

South Staffordshire Local Plan Review

Examination in Public

Hearing Statement for Matter 10

On behalf of Richborough

Representor Ref: AGT24-030-05-02

Author: DO



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1. INTRODUCTION

- 1.1. Pegasus Group is instructed by Richborough to respond to the South Staffordshire Local Plan Examination: Matters, Issues and Questions produced by the Inspectors appointed to hold an independent examination of the South Staffordshire Local Plan Review 2023–2041 (the Plan).
- 1.2. This Statement relates to Matter 10 and its respective issues and questions as identified by the Inspectors.
- 1.3. Pegasus Group previously submitted representations in response to the Reg 19 Publication Plan in May 2024, the superseded Reg 19 Publication Plan in November 2022, the Preferred Options consultation (Reg 18) in November 2021, the Spatial Housing Strategy and Infrastructure Delivery consultation (Reg 18) in October 2019, and the Issues & Options consultation (Reg 18) in October 2018. This Hearing Statement should be read alongside our representations.

2. MATTER 10: DESIGN AND SPACE STANDARDS

Issue 1: Whether the approach of the Plan to design and space standards is justified, effective, and consistent with national policy [Focus: Policies HC10, HC11, HC12, HC13]

1. In terms of Policy HC10:

a. What is the basis for the policy approach?

- 2.1. The policy approach, providing detailed requirements to ensure high-quality design and the creation of beautiful places, is generally line with government guidance, including the National Design Guide and Section 12 of the NPPF, in which Paragraph 131 makes clear that good design is a key aspect of sustainable development, and is fundamental to what the planning and development process should achieve.

b. Are the requirements of achieving high quality designed developments justified by appropriate evidence having regard to national guidance and local context?

- 2.2. The Council identify the evidence underpinning this policy and its requirements to be the National Model Design Guide and the South Staffordshire Design Guide SPD.
- 2.3. The 'National Model Design Guide' is not a government document, and it should be clarified whether the Council mean the National Design Guide or the National Model Design Code. It is considered that the guidance on design generally provides the necessary justification for this policy.
- 2.4. The South Staffordshire Design Guide SPD should not be treated as evidence which underpins this policy. The Planning Practice Guidance states that "*SPDs should build upon and provide more detailed advice or guidance on policies in an adopted local plan*" (see paragraph: 008 Reference ID: 61-008-20190315 in the plan-making section), and the approach taken by the Council in relying on an existing SPD to justify Policy HC10 is inconsistent with national policy.

c. Is the policy sufficiently flexible?

- 2.5. It is important for the individual character of each site and settlement to be considered on a case-by-case basis in terms of design. There must be flexibility within the policy to allow developments to come forward even if they are not strictly in accordance with all criteria,

and this should be made clearer within the policy. For instance, the policy as drafted sets a requirement to provide tree-lined streets, yet this will need to be subject to agreement with the highway authority, and the policy does not suggest that there can be flexibility in this regard. Richborough contend that the policy should be amended to state that development *"should ensure all of the following, where possible".*

d. Are any modifications necessary in the interests of soundness?

- 2.6. In addition to the suggested amendment in response to 1(c) above, Criterion I can be deleted, since it repeats material in Policy HC1, and is therefore unnecessary. It is noted that the minor modifications propose to amend Criterion E to *"developments should make use of distinctive buildings and detailing to avoid a monotonous visual appearance, aid orientation and navigation as well as helping to create local character and familiarity."* This partially addresses comments made in Richborough's previous representation requesting that reference to "bespoke homes" is removed, although it is still Richborough's preference for the policy to instead refer to a "range of house types". Reference to "distinctive buildings" still implies that they should be bespoke, and this unjustified, particularly when having regard to the evidence, with the National Design Guide using the terminology *"a mix of house types"*, identifying the use of these as good practice (page 37).

2. In terms of Policy HC12:

a. What is the basis for the policy approach?

- 2.7. The policy is based on evidence set out within the Internal Space Standards Topic Paper (Doc Ref **EB24**) and Housing and Homelessness Strategy (Doc Ref **EB25**). Paragraph 135(f) of the National Planning Policy Framework (NPPF) states that planning policies should ensure a high standard of amenity for existing and future users, with Footnote 52 adding, in relation to the nationally described space standard (NDSS), that policies can make use of this where the need is justified.

b. Is there justification for the use of the Nationally Described Space Standard in Policy HC12 in terms of evidence of need and viability?

- 2.8. The Internal Space Standards Topic Paper sets out the justification for NDSS. With regards to need, an audit has been undertaken, which assesses compliance of new housing with NDSS. This highlights that just 25% of property types meet the standard in full, with an evidenced inconsistency across the district in terms of property types meeting the standard. However, it should be noted that these conclusions are drawn from a very small sample of just 13

schemes. Notwithstanding, the rationale for adopting NDSS based on this evidence, in providing consistency and clarity to developers, establishing equity between householders, and ensuring that homes for the elderly and affordable housing are of a suitable size, is set out clearly and convincingly. Meanwhile, with regards to viability, the Council's Viability Study (Doc Ref **EB40**) has concluded that requiring NDSS would not make developments unviable. Consequently, it is considered that suitable justification for NDSS has been provided, in line with Footnote 52 of the Framework.

c. What is the basis for i. the external space requirements and ii. the distances between dwellings in Policy HC12 and are they justified?

- 2.9. Whilst these standards are generally supported, and align with Paragraph 135(f) of the NPPF, the evidence base does not appear to identify a need for this. In the absence of such evidence, this element of the policy is unjustified.

d. Is Policy HC12 sufficiently flexible with regards space standards and distances between dwellings?

- 2.10. The policy is sufficiently flexible with regards to the external space standards and distances between dwellings, explicitly noting that flexibility can be applied depending on site-specific characteristics and circumstances. In contrast, no such flexibility is provided for internal space standards (NDSS). This should be remedied to ensure that the policy is effective, as there may be instances where well-designed house types falling slightly below NDSS can be acceptable, particularly on sites where the majority of the dwellings comply, or where this is necessary to meet a specific housing need or design requirement, with many registered providers for affordable housing having their own requirements.

e. Overall, is Policy HC12 effective, justified and consistent with national policy?

- 2.11. Policy HC12 is consistent with national policy. Whilst the inclusion of a policy requiring NDSS (with some flexibility) is considered to be justified, the requirement to meet external space and separation distance standards is not, with the evidence base not providing the necessary justification for these.

f. Are any modifications necessary in the interests of soundness?

- 2.12. As noted above, the policy should provide a degree of flexibility with regards to NDSS compliance, to ensure that it is effective. Moreover, if the policy is to retain external space and separation distance standards, there should be a recognition that certain house types,

such as M4(2) dwellings, may need smaller, more manageable gardens, and the evidence for these standards should be clear to ensure that this element of Policy HC12 is justified.

3. In terms of Policy HC13:

a. What is the basis of this policy approach?

2.13. No comment.

b. Is it justified and consistent with national policy?

2.14. No comment.

c. In terms of the policy requirements as they relate to electric vehicle charging facilities, do they simply repeat building regulations, and if so, is it necessary? If not, what does the policy add, over and above current Building Regulations?

2.15. No comment.

d. Are any modifications necessary in the interests of soundness?

2.16. No comment.

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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