amenity as in darker rural areas. New light sources can have a disproportionate impact because of the area’s topography.
- 16.5 Within the district’s open countryside external lighting is generally not acceptable. Lighting can be extremely prominent and, in many cases, visible over a large area and can often introduce an urban appearance to the countryside which for the most part is not lit at night.

Evidence Base

- 16.6 Key evidence as relating to this policy can be found via the following documents:
- National Design Guide
 - Bats and Lighting in the UK, Bat Conservation Trust, 2008

- Guidance Notes for the Reduction of Obtrusive Light GN01:2011 (Institute of Lighting Professionals)
- UK Road Lighting Standards
- Bath Lighting Strategy (part of the Pattern Book)
- Bath waterside development – guidance on the protection of bats
- Bats and artificial lighting in the UK
- Dark Skies in the Mendip Hills National Landscape - Dark Night Skies and Light Pollution Position Statement
- Cotswolds Conservation Board Position Statement Dark Skies and Artificial Light

Further work Required

- 16.7 The Council's aim is to reduce the adverse impact of lighting installations both day and night throughout its area. In exercising control, it will be mindful of the policies that apply in designated areas of ecological importance, high visual amenity and the surrounding areas where ill designed schemes could adversely affect their character and appearance.
- 16.8 Going forward consideration should be given to updating existing policy to address requirements for all new external and public space lighting to have minimal blue light content, and to specify a general requirement for a colour temperature requirement in ecologically sensitive areas, and within protected landscapes.
- 16.9 In addition, consideration as to whether defining Environmental Zones for the district, with urban areas, rural areas, river corridors, nature recovery networks and protected landscapes zones. This approach would require a review of cost implications and benefits.

Policy Approach

- 16.10 The policy remains fit for purpose. The current policy accords with national and local strategies, however, some amendments should be incorporated.
- 16.11 The approach sought within the new local plan will be to update policy D8 to address requirements for all new external and public space lighting to have minimal blue light content, and to specify a general requirement for a colour temperature requirement in ecologically sensitive areas, and within protected landscapes.
- Approach - Retain policy D8 with amendments as set out above.

- Advantages – Adopted policy presents no issues or concerns arising from development management officers in its implementation. Controlling light pollution will provide benefits to the environment and greenhouse gas emissions. It will also present opportunities to reduce harm to humans' health and wellbeing and wildlife benefiting nature recovery.
- Disadvantages – None identified.

17 HD/AOSF: Advertisements & Outdoor Street Furniture

17.1 The NPPF highlights planning policies and decisions should ensure that developments among other things 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). This is in addition to ensuring developments 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. Developments should also optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks.

17.2 The NPPF paragraph 136 further sets out the following:

‘The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.’

Regional / Local Context

17.3 Placemaking Plan Policy D9 aims to provide guidance that will be used in the determination of planning, advertisement and listed building consent in relation to advertisement and outdoor street furniture for commercial premises – including signage (both fascia and ancillary signage/advertising), outdoor tables and chairs, low level barriers etc. The policy seeks to ensure the delivery of good design, in line with NPPF.

17.4 The policy is in two parts: Advertisement policy, and Outdoor Street furniture policy. Additional detail is also provided for Bath Conservation Area in line with the stewardship principles WHS Management Plan (2014, or successor document).

Evidence Base

17.5 Key evidence as relating to this policy can be found via the following documents:

- National Design Guide
- Bath Shop Fronts Guidance (1993)

- Commercial Signage and Tables and Chairs – Bath Design and Conservation Area Guidance (Draft, 2015)
- Conservation Area Appraisals

Further Work Required

17.6 It is noted that the Regeneration and Levelling Up Act 2023 (Schedule 22 - Pavement Licences) has confirmed the government's intention to progress with pavement licencing regime (via licencing) with no further requirement for a tables and chairs on the highway (via planning consent), as such this element of the policy will become redundant.

Policy Approach

17.7 The policy remains fit for purpose. The current policy accords with national and local strategies, however, amendments could be incorporated to ensure the policy is clearer particularly regarding planning balance and judgement. Elements of the policy concerning tables and chairs on the highway will also be removed to reflect the Regeneration and Levelling Up Act 2023 (Schedule 22) as they will become redundant.

- Approach - Retain policy D9 with amendments to take account of Regeneration and Levelling Up Act 2023 (Schedule 22).
 - Advantages – Adopted policy presents no issues or concerns arising from development management officers in its implementation.
 - Disadvantages – None identified.

18 HD/PR: Public Realm

18.1 The NPPF highlights planning policies and decisions should ensure that developments among other things 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.

Regional / Local Context

18.2 The Public realm is defined as any publicly owned streets, pathways, right of ways, parks, publicly accessible open spaces and any public and civic building and facilities. Development proposals often include areas of public realm as part of their proposals and/or contribute financially to the creation to new or enhanced streets and spaces.

18.3 Several strategies and guidance to support the delivery and coordination of quality of public realm improvements and maintenance have been prepared. In addition, Neighbourhood Plans often include detailed public realm proposals and policies.

