TRAFFORD COUNCIL

Report to:	**Planning and Development Management Committee**
Date:	**13 July 2023**
Report for:	**Information**
Report of:	**Head of Planning and Development**

Report Title

Trafford Design Code

Summary

The Council's Executive approved the consultation draft Trafford Design Code Supplementary Planning Document (SPD) on the 19 June 2023. This report is to advise Planning Committee Members of the background to and content of the Code, as it will be an important material consideration in planning application decision making.

The appended Trafford Design Code incorporates much of the previous consultation draft Trafford Design Guide (which has now been superseded) and it will be adopted as a single document. Much of the work has been carried out in-house by officers, utilising the £160,000 Section 31 grant from DLUHC awarded for participation in the Design Code Pathfinder Programme. Substantial community and stakeholder engagement has been carried out over the last 12 months and the feedback from this engagement has fed into all stages of the Code.

Although reproduced as a single document in the appendices to this report, the Code is intended to be accessed on a web based digital platform, making the user experience much more streamlined.

The landing page for the Code enables users to access the introductory text and vision, including the Strategic Design Principles and Trafford Places incorporated from the previous Trafford Design Guide. There are thereafter nine code chapters, split further into subchapters and specific codes. The final section of the Code assists users in complying with it. The Code is intended to provide clear parameters for developers, applicants, officers and Members in understanding the level of design quality required for schemes in Trafford, and enabling robust decision making.

A further and final period of consultation on the draft Trafford Design Code began on 3 July 2023 and will run until 25 September 2023. Members of the Planning Committee are encouraged to take part in this consultation. In the autumn a final Code SPD will be approved by Planning Committee before being adopted by the Executive. Planning Committee will also be asked to approve an updated planning application Validation Checklist which will incorporate new compliance requirements in line with the Code.

Recommendation(s)

It is recommended that the Planning and Development Management Committee:-

- Notes that the consultation draft Trafford Design Code (TDC) Supplementary Planning Document (SPD) has been approved by the Council's Executive;
- Notes that consultation on the draft TDC began on 3 July 2023 and that Planning Committee Members are encouraged to take part;
- Notes that the Trafford Design Code will be an important material consideration in the determination of planning applications;
- Notes that the content of the consultation draft Trafford Design Guide (TDG) SPD (June 2022) has been incorporated into the Trafford Design Code and that the TDG has now been superseded;
- Notes that the approval of the draft Code represents the successful completion of a Design Code within the 12 month DLUHC Design Code Pathfinders Programme;
- Notes that following the consultation process described in this report, a future report will seek approval from Planning Committee for the final Trafford Design Code, which will thereafter be adopted by the Council's Executive;
- Notes that an updated planning application Validation Checklist will be brought forward alongside the adopted TDC and that the approval of this document is a Planning Committee function.

Contact person for access to background papers and further information:

Name: Rebecca Coley
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Background Papers: None

Appendices

Appendix 1: Coding Plan
Appendix 2: Consultation Draft Trafford Design Code – text version (full version of the Code on the interactive digital platform at www.trafforddesigncode.uk)

1. Background

1.1 Work on the Trafford Design Guide started in 2019, with the commissioning of LDA Design to draft the Guide. This work included a series of consultation 'design days' and workshops across the Borough, attended by various interested parties and stakeholders, culminating in a well-attended Design Symposium held at Trafford Town Hall in January 2020. Unfortunately, whilst this consultation informed the initial draft stage of the Trafford Design Guide, the Covid-19 pandemic led to the work being paused before the document reached completion.

1.2 Work on the Design Guide recommenced in spring 2021 and in July 2021 the government announced their intention to run what eventually became the Design Code Pathfinders Programme. Officers saw an opportunity to obtain funding to build on the work on the Trafford Design Guide and in February 2022 and following a competitive process, the Council was selected as one of the Pathfinders and one of only five Local Planning Authorities awarded the maximum Section 31 grant of £160,000. In total twenty five Local Planning Authorities and neighbourhood groups have taken part in the Pathfinder Programme, which commenced in May 2022. Those Councils producing area wide Codes are generally at the same stage of the process as the Trafford Design Code – with a draft Code either at or nearing completion and adoption anticipated later in 2023.

1.3 In June 2022 the Executive Member for Economy and Regeneration approved the consultation draft of the Trafford Design Guide and the preparation of a Trafford Design Code as Supplementary Planning Documents, together with consultation and publicity arrangements. Since that time extensive public and stakeholder consultation has been carried out, a digital platform solution identified and commissioned as a proof of concept, and the Code drafted and approved by the Council's Executive in June 2023.

