



STATUTORY NOTICE

ADOPTION STATEMENT (27 June 2019) FOR DURHAM COUNTY COUNCIL LOCAL DEVELOPMENT DOCUMENTS

COUNTY DURHAM BUILDING FOR LIFE SUPPLEMENTARY PLANNING DOCUMENT (SPD)

Planning and Compulsory Purchase Act 2004 Town and Country Planning (Local Development) (England) Regulations 2012

Regulation 14 – Adoption of Supplementary Planning Documents

The County Durham Building for Life Supplementary Planning Document (SPD) was adopted by the County Council and came into effect on 27 June 2019. The appendix to this statement sets out the modifications made to the SPD in account of representations received during consultation and other relevant matters.

The SPD document provides detailed guidance for the application of Building for Life standards and the operation of the design review process. While it does not introduce any new policies, it is a material consideration in the determination of planning applications.

Any person with sufficient interest in the decision to adopt the SPD may apply to the High Court for permission to apply for judicial review of that decision. Such an application must be made promptly, and in any event, no later than 3 months after the date on which the SPD was adopted.

The SPD, Adoption Statement and Consultation Statement, summarising the main issues raised during the formal consultation periods (and how these have been addressed), can be viewed on the Council's website at: www.durham.gov.uk/cdp.

Copies will also be available for 3 months following adoption at:

- County Hall, Durham County Council
- Customer Access Points (<http://www.durham.gov.uk/customeraccesspoints>)
- Libraries (<http://www.durham.gov.uk/libraries>)

If you require any further information on the documents, please contact the Spatial Policy Team:

Telephone: 03000 260000

Email: Spatialpolicy@durham.gov.uk

Post: 'FREEPOST Spatial Policy' (please note no further information is required)

Schedule of changes to the County Durham Building for Life Supplementary Planning Document (2019)

Page	Paragraph	Details	Reason for Change
2	1.3	Reference added to additional best practice documents (i.e. 'Neighbourhoods for Life' and 'Active Design').	To ensure greater consistency with the County Durham Plan and to reflect recommendations made by Sport England.
4	1.9 / 1.10	Minor text amendments.	To improve clarity.
4	1.12	Text added to confirm fortnightly occurrence of review sessions and attendance of the case officer.	To ensure clarity and following representations made by house builder.
4	1.13	'Public Health' added to the list of attendees at review sessions.	Following discussions with Public Health Team and health interest groups.
5	1.17	Minor amendment to text to reflect changes to Sustainable Design Policy.	To ensure clarity and consistency with the County Durham Plan.
5	1.18	Text requiring pre-application schemes to be reviewed again at formal planning stages removed as this is already set out under paragraph 1.19.	To improve clarity.
5	1.19	Text added to ensure review findings are shared 'in good time' following review sessions so that the application process is not unduly slowed down by design review.	To reflect concerns of house builder.
5	1.21	Text amended to reflect changes made to the Sustainable Design Policy. The Policy in the County Durham Plan is now insistent that schemes which score 'reds' and the applicant cannot demonstrate that they have done enough to address these changes then the scheme will be refused planning permission unless there are significant overriding circumstances.	To ensure clarity and consistency with the County Durham Plan.
6	1.22	Minor text amendments and reordering of text.	To improve clarity.
17	6.6	Text added to emphasise that proposals should understand the significance and context of heritage	To reflect concerns of World Heritage Site Coordinator.

		assets and the historic character of the area within or near the development.	
33 - 53	14.2	Various minor grammatical text amendments within scoring criteria text.	To improve clarity and to reflect comments received during first round of consultation.



**COUNTY DURHAM BUILDING FOR LIFE SUPPLEMENTARY PLANNING DOCUMENT
(SPD)**

CONSULTATION STATEMENT

June 2019

Introduction

This Consultation Statement sets out details of the consultation Durham County Council has undertaken in the preparation of the County Durham Building for Life Supplementary Planning Document (SPD).

Consultation Requirements

This consultation statement has been prepared in accordance with the Town and Country Planning (Local Plan) (England) Regulations 2012. Regulation 12 requires that the council prepare a consultation statement setting out the persons consulted when preparing the SPD, a summary of the main issues raised by those persons, and, how these have been addressed in the SPD. Key officers from council and members were consulted in the preparation of the SPD and as part of the public consultation process.

Consultation on the draft SPD

For both rounds of consultation copies of the SPD were made available at all libraries and customer access points throughout at the County, as well at the main council buildings. The SPD was also published on the council's website. Statutory consultees were consulted in accordance with regulation 35 of the Act. All general consultees on the council's database were also informed, via letter or email.

