

CONSULTATION STATEMENT – New Housing Development Supplementary Planning Document Revised 2013

In connection with the preparation of the New Housing Development Supplementary Planning Document (SPD) Revised 2013, a Consultation Statement is required to demonstrate with whom the Council consulted and how they engaged with local people and other interested parties during the preparation stages of the SPD.

The statement contains the following information:

- i) a summary of the organisations with whom the Council consulted;
- ii) how those organisations were consulted;
- iii) a summary of the issues raised; and
- iv) how those issues have been addressed in the SPD.

A six week consultation on the Draft New Housing Development SPD Revised 2013 took place between 10th September – 22nd October 2012.

The following consultees were sent either a letter or email providing a link to the Council’s website to view the SPD. Comments were invited on the draft SPD:

Statutory organisations	65
Organisations/developers on Consultee database by letter	88
Organisations/developers on Consultee database by email	242
Ward Councillors by email	72

In addition to being published on the Council’s website, paper copies of the draft revised SPD were distributed to all main libraries in the Dudley Borough, main reception of the Directorate of the Urban Environment (3 St James’s Road, Dudley), Dudley Council Plus (259 Castle Street, Dudley), The Council House, Mary Stevens Park, Stourbridge and in the Member’s Room for Ward Councillors.

A press notice was published in the Express and Star informing the general public about the consultation process.

In addition to the external consultation process, the draft SPD was also circulated to relevant internal Council staff inviting comments relating to their particular areas of expertise. Member engagement was conducted during a workshop on 17th September 2012.

A total of **8** representations were made on the SPD.

First Name	Last Name	Organisation	Nature of Response	Summary of Response	Council Response	Proposed Amendments to SPD
Helen	Winkler	Tyler Parkes acting on behalf of West Midlands Policy Authority (WMPA)	Object	<p>The WMPA object to the fact that the draft revised SPD does not include reference to design out crime, in line with the National Planning Policy Framework (NPPF) paragraphs 58 and paragraph 69.</p> <p>The WMPA believe it is vital for the consideration of designing out crime to be at the forefront of developer's minds when preparing development schemes to ensure it is integral to the design so the aims of the NPPF can be achieved. It is suggested that this be included under the 'Requiring Good Design' section of the SPD.</p>	Comments welcomed and agreed that there should be reference to the emphasis the NPPF places on designing out crime.	New section provided under Policy Support for the Design Led Approach which refers to paragraphs 69 of the NPPF.
Helen	Winkler	Tyler Parkes acting on behalf of West Midlands Policy Authority (WMPA)	Object	<p>The WMPA object to the omission of the principles of 'secured by design' and the need to design out crime which must be considered by developers when designing a new housing scheme and preparing a Design and Access Statement. The response states that the WMPA does not think it's sufficient to address the issue of security and safety wholly within the technical guidance in Appendix A of the SPD and should be considered in the main body of the SPD.</p> <p>The response recommends that a formal requirement within the SPD would ensure that proposals address secured by design principles. The secured by design principles should be considered within Design and Access Statements as this is a material consideration in the assessment of any new housing development. It is suggested that this be included under the</p>	<p>Agreed, reference to the need for safe and secure design is relevant under the design considerations under 'Development Proposals: What the Developer Must Provide'.</p> <p>The Black Country Core Strategy Policy ENV3 'Design Quality' refers to the need for Design and Access Statements to consider Secured By Design principles.</p>	<p>Additional consideration added under paragraph 4.15 called 'safe and secure design' which highlights the need to consider Secured By Design principles.</p> <p>Both the definitions of Secured By Design and 'inclusive design' have been added to the glossary.</p>