1.4 During this process, further reflection by officers on the content and format of the Trafford Design Guide and Trafford Design Code, and in particular the use of a fully accessible interactive digital platform, led to the merging of the two documents into one. Some of the content is guidance and some is coding, but it reads as one document and is called the Trafford Design Code. It is considered to be good practice to underpin coding with broader principles set out in guidance. Most of the content of the previous consultation draft Trafford Design Guide has been incorporated into the Trafford Design Code in some form, albeit visually the digital platform is almost unrecognisable from the consultation draft Trafford Design Guide.

1.5 Throughout the process of drafting the Trafford Design Code and carrying out consultation, officers have benefitted from formal and informal support, advice and training from DLUHC, the Office of Place, Urban Design London, the Design Council and other Pathfinder local planning authorities. This has included regular seminars and progress reviews and two substantive analysis and feedback sessions with the Design Council, one of which was a whole day event.

1.6 Much of the work on the Code has been carried out in house by officers – intentionally using the DLUHC grant monies as an opportunity to upskill planning staff and embed a new Heritage and Urban Design team in the Planning Service. The Service has benefitted as a whole and will continue to benefit from the upskilling opportunities that the Pathfinder programme has offered, not just those officers directly involved in producing the Code. Some consultant support has also been obtained from Barnes

Walker (landscape) Royal Pilgrim (community engagement) and Capita (digital platform and the Wharfside Masterplan). The digital platform has been provided pro bono by Capita as the Code is being used for their proof of concept testing although there will be an ongoing maintenance cost for the platform if the Council wishes to continue with the arrangement.

1.7 Officers have also been invited to present the emerging coding work at Planning Advisory Service and Royal Town Planning Institute events as an exemplar for other local planning authorities, particularly in relation to the approach to identifying Area Types. The Design Council are making arrangements with officers to use Trafford as a best practice case study on their website, including producing a short film about Trafford and the Code.

2.   Policy Status

2.1 Design is a key element of sustainable development and being clear about design expectations, and how these will be tested, is essential for achieving this. Paragraph 128 of the National Planning Policy Framework (NPPF) states that to provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code.

2.2 Paragraph 129 of the NPPF states that 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.

2.3 Design guides and design coding are distinct approaches, albeit much of the baseline work can be utilised as an evidence base for both. Often design guidance underpins a design code and provides the vision for it, with the code building in detailed requirements on top of guidance, which is the approach officers have taken here. A Local Planning Authority may have either adopted design guidance or coding or both (or coding only in relation to specific sites) but in order to underpin robust planning decision making and deliver quality places, full coverage with both is desirable and will become increasingly necessary in the light of emerging legislation and policy.

2.4 A design guide is a document which sets out the general design principles and standards that development proposals should follow in the area, building on policies in the development plan. Good local design guides are concise, positive documents which are accessible and use tools such as illustrations and checklists to highlight key design issues and possible solutions. They are most effective when used alongside other relevant design tools (e.g. codes).

2.5 A design code is a set of simple, concise, illustrated design requirements that are visual and numerical wherever possible to provide specific, detailed parameters for the physical development of a site or area. Design codes can provide a more specific steer on what is acceptable when they are visual and numerical, rather than relying on detailed policy wording, as well as being easier to engage with. They can also give developers greater certainty about what may be acceptable when seeking planning permission and can help lead to faster decisions based on whether a proposal complies with a code, which can help to speed up the delivery of development. The content and level of detail in design codes will vary according to the scale at which a code is applied.

2.6 It is intended that the Trafford Design Code will be adopted as a Supplementary Planning Document and will be a material consideration in the determination of planning applications. The Code will therefore need to have clear links to the adopted Core Strategy (particularly Policy L7 – Design) and to the adopted Civic Quarter Area Action Plan (CQAAP) (particularly Policies CQ6 – High Quality Design, CQ6.1 – Tall Buildings and CQ7 – Public Realm Principles), although other Core Strategy and CQAAP policies will be relevant. The Code will also need to hook from the Places for Everyone development plan which will also contain relevant design policies. The emerging Trafford Local Plan will need to follow on with a consistent approach and locally specific policy.

2.7 In time, if the government's proposals for 'supplementary plans' are realised (SPDs with the same status as development plans) it may be appropriate to readopt the documents under this procedure.