Consultation on the first draft SPD took place between 22 June and 3 August 2018, alongside the Preferred Options draft of the County Durham Plan. Comments received at this stage were considered and the document was amended accordingly. A second draft of the SPD was consulted upon from 25 January to 8 March 2019. The SPD was adopted by the council on 27 June 2019.

Responses

The consultations yielded 8 comments in total. All representations were reviewed and appropriate changes made to the SPD. The Tables (1 & 2) below show the comments received and the council's response to each of them.

This Consultation Statement should be read alongside the Adoption Statement which summarises the amendments made to the document following the public consultations.

Table 1: Comments received in response to first round of public consultation on the draft SPD

Respondent	Comment	DCC Response
<p>Durham World Heritage Site Coordinator (Jane Gibson)</p>	<p>The originating document, Building for Life 12 (2015), had substantial and valuable guidance on creating successful new housing developments. It also covers incorporating the reuse of older buildings. Its aim seemed orientated more to substantial new housing developments with less reference to single larger buildings, intensive or minor infill and smaller developments within existing developed areas.</p> <p>It was particularly lacking in references to the heritage assets and their role in creating distinctive, successful developments that are attractive to live in. It did not cover adequately the need to respect the historic environment and to avoid reducing the value of surrounding areas that have distinctive historic character.</p> <p>Durham’s attractiveness lies in its rich heritage, landscape and natural assets. This is the case with Durham City that relies for its highly recognisable image on its historic core and particularly the World Heritage Site and its surrounds. It is therefore very welcome that the County Durham SPD seeks to strengthen heritage references in the local considerations sections especially sections 6.6, 6.7 and 7.6. The review needs further strengthening if it is to be used for development other than extensive new housing. If it were to be used in relation to historic areas for larger developments or individual apartment/accommodation buildings, it needs greater recognition of the historic environment and buildings and their intrinsic value.</p> <p>This might be achieved under local considerations Section 6 by adding a reference to the need to fully understand the significance and context of heritage assets and the historic character of the area within or near the development. This could emphasise the way in which the development, its design and distinctiveness might positively benefit from this understanding. It might also help to avoid damage to the existing distinctiveness and significance of heritage assets and historic areas.</p>	<p>The document was amended to incorporate further guidance in relation to the historic environment and buildings.</p>

<p>Sport England (Victoria Vernon)</p>	<p>Sport England believes that sport has an important role in modern society and in creating sustainable and healthy communities. Sport and physical activity is high on the Government’s national agenda as it cuts across a number of current topics that include health, social inclusion, regeneration and anti-social behaviour. The importance of sport should be recognised as a key component of development plans, and not considered in isolation.</p> <p>Sport England along with Public Health England have launched our revised guidance ‘Active Design’ which we consider has considerable synergy with the Durham Building for Life Design SPD. Especially with the Facilities and Services, Public Transport, Streets for All and Public and Private Space sections. It may therefore be useful to provide a cross-reference (and perhaps a hyperlink) to www.sportengland.org/activedesign . Sport England believes that being active should be an intrinsic part of everyone’s life pattern.</p> <p>The guidance is aimed at planners, urban designers, developers and health professionals.</p> <ul style="list-style-type: none"> • The guidance looks to support the creation of healthy communities through the land use planning system by encouraging people to be more physically active through their everyday lives. • The guidance builds on the original Active Designs objectives of <i>Improving Accessibility, Enhancing Amenity and Increasing Awareness (the ‘3A’s)</i>, and sets out the Ten Principles of Active Design. • Then Ten Active Design Principles have been developed to inspire and inform the design and layout of cities, towns, villages, neighbourhoods, buildings, streets and open spaces, to promote sport and physical activity and active lifestyles. • The guide includes a series of case studies that set out practical real-life examples of the Active Design Principles in action. These case studies are set out to inspire and encourage those engaged in the planning, design and management of our environments to deliver more active and healthier environments. • The Ten Active Design Principles are aimed at contributing towards the Governments desire for the planning system to promote healthy communities through good urban design. 	<p>Reference was added within the document to the Active Design document, which touches upon many of the design criteria within BfL. The Sustainable Design Policy in the County Durham Plan also references a range of good practice guidance which should be utilised within the design of new development.</p>
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	<p>The developer’s checklist (Appendix 1) has been revised and can also be accessed via www.sportengland.org/activedesign</p> <p>Sport England would encourage development in Durham be designed in line with the Active Design principles to secure sustainable design. This could be evidenced by use of the checklist.</p> <p>A suggested model policy for Local Plans is set out in the attachment.</p> <p>Sport England would be willing to discuss the comments made or provide comments on any amended draft policy wording in advance of further formal consultation.</p>	
<p>The Brookhouse Group (Neil Westwick – agent)</p>	<p>This representation has been prepared by Lichfields on behalf of the Brookhouse Group. The Brookhouse Group wishes to thank the Council for the opportunity to comment on Durham County Council’s ‘Buildings for Life Supplementary Planning Document’. The Brookhouse Group supports the overall purpose of the SPD which is to improve the quality of design and to promote a good quality environment. However, they have a few minor comments on some of the Internal Design Review questions which they would be obliged if the council could take into account.</p> <p>Internal Design Review – Scoring Mechanism and Comments for Full or Hybrid Applications</p> <p>3. Public Transport</p> <p>The third question asks whether there are bus stops within 400 metres of the site. However, it will not always be commercially possible for bus operators to provide a service to achieve the 400m distance and hence there could be cases where this distance is unachievable.</p> <p>The Brookhouse Group recognises that paragraph 2.2.2 of the Parking and Accessibility Standards document advises that “800m was considered to be a ‘short journey’ and walkable distance based on the research by ‘Campaign for Better Transport .’ Furthermore, recent research studies undertaken by WYG and DHA Transport have both found that, in many circumstances, people are prepared</p>	<p>Comments in relation to the scoring criteria within the SPD were carefully considered against the existing scoring criteria sheets. The criteria sheets have been amended in some places to make them more accurate and clearer, and to incorporate some of the suggested changes including in respect to public and private spaces and affordable housing percentages.</p> <p>However, further changes have not been incorporated for a variety of reasons, principally due to the weakening impact they would have on the aim of ensuring well designed places, in accordance with national policy. To highlight specific examples, the representation proposed that walking distances to public transport should be extended from 400m to 800m. 400m is regarded as the maximum distance somebody should travel. Whilst 800m is considered a short 'journey' in relation to services and facilities, the 400m walk would only form a stage of a journey and therefore the two figures have different meanings.</p> <p>In relation the comment on meeting local housing requirements, the BfL guidance is quite clear that</p>