				'Development Proposals: What the Developer Must Provide' section of the SPD.		
Katherine	Burnett	Canal & River Trust	Observations	<p>The Canal and Rivers Trust indicate that Section 2 of the SPD does not refer to the Environmental Infrastructure Guidance (EIG) which provides design principles to consider in delivering development schemes.</p> <p>The EIG refers to guiding principles for waterside developments which could be incorporated in the SPD or by reference to the EIG.</p>	The Council recognises the importance of the Black Country EIG. This forms part of the evidence base for overarching strategic documents such as the Core Strategy and the emerging Development Strategy DPD. It is considered therefore that it is unnecessary to repeat reference to the EIG within the SPD.	No Change Required.
Katherine	Burnett	Canal & River Trust	Observations	<p>Canal & River Trust consider individual waterways and water spaces need to be viewed as an integral part of a wider network, and not in isolation. It is important that the siting, configuration and orientation of buildings optimise views of the water, generate natural surveillance of water space, and encourage and improve access to, along and from the water. New waterside development needs to be considered holistically with the opportunities for water-based development, use and enhancement.</p>	<p>Noted and comments welcomed. The SPD makes reference to the need to for proposals to gain an understanding of local context and character. Under paragraph 4.15, a list of site considerations are listed, including landscape features, waterside environments has been added here.</p>	'Waterside environments' has been added to the site considerations listed under paragraph 4.15 of the SPD.
Claire	Streather	The Coal Authority	Other	The Coal Authority confirms that it has no specific comments to make at this stage.	Noted.	No Change Required

Letty	Cheadle	Highways Agency	Other	The Highways Agency has no objection to the SPD as it will not have a significant impact upon the M5 and M6 motorways and/or associated junctions.	Noted	No Change Required
Roslyn	Deeming	Natural England	Support	In general Natural England is supportive of the New Housing Development SPD and considers that it provides clear guidance to ensure new residential development respects the local character and identity of Dudley Borough.	Noted	No Change Required
Roslyn	Deeming	Natural England	Support	Natural England welcome the 'Design Led Approach' which is followed in the document particularly the intention that the scale and siting of a proposal should relate to adjoining development, the character of the area and the wider landscape.	Noted	No Change Required

Roslyn	Deeming	Natural England	Support with suggestion	Natural England is pleased to note that section 4.15 identifies the importance of land use, landscape features, ecology & historic analysis. It also specifically mentions open space and ecological habitats. The response suggests that a further consideration should be included in this section in respect of making links to the wider green infrastructure network where possible.	Comments welcomed and agree that reference should be made to the importance of green infrastructure and accessible green space within the SPD.	Reference to making links to the wider green infrastructure network has been included under paragraph 4.15 of the SPD. A definition of green infrastructure has been added to the glossary.
Roslyn	Deeming	Natural England	Observations	Whilst there are a number of references to open space within the SPD document, Natural England consider that there should be a greater emphasis on natural and semi-natural green space which is not specifically recognised. The provision of accessible semi-natural green space within green infrastructure in and around urban areas significantly contributes to creating places where people want to live and work. Its provision is therefore vital to sustainable development and communities.	Comments welcomed and agree that reference should be made to the importance of green infrastructure and accessible green space within the SPD.	Reference to making links to the wider green infrastructure network and providing access to natural and semi natural green space has been included under paragraph 4.15 of the SPD. Definitions of green infrastructure and natural and semi natural green space have been added to the glossary.
Roslyn	Deeming	Natural England	Support	Natural England are pleased to note that in bullet point 7 of Appendix A technical guidance that landscaping considerations include nature conservation.	Noted.	No Change Required
Roslyn	Deeming	Natural England	Informative	Natural England have highlighted their Accessible Natural Greenspace Standards which provides a powerful tool in assessing current levels of accessible natural greenspace and planning for better provision.	Comments welcomed and noted.	No Change Required.