2.8 The Design Code is not intended to replicate or supersede existing Conservation Area Appraisals and Conservation Area Management Plans but overarching principles underpinning good design will be as relevant in conservation areas as outside them. The Design Code will complement and build on the existing robust management plan guidance.

2.9 The guidance is however intended to replace a number of dated SPGs (mainly dating from the early 1990s) but also the more recent PG1 – Residential Development (2004) and SPG2 – A56 Corridor Guidelines (2007).

2.10 The Code focuses on new development. It is not intended to provide guidance on retrofit for buildings or streets – for example climate change mitigation installed on existing buildings or measures to improve the accessibility of existing public realm. It also does not cover householder development and SPD4 – A Guide for Designing House Extensions and Alterations, will remain in force.

2.11 It is expected that the scope of the Code will expand over time. As it emerges, further coding, guidance and masterplanning could be bolted on to the Code. For example, the Wharfside Masterplan is following on as part of the Pathfinder programme and the emerging masterplans for New Carrington and Timperley Wedge could also be adopted as part of the Code, which would give them further weight. In time, as other SPDs and the Conservation Area Appraisals and Management Plans are reviewed and revised, they could become part of the Code.

3. The Coding Process

3.1 The Trafford Design Code has been drafted in accordance with the principles and processes set out in the National Model Design Code (NMDC). The purpose of the NMDC is to provide detailed guidance on the production of design codes, guides and policies to promote successful design.

3.2 The NMDC forms part of national planning practice guidance and the government recommends that the advice in the guidance on how to prepare design guides and codes should be followed. The NMDC sets out a three stage, seven step process for preparing a local design code. The preparation of the Trafford Design Code has been undertaken broadly in accordance with this process, albeit due to the crossover between the Guide and Code, not always in a linear fashion.

Figure 1. Design Code Process
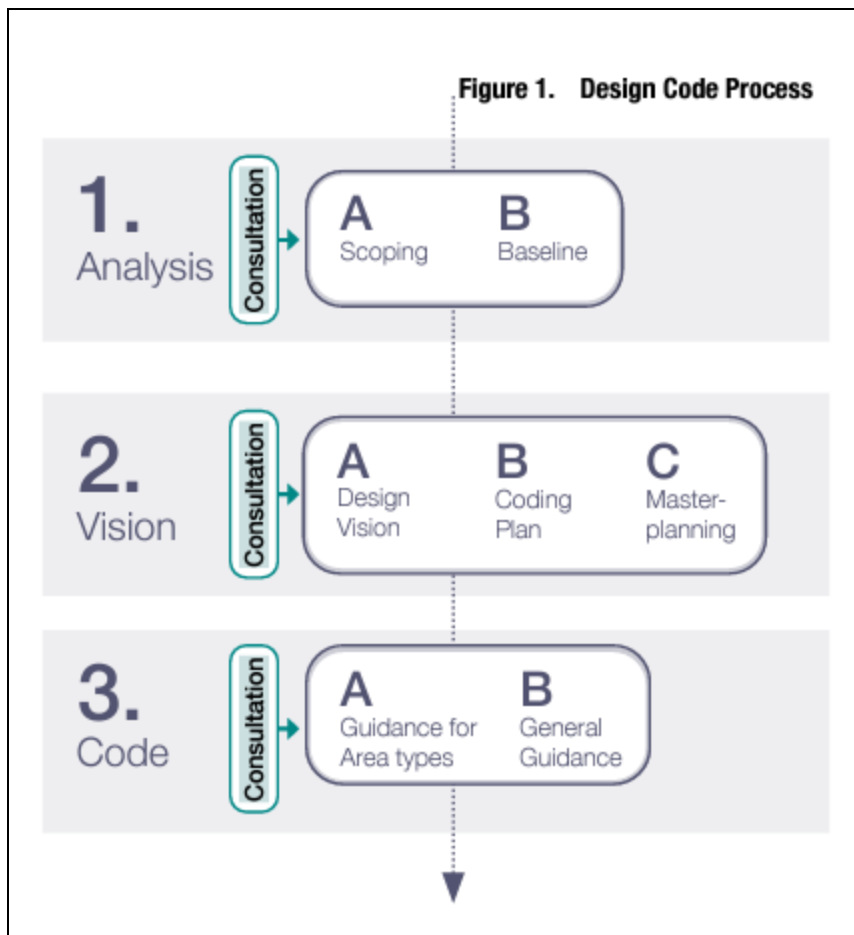
Source: National Model Design Code pg.6 'Coding Process'