<p>to walk further to local facilities and public transport services than is indicated by a number of guidance documents.</p> <p>Whilst recognising that acceptable walking distances will vary between individuals and circumstances, based on the findings of recent research studies, it is considered that a walking distance of up to 800m (10 minutes) for a bus stop is acceptable. The Brookhouse Group considers that the 400m distance is inflexible, may not be achievable and does not reflect reality. The Brookhouse Group considers that the reference to maximum walking distances should either be removed or the maximum walking distance be increased to 800m.</p> <p>The Brookhouse Group therefore suggests that the third question is amended to one of the following two options:</p> <p>“Are bus stops should be within a walkable distance of the site?”</p> <p>“Are there bus stops within 400 800 metres of the site?”</p> <p>4. Meeting Local Housing Requirements (page 38)</p> <p>The fifth question is about whether the affordable dwellings and specialist housing provision are dispersed throughout the scheme.</p> <p>Registered Providers (RPs) generally have concerns about affordable / specialist housing being dispersed throughout developments due to management difficulties. Such providers prefer the housing to be clustered together. The Brookhouse Group is concerned that, should this statement be sought, it could lead to difficulties in finding RPs to manage such properties.</p> <p>‘Buildings for Life 12 – The sign of a good place to live’ (30.1.2015) is worded more flexibly. Rather it asks whether the different types and tenures are spatially integrated and advises that homes should be designed to be tenure blind. The Brookhouse Group considers that the question posed in the Council’s Building for</p>	<p>different types and tenures should be spatially integrated to create a cohesive community. While visual markers should be avoided as well, the aim of spreading out tenures and types helps to avoid clustering of particular groups and to encourage better social integration which is a key aim of national policy.</p> <p>In terms of character, the review process recognises that there may be a variety of ways to respond to the development of a site, however a key aim of the BfL process (supported through national planning policy) is to respond to local context where possible and desirable. The flexibility is evidenced in the fourth bullet point under the ‘Character’ criteria, which states “If the area lacks discernible character what character should be created in the new development?”. It is not considered likely that this requirement would impact on the viability of a scheme, as costs and designs could be adjusted accordingly to ensure this is not a significant burden upon development.</p> <p>In terms of public and private spaces, the proposed change is rejected as it implies that SUDS are solely reliant upon optimum ground conditions. This isn’t the case as sustainable drainage techniques can normally be incorporated within the majority of schemes and they are not specifically reliant on ground conditions (for example permeable parking surfaces and capture at source). Ground conditions will be factored into the consideration of a scheme as a matter of course.</p> <p>In respect to wildlife habitats changes are not needed as the existing wording provides sufficient flexibility.</p>
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Life (BfL) SPD is more onerous than the actual BfL document and suggests that the following question is removed:

Is the affordable housing and specialize housing provision dispersed throughout the scheme?