18.4 Placemaking Plan Policy D10 requires for proposals to be designed to enhance the public realm and to contribute towards achieving public realm infrastructure improvements, in line with the Planning Obligations SPD, and successor documents.

Evidence Base

18.5 Key evidence as relating to this policy can be found via the following documents:

- National Design Guide
- Public Realm and Movement Strategy for Bath City Centre Adopted in March 2010.
- Bath Pattern Book - Public Realm Framework (Part 1)
- Technical and Operational Guidance (Part 2) (December 2015)
- Street Furniture Pattern Book Design Guide
- Operation and Maintenance Manual & the City Information Systems Design Guide.

Further Work Required

- 18.6 Ideally Public realm strategies are required for areas throughout B&NES, however, resourcing can be seen as an issue. Going forward greater collaboration across the council to understand what work has been undertaken should be pursued.
- 18.7 Frequently the public realm will be in the Council's ownership so therefore not in the control of the applicant. It would be good to be able to find a way around this and for us to facilitate improvements more simply.
- 18.8 There are opportunities to tie the policy into the urban greening factor (UGF). The UGF is an approach/ option being explored further within the natural environment topic area.
- 18.9 Going forward more reference is required regarding the design and design quality of soft as well as hard public realm. In addition, within the Design policies generally, reference is required regarding the quality of delivered schemes. Policy development going forward will need to clearly set out council expectations concerning materials, spatial arrangement, layout design, and detailing of developments are all required to be of highest quality and fully in accordance with all national and local guidance and British Standards. Layouts and detailed designs of external space must also respond sensitively to site landform working with the contours of the site to avoid the creation of steep and engineered slopes.
- 18.10 Work is required to address the any progressive deterioration of public realm quality, and any negative changes to originally approved schemes as the delivery of developments progresses through both multiple variations and also through progressive phases.

Proposed Options

- 18.11 The policy remains fit for purpose.
- 18.12 The current policy accords with national and local strategies, however, amendments could be incorporated to ensure the policy is clearer.
- 18.13 This could include some headline principles from the pattern book and Public Realm and Movement Strategy being incorporated within the policy so that it is able to better define what good public realm is. This is with an aim of aiding planning balance and judgement.
- Approach - Retain policy D10 with amendments as set out above.
 - Advantages – Adopted policy presents no significant issues or concerns arising from development management officers in its implementation. No evidence to suggest major changes are required.
 - Disadvantages – None identified.

19 HD/DC: New Policy - Design Codes

- 19.1 The NPPF (para 133-134) sets out local authorities should seek to provide maximum clarity about design expectations at an early stage. These paragraphs note the following:

'para 133: ... Design guides and codes provide a local framework for creating beautiful and distinctive places with a consistent and high-quality standard of design. Their geographic coverage, level of detail and degree of prescription should be tailored to the circumstances and scale of change in each place and should allow a suitable degree of variety.

Para 134: Design guides and codes can be prepared at an area-wide, neighbourhood or site specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents. Landowners and developers may contribute to these exercises, but may also choose to prepare design codes in support of a planning application for sites they wish to develop.

Whoever prepares them, all guides and codes should be based on effective community engagement and reflect local aspirations for the development of their area, taking into account the guidance contained in the National Design Guide and the National Model Design Code. These national documents should be used to guide decisions on applications in the absence of locally produced design guides or design codes.'

Regional / Local Context

- 19.2 The West of England Combined Authority (the CA) and the region's local authorities are committed to bringing forward clean, inclusive growth and creating healthy, happy places. The CA and the four West of England Unitary Authorities worked together through 2020 to develop a Placemaking Charter in dialogue with stakeholders. The Charter sets out a shared ambition for the quality of development in the West of England and communicate the authorities' priorities and expectations to support clean, inclusive growth, responding to the climate and ecological emergencies.
- 19.3 At a local level design review, policy support, consultation and training for the South West is provided by Design West. Design West brings together expertise from across the built and natural environment sectors. The service is independent and not-for-profit working collaboratively with the development sector and decision-makers to shape better places.
- 19.4 opportunities for a West of England approach to design coding.

Evidence Base

19.5 Key evidence as relating to this policy can be found via the following documents:

- National Design Guide

Further Work Required

19.6 Work is required to develop a policy with overarching design code principles.

Policy Approach

19.7 Development of a policy with overarching design code principles. The design codes would be expected to include the following:

- Context - Local character and built heritage;
- Movement - Design of the street network, active travel and public transport;
- Nature - Design of green infrastructure, play spaces, SUDS and the protection of biodiversity;
- Built Form - Density, built form and urban design;
- Identity - character of buildings;
- Public space - Design and of streets and public spaces;
- Homes and Buildings - Type and tenure of homes;
- Uses - Mix of uses and active frontage;
- Resources - Environmental design, renewable energy provision and low energy networks; and
- Lifespan - Management and adoption standards.

19.8 Approach - Development of a policy with overarching design code principles as outlined above.

- Advantages – Implementation of design codes will present a positive opportunity to engage with communities – particularly where there are large allocations. The approach will present wider master planning opportunities to support communities. Will present delivery requirements i.e., developments of greater significance owing to their scale, location, or impact on sensitive areas or important assets.
- Disadvantages – None identified.