3.3 <u>Stage 1 – Analysis.</u> This first stage of the coding process includes 'scoping' - agreeing the geographical area to be covered by the code and the policy areas it will address; and 'baseline' – bringing together the analysis that will underpin the code and inform its contents. Much of this work was undertaken in association with the initial drafting of the Trafford Design Guide, in particular in identifying the boroughwide scope and the characteristics and special qualities of 'Trafford Places'. The analysis was undertaken via a mixture of fieldwork and utilising existing documents and resources such as the Urban Historic Landscape Characterisation Report and the Trafford Landscape Strategy, some of the Places for Everyone evidence base and the existing masterplans and frameworks for allocated sites.

3.4 <u>Stage 2A – Design Vision and 2B – Coding Plan.</u> The NMDC advocates that, when preparing a design code for the whole local planning authority area, one approach is to divide the area into 'area types' which are areas of character that will be used to set common parameters in the code. Area types can be identified through characterisation studies, mapping analysis and the experience of officers and local communities.

3.5 The exercise to draw up a Coding Plan identifying different Area Types took place following the visioning consultation in summer 2022. This was initially a paper map based exercise based on Council officers' own knowledge and experience, but has been refined following consultation and taking the advice of the Design Council. Area Types do not necessarily correlate with the Trafford Places identified in the Design Guide and are broadly divided into previously identified allocations for substantial new development, existing established areas of built development, and countryside areas. The Area Types are as follows:-

- New Places – High Rise, High Density: covering Strategic Locations in the north of the Borough – Pomona, Trafford Wharfside, the Civic Quarter, and Trafford Waters.
- New Places – Low Rise, Low Density: broadly covering the New Carrington and Timperley Wedge allocations in Places for Everyone, with the exception of the land south of the Red Brook in New Carrington.
- Town Centres: the town centres of Altrincham, Sale, Stretford and Urmston.
- Industrial and Commercial: Trafford Park and Broadheath.
- Suburbs: the remainder of the existing built up area of the Borough where development is anticipated to predominantly come forward on infill sites.
- Rural and Villages: broadly covering Warburton, Dunham and their rural surroundings and including land in New Carrington south of the Red Brook.
- Green Belt and River Valleys: everything not covered by the above, where little, if any development is anticipated and which can be covered by general code-wide design principles.

3.6 The Area Types are shown on a map base in Appendix 1.

3.7 <u>Stage 2C – Masterplanning.</u> Where a design code covers larger sites, the NMDC suggests it may be necessary to produce a masterplan as part of the design coding exercise. Larger sites in this context means sites which are specifically allocated in the development plan (either adopted or emerging). For the Trafford Design Code, these were the 'New Places' – both 'High Density, High Rise' and 'Low Density, Low Rise' – comprising Pomona, Trafford Wharfside and Trafford Waters which are identified as Strategic Locations in the adopted Core Strategy, the Civic Quarter with its own Area Action Plan, plus the now well advanced New Carrington and Timperley Wedge allocations from Places for Everyone.

3.8 Of the large sites, only Trafford Wharfside does not already have an adopted masterplan or design framework in some format[1]. The Trafford Wharfside Development Framework was separately commissioned in June 2022 but is a high level piece of work to set the vision for Trafford Wharfside. The work on the Design Code therefore identified a gap in the baseline information for Trafford Wharfside broadly corresponding with Coding Process 2C in the NMDC. DLUHC encouraged officers to dedicate the remaining Pathfinder grant funding to this piece of work and to investigate opportunities for match funding.

3.9 Consequently in May 2023, following a tendering exercise, Capita were commissioned to produce a Trafford Wharfside Masterplan which will sit between the emerging Wharfside Development Framework and the Trafford Design Code. Work on the masterplan has now commenced.

3.10 The completed masterplan will be a key document setting parameters and robust urban design principles for the Trafford Wharfside area. Together with the Trafford Wharfside Development Framework and the Trafford Design Guide and Code the document will enable the Council to deliver transformational change of exemplar design quality across the Wharfside area. It is expected that the consultation draft Wharfside Development Framework and Masterplan will be approved by the Executive in September 2023.

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[1] Pomona has an adopted Masterplan, the Civic Quarter Area Action Plan includes a masterplan and design code, Trafford Waters has a Design Framework secured via planning condition and New Carrington / Timperley Wedge have masterplanning exercises being carried out as part of the Places for Everyone allocation process.