The separate question about whether such housing is devoid of markers of their status is considered to suffice.

5. Character

The second question asks whether the standard house types can be adapted using elements of the local vernacular. The Brookhouse Group wishes to highlight that adapting standard house types will have cost, time and potentially viability implications, which should be taken into account. The Brookhouse Group suggests the following change to this question:

“Can standard house types be adapted using elements of the local vernacular for example material, detailing, window shapes, roof details, door patterns etc, where appropriate and subject to scheme viability?”

6. Working with the Site and its Context

The fifth question asks whether the existing trees, hedgerows and other natural features have been conserved and carefully designed into the development. There may be cases where it is appropriate for such features to be lost, particularly if they are of a low value and where appropriate mitigation and / or compensation can be provided. The Brookhouse Group therefore suggests the following change to this question:

“Have the existing trees, hedgerows and other natural features been conserved and carefully designed into the development, where possible and appropriate?”

9. Streets for All

The seventh question asks whether the scheme minimises steps and level changes. The Brookhouse Group recognises the need to minimise steps to ensure accessible developments. However, it will be impossible to avoid level changes on a sloping site. The Brookhouse Group considers that minimising steps should be sufficient and suggests the following change:

“Does the scheme minimise steps and level changes?”

11. Public and Private Spaces

The last question asks whether the scheme includes sustainable urban drainage systems (SUDS). The Brookhouse Group supports SUDS provision; however, there may be instances where they cannot be provided due to unsuitable ground conditions. The Brookhouse Group suggests that the question is amended as follows to reflect this:

“Does the scheme include sustainable urban drainage systems (SUDS), where ground conditions are suitable, as well as public open spaces and wildlife habitat attractive features that integrate successfully?”

12. External Storage and Amenity Space

The first question asks whether the bin storage facilities are integrated so that bins are less likely to be left on the street. Rather than asking for such facilities to be integrated, The Brookhouse Group suggests that the question is amended as follows to ensure flexibility:

“Is storage space fully integrated, for bins provided in appropriate locations so that bins are less likely to be left on the street?”

The fifth question asks whether storage facilities are provided for garden equipment. The Brookhouse Group seeks clarification as to whether such storage facilities include garages, rather than having to provide a garden shed as well as a garage. This is given the cost implications of providing garden sheds for every house in a development.

Internal Design Review – Scoring Mechanism and Comments for Reserved Matters Applications

4. Meeting Local Housing Requirements

Question 3 asks whether the mix includes 10% affordable housing. It is not clear why this question is being asked when the level of housing will have been agreed as part of the outline planning permission. It may also have been agreed at that stage that affordable housing does not need to be provided on viability grounds. Furthermore, the percentage of affordable housing, as set out in the draft County Durham Plan, varies across the county to reflect changes in values. The Brookhouse Group therefore suggests the following change:

“Does the mix include 10% the level of affordable housing accord with the outline planning permission?”

6. Working with the Site and its Context

The third question asks whether the existing trees, hedgerows and other natural features have been conserved and carefully designed into the development. There may be cases where it is appropriate for trees / hedges to be lost, particularly if they are of a low value and where appropriate mitigation and / or compensation can be provided. The Brookhouse Group therefore suggests the following change to this question:

“Have the existing trees, hedgerows and other natural features, such as streams been carefully designed into the development, where possible and appropriate?”

9. Streets for All

The second question asks whether the streets are designed in a way that they can be used as social spaces, such as places for children to play safely or for neighbours to converse. The Brookhouse Group queries whether this is realistic, given that the majority of streets will be subject to vehicular movements, albeit it is recognised that small cul-de-sacs could be as a place for children to play. Given

	<p>that the first question relates to streets being pedestrian friendly and designed to encourage cars to drive slowly and carefully, the Brookhouse Group do not consider that there is a need for question two. The Brookhouse Group therefore suggests that this question is removed.</p> <p>“Are streets designed in a way that they can be used as social spaces, such as places for children to play safely or for neighbours to converse?”</p> <p>The fourth question asks whether the scheme minimises steps and level changes. The Brookhouse Group recognises the need to minimise steps to ensure accessible developments. However, it will be impossible to avoid level changes on a sloping site. The Brookhouse Group considers that minimising steps should be sufficient and suggests the following change:</p> <p>“Does the scheme minimise steps and level changes?’</p> <p>11. Public and Private Spaces</p> <p>The fourth question asks about what improvements can be made to the public and private space provision. Surely, the question should be whether such provision is suitable and appropriate, rather than asking how it can be improved. The Brookhouse Group suggests that the question is amended as follows:</p> <p>“What improvements can be made to Is the public and private space provision suitable and appropriate?”</p> <p>Question six asks whether the scheme takes opportunities to protect, enhance and create wildlife habitats. However, there may be cases where it is agreed that appropriate mitigation and / or compensation can be provided instead of protecting an existing habitat, in accordance with the NPPF (paragraphs 118 and 152) and the draft NPPF (paragraphs 35 and 173). The Brookhouse Group suggests that this question is amended as follows:</p> <p>“Does the scheme take opportunities to protect, enhance and create wildlife</p>	
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habitats, where possible and appropriate?”