John	Berry	Sport England	Observations	Sport England have highlighted that they have prepared guidance on incorporating design principles for new housing which offer opportunities for communities to be naturally active as part of their daily lives and encourage these principles to be incorporated in the revised SPD.	Comments noted, the SPD already makes reference to new development promoting access to facilities and pedestrian movement under paragraph 4.15. It is agreed that additional information should be provided to promote this issue.	Reference to design measures which improve accessibility and enhance amenity to promote activity in communities has been added to paragraph 4.15 of the SPD.
Usman	Majid	Marine Management Organisation	Other	No specific comments made regarding the revised SPD.	Noted.	No Change Required.
Alun	Nicholas	Amcanu'n Uchel Ltd: Architecture	Observations	The document is described as being 'design-led', the consultee considers it is not design led but policy led. The consultee considers that policy attempts to create a one size fits all scenario which is wholly inappropriate.	The document provides guidance based on planning policy which addresses design considerations contained within the National Planning Policy Framework and the Core Strategy, which is expanded on in Chapter 2 of the document. The design focus of the document therefore is why the 'design-led approach' has been referred to in chapters 1 and 2 of the document. The SPD intends to emphasise the importance of assessing context, local character and density with the aim of ensuring that new development respects the local distinctiveness and character of an area.	No Change Required.

Alun	Nicholas	Amcanu'n Uchel Ltd: Architecture	Observations	<p>There is an attempt to define 'poor design' as being limited to that being contra local character and distinctiveness. This is a mistake as it presents an implied warped definition for 'good design'.</p> <p>'Good Design' requires informed site analysis.</p>	<p>Agreed that this could be perceived in this way and therefore an amendment has been made.</p> <p>The SPD emphasises the importance of site analysis, in terms of assessing context and local character, provided in chapters 3 and 4.</p>	<p>The second paragraph on page 5, under 'Structure of the SPD' now reads "The SPD provides detailed information on implementation of housing policy in respect of design and density, so that character and local distinctiveness are paramount and poor design is rejected." Reference to poor design has been deleted.</p>
Alun	Nicholas	Amcanu'n Uchel Ltd: Architecture	Observations	<p>Paragraph 2.1 of the SPD does not allow for 'diversity' encouraged by the NPPF and therefore contradicts the following paragraph which explains that the SPD translates broad policy at a national and local level.</p>	<p>The purpose of the SPD is to ensure that the local character and distinctiveness of the Borough is taken into account and respected in new development. Taking account of local character does not necessarily mean that the development has to 'copy' existing development, as referred to in paragraph 4.16 of the SPD.</p> <p>Innovative design is encouraged in line with the NPPF, providing it would not compromise the local distinctiveness of an area.</p> <p>Reference to the encouragement of high quality contemporary and innovative design is included in paras 4.2, 4.16 and 4.17 of the SPD but agreed that reference should be made in chapter 2.</p>	<p>Reference to paragraphs 58 and 60 of the NPPF relating to innovative design have been made under paragraph 2.17 of SPD.</p>

Alun	Nicholas	Amcanu'n Uchel Ltd: Architecture	Observations	Paragraph 2.7 is a very powerful statement and there is great scope for misinterpretation.	Paragraph 2.7 indicates the range of considerations that need to be taken account when proposing new development. It is acknowledged that there should be reference to the fact that development does not have to be a copy of adjacent development but to respect prevailing character.	Additional wording has been incorporated into paragraph 2.7 to indicate that SPD does not intend to preclude innovative design.
Alun	Nicholas	Amcanu'n Uchel Ltd: Architecture	Observations	Paragraph 2.9 and 3.23 indicating how net density is determined will serve to distort densities. Those sites with access roads for example will potentially show lower densities than those that do not require access for dwellings.	Noted. The definition of net density was taken from PPS3: Housing. It is acknowledged that this policy has now been superseded by the NPPF, but the NPPF has not replaced this definition with an alternative. Existing national guidance also calculates net density in this way, for example the SHLAA Practice Guidance refers to net residential density as "dividing the total area by the number of homes". This assumes that anything within the red line boundary would be included in the density calculation.	No Change Required.
Alun	Nicholas	Amcanu'n Uchel Ltd: Architecture	Observations	Paragraph 2.14 only quotes 3 of the 12 points included under paragraph 17 of the NPPF, surely all 12 are relevant?	Agreed, however it was considered appropriate to highlight the specific points which relate to high quality design and taking account of the character of different areas, which are specific to the SPD.	No Change Required