3.11 <u>Stage 3A – Guidance for Area Types and 3B – Code Wide Guidance.</u> The work to draft the specific coding and guidance contained within the Trafford Design Code has taken place throughout the project, albeit with much of the work taking place after consultation events and taking into account the feedback from them. Some of the guidance has been transferred directly from the consultation draft Trafford Design Guide, some has been adapted from content in that document, and some is entirely new and has been drafted afresh.

4. The Trafford Design Code - Overview

4.1 The Trafford Design Code is intended to be accessed and used via a web based digital platform. The digital platform has been built and designed in accordance with the gov.uk standards and guidelines for government digital publishing and services. It has been designed to be fully accessible with options to, for example, change the contrast, size and spacing of text and / or view a dyslexia friendly version of the Code. The digital platform also enables a user to interact only with the information they need and move between the sections of the Code relevant to them. However, the Code can be read 'cover to cover' if required with a text only version of the Code accessible as a pdf document. This version of the Code can be found at Appendix 2 of this report. For the full interactive and accessible Code, the digital platform is at www.trafforddesigncode.uk.

4.2 There are interactive tools and graphics throughout the Code which cannot be properly reproduced in a pdf format and are consequently not included in the appendices to this report. However, these tools are intended to assist users of the digital platform in understanding and using the code rather than providing the Code content itself.

4.3 The landing page for the Code immediately sets out the options available to users. The introductory part 'Learn about the Code' is split into three sections – Learn how to use this Design Code, Strategic Design Principles and Understand Trafford's Places. This section comprises the 'how' and the 'why' of the Design Code and its vision. The vision is, in short, designing for the way people live, creating quality and healthy places and design influenced by Trafford's rich heritage and culture. Underpinning this are the eight strategic design principles which are consistent with the consultation draft Trafford Design Guide.

4.4 The next section of the landing page are the coding sections – 'View the Design Code for your project'. This is split into nine chapter: Innovation; Landscape and Nature; Streets and Public Realm; Neighbourhoods and New Places; Commercial and Non-Residential Buildings; Tall Buildings; Residential Sites and Multiple Homes; Houses; and Apartments.

4.5 Each code chapter has an introductory page which gives some context for the particular code and then general guidance (rather than coding) together with best practice case studies. Each subchapter of the code can be accessed at the top of the page. Within each subchapter are the various codes which are numbered for easy reference. There are also relevant links to further non-Trafford guidance such as Manual for Streets.

4.6 The final section on the landing page is 'Get help with your project'. This includes case studies and a glossary of terms to assist both built environment professionals and the community who may not be so familiar with some of the technical language used. This

section will include, in time, tools to assist applicants in creating a 'Statement of Compliance', and a Design and Access Statement (a standard requirement for most planning applications) but as it requires additional documentation to be submitted with a planning application, will need to be brought forward via changes to the planning application Validation Checklist.

4.7 Overall the Code is intended to deliver a statement of the Council's intent for the quality of new development, and clear requirements to meet in order to comply with it. It is intended to provide greater certainty for developers in delivering schemes in Trafford, and assist officers when they apply their professional planning judgement to proposals, and the Planning Committee in determining applications. It will be an important material consideration in the determination of planning applications and will also give a robust basis for defending planning appeals on design grounds.

4.8 As it has emerged officers have also been informally testing the Code and its principles against a selection of new development proposals to understand its implications. One of these schemes has recently been dismissed at appeal on design grounds. It has proved particularly useful for small infill sites in the urban area with a distinct context but where exact replication of existing building design is not possible or appropriate. Further testing of the Code on a broader range of development types is to take place over the next few months before adoption.

4.9 The final requirement of the Design Code Pathfinder Programme was the submission of the draft Code to DLUHC. The Code was submitted on 9 June 2023 in both text only and digital forms. It is expected that DLUHC will provide feedback later in July and feedback may also be received from other organisations such as the Design Council.

5. Consultation

5.1 There has been significant public and stakeholder consultation carried out thus far and it has been a substantial element of the project. There have been a variety of methods used, including online, face to face drop in events and workshops, and specifically targeted consultation aimed at particular interest groups. The Pathfinder programme has required that community consultation be both wide and deep and officers have made best endeavours in this regard. Officers have been commended by the Design Council for their engagement strategy with children at the pupil workshops held at St. Ambrose College, which were open to all year groups.