The last question asks whether the scheme includes sustainable urban drainage systems (SUDS). The Brookhouse Group supports SUDS provision; however, there may be instances where they cannot be provided due to unsuitable ground conditions. The Brookhouse Group suggests that the question is amended to reflect this:

“Does the scheme include sustainable urban drainage systems (SUDS), where ground conditions are suitable?”

12. External Storage and Amenity Space

The second question asks whether the bin and recycling storage facilities are integrated so that they are less likely to be left on the street. Rather than asking for such facilities to be integrated, the Brookhouse Group suggests that the question is amended as follows to ensure flexibility:

“Is storage space for bins and recycling items integrated, so that they provided in an appropriate location, so that they are less likely to be left on the street?”

Internal Design Review – Scoring Mechanism and Comments for Outline Applications

2. Connections

The last question asks whether any off-site works are required which may impact on any designated or sensitive landscape or building / structure. The Brookhouse Group suggests that this question is extended to ask whether appropriate mitigation can be provided:

“Would any off-site works be required which may impact on any designated or sensitive landscape or building / structure and can appropriate mitigation be provided...”

	<p>4. Bus Stops</p> <p>The second question asks whether there are bus stops within 400 metres of the site. Please see the Brookhouse Group’ response to section 3 (Public Transport) in relation to the Internal Design Review – Scoring Mechanism and Comments for Full or Hybrid Applications for details of their comments.</p> <p>5. Character</p> <p>The last question asks whether there will be demonstrable harm to the setting of any heritage asset, landscape designation or habitat. The Brookhouse Group suggests that this question asks whether appropriate mitigation can be provided or in the case of harm to a designated heritage asset, whether there are public benefits that need to be taken into account. The Brookhouse Group therefore suggests the following change to this question:</p> <p>“Would the principle of development result in demonstrable harm to the setting of any heritage asset, landscape designation or habitat, and if so, can appropriate mitigation and / or compensation be provided and in the case of harm to heritage assets are there public benefits that need to be taken into account?”</p>	
<p>Story Homes Ltd (Nick McLellan)</p>	<p>In accordance with our general policy representations in relation to the CDP Preferred Options Consultation (2018), Story Homes considers that the Building for Life SPD is not required.</p> <p>Policy 31 of the Draft County Durham Plan ‘Sustainable Design in the Built Environment’ at criterion (c) could simply be amended to indicate that schemes will be assessed against the Building for Life 12 criteria rather than a separate SPD. The SPD appears to repeat the content of the Building for Life document with very little additionality. Further information is required in our associated representations to the CDP Preferred Options Consultation.</p>	<p>The Building for Life SPD is justified as it formalises the way that the BfL standards are applied within County Durham to ensure a consistent approach and transparency. The SPD also sets down examples from the area and interpretation against each of the design standards, ensuring a more locally-specific guidance document.</p>
<p>Theakston Estates Ltd</p>	<p>This representation has been prepared by Lichfields on behalf of Theakston Estates Limited (TEL). TEL wishes to thank the Council for the opportunity to comment on Durham County Council’s ‘Buildings for Life Supplementary Planning</p>	<p>Comments in relation to the scoring criteria within the SPD were carefully considered against the existing scoring criteria sheets. The criteria sheets have been</p>