Alun	Nicholas	Amcanu'n Uchel Ltd: Architecture	Observations	<p>"Where appropriate" should be added under paragraph 2.16 of SPD, as there may be exceptions where sites have no relevant natural, built or historic environment worthy of being considered.</p>	<p>Noted, however it is considered that all proposals should still understand the context of a development site in order to integrate with its environment.</p> <p>The new paragraph in the SPD (2.17) which quotes paragraphs 58 and 60 indicate that policies and decisions should not stifle innovation which promotes creative, innovative design. Paragraphs 2.7, 4.16, and 4.17 also highlight that opportunities for innovative, contemporary architecture can be explored where appropriate.</p>	<p>New paragraph added (2.17) which refers to paragraphs 58 and 60 of the NPPF.</p>
Alun	Nicholas	Amcanu'n Uchel Ltd: Architecture	Observations	<p>Paragraph 2.18 underplays the extent of diversity in our towns, for example Stourbridge is extremely diverse and successfully has many types, sizes and styles of buildings in juxtaposition.</p>	<p>This paragraph is signposting where further information can be found in relation to the diverse historic character of the Borough. The paragraph provides a link to the Historic Environment pages on our website where you can find detailed evidence bases on the specific characterisation of the Borough's towns and surrounding areas.</p>	<p>No Change Required</p>
Alun	Nicholas	Amcanu'n Uchel Ltd: Architecture	Observations	<p>The consultee disagrees with the final sentence included in paragraph 3.12 of the SPD. The analysis of character provided in sections 3 and 4 are generalised and take no account of exceptions. It is wrong to attempt to label context in such a 'broad brush' manner.</p>	<p>The NPPF indicates that LPAs should set out their own approach to housing density to reflect local circumstances and guide overall scale, density, massing, height, landscape and layout of new development in relation to the local area (paragraph 60).</p> <p>This SPD intends to provide localised guidance in relation to</p>	<p>No Change Required.</p>

					<p>understanding the characteristics of an area and assisting in design formulation. It is acknowledged that there will be exceptions and this is noted under paragraph 4.17 of the SPD which states <i>"If there is no dominant residential style upon which to draw in formulating new design the designer may look to the wider area or consider the opportunity to create a new quality of contemporary architecture."</i></p>	
Alun	Nicholas	Amcanu'n Uchel Ltd: Architecture	Observations	<p>Paragraphs 4.16 and 4.17 read as if contemporary solutions should only be considered as a last resort and therefore conflicts with the NPPF.</p>	<p>It is considered that these paragraphs do not intentionally indicate contemporary solutions as a last resort. The SPD requires developers to have an understanding of the context of a development site to ensure that there is harmony between new and existing development. This still allows scope for innovation and new styles that compliment their surroundings.</p>	No Change Required.
Alun	Nicholas	Amcanu'n Uchel Ltd: Architecture	Observations	<p>The consultee seeks clarification on whether the Council will adopt a design review' process as advocated by the NPPF (paragraph 62).</p>	<p>The Council considers the design review process appropriate in certain circumstances and it has been utilised previously for specific areas requiring regeneration, rather than the Borough as a whole.</p>	No Change Required.

Alun	Nicholas	Amcanu'n Uchel Ltd: Architecture	Observations	Appendix A-Exceptions for minimum garden lengths should be permissible where compensatory width is provided and amenity would not be affected. One size does not necessarily fit all development.	Whilst it is acknowledged that there may be exceptions to the minimum garden length provided in Appendix A, this needs to be assessed on a case by case basis and therefore it is considered a minimum standard should remain in order to protect residential amenity.	No Change Required.
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