<p>(Neil Westwick – agent)</p>	<p>Document’. TEL supports the overall purpose of the SPD which is to improve the quality of design and to promote a good quality environment. However, they have a few minor comments on some of the Internal Design Review questions which they would be obliged if the council could take into account.</p> <p>Internal Design Review – Scoring Mechanism and Comments for Full or Hybrid Applications</p> <p>Public Transport</p> <p>The third question asks whether there are bus stops within 400 metres of the site. However, it will not always be commercially possible for bus operators to provide a service to achieve the 400m distance and hence there could be cases where this distance is unachievable.</p> <p>TEL recognises that paragraph 2.2.2 of the Parking and Accessibility Standards document advises that “800m was considered to be a ‘short journey’ and walkable distance based on the research by ‘Campaign for Better Transport .” Furthermore, recent research studies undertaken by WYG and DHA Transport have both found that, in many circumstances, people are prepared to walk further to local facilities and public transport services than is indicated by a number of guidance documents.</p> <p>Whilst recognising that acceptable walking distances will vary between individuals and circumstances, based on the findings of recent research studies, it is considered that a walking distance of up to 800m (10 minutes) for a bus stop is acceptable. TEL considers that the 400m distance is inflexible, may not be achievable and does not reflect reality. TEL considers that the reference to maximum walking distances should either be removed or the maximum walking distance be increased to 800m.</p> <p>TEL therefore suggests that the third question is amended to one of the following two options:</p> <p>“Are bus stops should be within a walkable distance of the site?”</p> <p>“Are there bus stops within 400 800 metres of the site?”</p> <p>Meeting Local Housing Requirements (page 38)</p>	<p>amended in some places to make them more accurate and clearer, and to incorporate some of the suggested changes including in respect to public and private spaces and affordable housing percentages.</p> <p>However, further changes have not been incorporated for a variety of reasons, principally due to the weakening impact they would have on the aim of ensuring well designed places, in accordance with national policy. To highlight specific examples, the representation proposed that walking distances to public transport should be extended from 400m to 800m. 400m is regarded as the maximum distance somebody should travel. Whilst 800m is considered a short 'journey' in relation to services and facilities, the 400m walk would only form a stage of a journey and therefore the two figures have different meanings.</p> <p>In relation the comment on meeting local housing requirements, the BfL guidance is quite clear that different types and tenures should be spatially integrated to create a cohesive community. While visual markers should be avoided as well, the aim of spreading out tenures and types helps to avoid clustering of particular groups and to encourage better social integration which is a key aim of national policy.</p> <p>In terms of character, the review process recognises that there may be a variety of ways to respond to the development of a site, however a key aim of the BfL process (supported through national planning policy) is to respond to local context where possible and desirable. The flexibility is evidenced in the fourth bullet point</p>
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<p>The fifth question is about whether the affordable dwellings and specialist housing provision are dispersed throughout the scheme.</p> <p>Registered Providers (RPs) generally have concerns about affordable / specialist housing being dispersed throughout developments due to management difficulties. Such providers prefer the housing to be clustered together. TEL is concerned that, should this statement be sought, it could lead to difficulties in finding RPs to manage such properties.</p> <p>‘Buildings for Life 12 – The sign of a good place to live’ (30.1.2015) is worded more flexibly. Rather it asks whether the different types and tenures are spatially integrated and advises that homes should be designed to be tenure blind. TEL considers that the question posed in the Council’s Building for Life (BfL) SPD is more onerous than the actual BfL document and suggests that the following question is removed:</p> <p>Is the affordable housing and specialize housing provision dispersed throughout the scheme?</p> <p>The separate question about whether such housing is devoid of markers of their status is considered to suffice.</p> <p>Character</p> <p>The second question asks whether the standard house types can be adapted using elements of the local vernacular. TEL wishes to highlight that adapting standard house types will have cost, time and potentially viability implications, which should be taken into account. TEL suggests the following change to this question:</p> <p>“Can standard house types be adapted using elements of the local vernacular for example material, detailing, window shapes, roof details, door patterns etc, where appropriate and subject to scheme viability?”</p> <p>Working with the Site and its Context</p> <p>The fifth question asks whether the existing trees, hedgerows and other natural features have been conserved and carefully designed into the development. There may be cases where it is appropriate for such features to be lost, particularly if they are of a low value and where appropriate mitigation and / or compensation can be provided. TEL therefore suggests the following change to this question:</p>	<p>under the ‘Character’ criteria, which states “If the area lacks discernible character what character should be created in the new development?”. It is not considered likely that this requirement would impact on the viability of a scheme, as costs and designs could be adjusted accordingly to ensure this is not a significant burden upon development.</p> <p>In terms of public and private spaces, the proposed change is rejected as it implies that SUDS are solely reliant upon optimum ground conditions. This isn’t the case as sustainable drainage techniques can normally be incorporated within the majority of schemes and they are not specifically reliant on ground conditions (for example permeable parking surfaces and capture at source). Ground conditions will be factored into the consideration of a scheme as a matter of course.</p> <p>In respect to wildlife habitats changes are not needed as the existing wording provides sufficient flexibility.</p>
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“Have the existing trees, hedgerows and other natural features been conserved and carefully designed into the development, where possible and appropriate?”

Streets for All

The seventh question asks whether the scheme minimises steps and level changes. TEL recognises the need to minimise steps to ensure accessible developments. However, it will be impossible to avoid level changes on a sloping site. TEL considers that minimising steps should be sufficient and suggests the following change:

“Does the scheme minimise steps and level changes?”

Public and Private Spaces

The last question asks whether the scheme includes sustainable urban drainage systems (SUDS). TEL supports SUDS provision; however, there may be instances where they cannot be provided due to unsuitable ground conditions. TEL suggests that the question is amended as follows to reflect this:

“Does the scheme include sustainable urban drainage systems (SUDS), where ground conditions are suitable, as well as public open spaces and wildlife habitat attractive features that integrate successfully?”

External Storage and Amenity Space

The first question asks whether the bin storage facilities are integrated so that bins are less likely to be left on the street. Rather than asking for such facilities to be integrated, TEL suggests that the question is amended as follows to ensure flexibility:

“Is storage space fully integrated, for bins provided in appropriate locations so that bins are less likely to be left on the street?”

The fifth question asks whether storage facilities are provided for garden equipment. TEL seeks clarification as to whether such storage facilities includes garages, rather than having to provide a garden shed as well as a garage. This is given the cost implications of providing garden sheds for every house in a development.

Internal Design Review – Scoring Mechanism and Comments for Reserved Matters Applications

Meeting Local Housing Requirements

Question 3 asks whether the mix includes 10% affordable housing. It is not clear why this question is being asked when the level of housing will have been agreed as part of the outline planning permission. It may also have been agreed at that stage that affordable housing does not need to be provided on viability grounds. Furthermore, the percentage of affordable housing, as set out in the draft County Durham Plan, varies across the county to reflect changes in values. TEL therefore suggests the following change:

“Does the mix include 10% the level of affordable housing accord with the outline planning permission?”

Working with the Site and its Context

The third question asks whether the existing trees, hedgerows and other natural features have been conserved and carefully designed into the development. There may be cases where it is appropriate for trees / hedges to be lost, particularly if they are of a low value and where appropriate mitigation and / or compensation can be provided. TEL therefore suggests the following change to this question:

“Have the existing trees, hedgerows and other natural features, such as streams been carefully designed into the development, where possible and appropriate?”

Streets for All

The second question asks whether the streets are designed in a way that they can be used as social spaces, such as places for children to play safely or for neighbours to converse. TEL queries whether this is realistic, given that the majority of streets will be subject to vehicular movements, albeit it is recognised that small cul-de-sacs could be as a place for children to play. Given that the first question relates to streets being pedestrian friendly and designed to encourage

	<p>cars to drive slowly and carefully, TEL do not consider that there is a need for question two. TEL therefore suggests that this question is removed.</p> <p>“Are streets designed in a way that they can be used as social spaces, such as places for children to play safely or for neighbours to converse?”</p> <p>The fourth question asks whether the scheme minimises steps and level changes. TEL recognises the need to minimise steps to ensure accessible developments. However, it will be impossible to avoid level changes on a sloping site. TEL considers that minimising steps should be sufficient and suggests the following change:</p> <p>“Does the scheme minimise steps and level changes?”</p> <p>Public and Private Spaces</p> <p>The fourth question asks about what improvements can be made to the public and private space provision. Surely, the question should be whether such provision is suitable and appropriate, rather than asking how it can be improved. TEL suggests that the question is amended as follows:</p> <p>“What improvements can be made to Is the public and private space provision suitable and appropriate?”</p> <p>Question six asks whether the scheme takes opportunities to protect, enhance and create wildlife habitats. However, there may be cases where it is agreed that appropriate mitigation and / or compensation can be provided instead of protecting an existing habitat, in accordance with the NPPF (paragraphs 118 and 152) and the draft NPPF (paragraphs 35 and 173). TEL suggests that this question is amended as follows:</p> <p>“Does the scheme take opportunities to protect, enhance and create wildlife habitats, where possible and appropriate?”</p> <p>The last question asks whether the scheme includes sustainable urban drainage systems (SUDS). TEL supports SUDS provision; however, there may be instances where they cannot be provided due to unsuitable ground conditions. TEL suggests that the question is amended to reflect this:</p> <p>“Does the scheme include sustainable urban drainage systems (SUDS), where ground conditions are suitable?”</p>	
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	<p>External Storage and Amenity Space The second question asks whether the bin and recycling storage facilities are integrated so that they are less likely to be left on the street. Rather than asking for such facilities to be integrated, TEL suggests that the question is amended as follows to ensure flexibility: “Is storage space for bins and recycling items integrated, so that they provided in an appropriate location, so that they are less likely to be left on the street?”</p> <p>Internal Design Review – Scoring Mechanism and Comments for Outline Applications Connections The last question asks whether any off site works are required which may impact on any designated or sensitive landscape or building / structure. TEL suggests that this question is extended to ask whether appropriate mitigation can be provided: “Would any off site works be required which may impact on any designated or sensitive landscape or building / structure and can appropriate mitigation be provided...”</p> <p>Bus Stops The second question asks whether there are bus stops within 400 metres of the site. Please see TEL’s response to section 3 (Public Transport) in relation to the Internal Design Review – Scoring Mechanism and Comments for Full or Hybrid Applications for details of their comments.</p> <p>Character The last question asks whether there will be demonstrable harm to the setting of any heritage asset, landscape designation or habitat. TEL suggests that this question asks whether appropriate mitigation can be provided or in the case of harm to a designated heritage asset, whether there are public benefits that need to be taken into account. TEL therefore suggests the following change to this question: “Would the principle of development result in demonstrable harm to the setting of any heritage asset, landscape designation or habitat, and if so, can appropriate</p>	
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	<p>mitigation and / or compensation be provided and in the case of harm to heritage assets are there public benefits that need to be taken into account?"</p>	
<p>Persimmon Homes (Adam McVickers)</p>	<p><i>Please note this comment was made against the County Durham Plan. It links to the SPD, however, and has resulted in amendments to the SPD. It is therefore included below, for completeness.</i></p> <p>In regards to Policy 31(c) it is understand that the Council are proposing that all schemes will be assessed against the Building for Life Supplementary Planning Document whereby applicants will be required to undertake their own assessment of the development proposals against BfL criteria as part of the application submission. Schemes are then to be assessed against the BfL criteria by a panel of Council teams within fortnightly review sessions, following which a BfL report will be prepared setting out recommended design changes to ensure the scheme achieves as many 'greens' as possible, whilst minimising the number of 'amber' and avoiding 'reds'.</p> <p>Persimmon Homes have a number of concerns around the practical application of this approach and a number of suggestions that must transpire in order for the process to occur effectively and timely such that determination of applications are not unduly delay.</p> <p>Firstly the review sessions must be held fortnightly without fail, the design review team should function in effect as a statutory consultee and report back within the statutory consultation period.</p> <p>Secondly it is imperative that the case officer is in attendance during the review session in order offer their deeper and wider understanding of the range of design matters being discussed, which may conflict with one another, in order to inform why design decisions have been taken.</p> <p>Finally schemes should only be reviewed once. Schemes which address the comments set out within the BfL report should be considered acceptable and</p>	<p>These comments have informed changes to the policy wording in respect to ensuring 'high quality' design in accordance with national guidance. The Building for Life Supplementary Planning Document has been amended to better explain the way the review process operates.</p>

	<p>should not be reconsidered for further comments. If this is not the case then applications may potentially become encase within a circular process which, given the time taken for member teams to pre-consider the proposals, review meeting to occur, BfL report to be drafted and issued and time taken to further amend proposals would quite easily delay the determination of application beyond the statutory determination periods.</p>	
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Table 2: Comments received in response to second round of public consultation on the draft SPD

Respondent	Comment	DCC Response
Ms Susan Childs	I fully support this SPD and its use in Policy 30 'Sustainable Design' of the County Durham Local Plan Pre-Submission Draft	Support noted.
Persimmon Homes (Richard Cook)	<p>The requirement for major residential developments to be assessed against the Building for Life Supplementary Planning Document remains despite the Building for Life SPD not yet being adopted.</p> <p>To include a specific reference within policy, and one which carries the justification to refuse a planning application, to an SPD which has not yet been adopted is not an effective method of policy production.</p> <p>The SPD should be used to support those in the Local Plan and act as a supplementary point of reference, rather than a crucial point of policy despite not being adopted. There are several aspects to the Building for Life SPD which require further clarification and revisions. Namely they are:</p> <ul style="list-style-type: none"> • Review Sessions should be held fortnightly; • The Design Review Team should be a statutory consultee; • The Case Officer must be in attendance at the Design Review; and • Schemes should only be subject to the Design Review once. 	<p>Some of these comments have been incorporated already following comments made against the first draft of the SPD. However, schemes may be subject to review at both the informal or outline stage and again when a more detailed scheme has been prepared. This will help in instances where there are concerns that opportunities to improve the scheme have either not been taken or emerge as the scheme develops. This is not an impediment to the determination timescales, however it does ensure that proposals are well-designed and make the best use of the site.</p>

If you require any further information on this document, please contact the Spatial Policy Team:

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Post: 'FREEPOST Spatial Policy' (please note no further information is required)