5.2 Although there has been some correlation, the various stages of consultation have not necessarily fitted exactly with each stage of the coding process. So that discussion and debate was not stifled (albeit the workshops were facilitated) people have been able to air their views regardless of which stage of the coding process they were most relevant to. For example, responses to the consultation draft Trafford Design Guide fed into the scoping (breadth and coverage of the code), vision (potential area types and topics to cover), and code (content of the code and what should be guidance and what should be code).

5.3 During the summer of 2022 there were two consultation exercises carried out:-

- An online consultation in relation to the consultation draft Trafford Design Guide with a questionnaire for interested parties to air their views. This ran between 1 July 2022 and 9 September 2022. 40 responses were received.

- A series of consultation events held in the town centres of Altrincham, Sale, Partington, Urmston and Stretford and at Limelight in Old Trafford which took the format of drop in roadshow type events running across a morning or afternoon. A survey, including a visual preference survey was used. 271 survey responses were received.

5.4 Subsequently, in November 2022 a number of stakeholder workshops were held. These were either area based or topic based. A broad range of stakeholders and other interested parties were invited and the events were advertised by way of social media and posters displayed in the relevant areas.

5.5 Area based events were held in Urmston, Warburton, Altrincham, Stretford, Partington and Sale. These were held in a workshop format to understand what attendees thought of their area now and what they thought should be coded for to improve the quality of future development. The events at Altrincham and Partington were particularly well attended.

5.6 The topic based events were focused on Inclusive Design, Movement and Active Travel, Sustainability and Landscaping and Nature. The topics were based on the Council's corporate priorities, the baseline work in the Trafford Design Guide and feedback from the visioning exercise in the summer.

5.7 Following the November 2022 events, further targeted consultation sessions / workshops were held with the following interest groups / organisations:-

- GMCA Housing, Planning and Ageing Group
- Greater Sport
- Historic England
- St. Ambrose College (pupil workshop)
- Trafford Building Control
- Trafford Deaf Partnership
- Trafford Public Health
- Trafford Strategic Housing Partnership
- Ward Members

5.8 The feedback from these consultation events has informed the content of the Code thus far. In very broad terms, the feedback received was that attendees wanted characterful new development in the Borough which reflected local context, but that the Code should not stifle innovation or be so prescriptive that an architect could only 'design by numbers'. There was wide ranging support for the inclusion of measures to improve the accessibility, inclusivity and sustainability of new development, but that the Code should also be mindful of development viability.

6.   Next Steps

6.1 Following approval of the consultation draft by the Executive on 19 June 2023, the final consultation on the Trafford Design Code SPD began on Monday 3 July. The Code has been published on the online platform for consultation purposes, alongside a separate Citizen Space questionnaire. Free text responses will also be possible. Two ticketed stakeholder forums will be held in July, one for architects and agents (Monday 10 July) and one for developers and landowners (Wednesday 19 July). In September two community drop in sessions will be held, one at Altrincham Town Hall

on Wednesday 6 September and one at Trafford Town Hall on Monday 11 September. The consultation will close on Monday 25 September 2023.

6.2 The output from the consultation, forums, testing and feedback from DLUHC and other organisations will inform the content of the final Trafford Design Code. All the feedback received from the consultation will be carefully considered. A detailed consultation statement will be published alongside the final draft of the Code which will summarise the feedback received at all stages of consultation and officers' response.

6.3 The final Trafford Design Code SPD will be brought to Planning Committee for approval before adoption by Executive in the autumn.

6.4 Members of Planning Committee can expect to see reference to the draft Trafford Design Code in officer reports as the consultation progresses and the document gains more weight in decision making. In the interim period before adoption officers will consider on a case by case basis whether a report (and thus a decision) on a particular application should make reference to the draft Code. This will depend on the nature of the development, the relevance of any codes and the weight that can be afforded to the coding.

6.5 The Council's planning application Validation Checklist will also need to be updated to incorporate compliance requirements with the Code and the use of digital tools. The review of the Validation Checklist is an officer and Planning Committee function and will be progressed alongside the adoption of the Code, with the intention to bring an updated Validation Checklist to Planning Committee in the autumn, followed by a period of consultation, and adoption of the revised Validation Checklist before the end of 2023.

7. Recommendation

7.1 The adoption of the Trafford Design Code will put into place a robust, government backed set of design policy and guidance for use in planning decisions, which will enable the Council to elevate design standards and bring forward high quality new development, with community buy in. The Code would support the Council's corporate priorities and send a clear message about the quality of new development expected in the Borough to contribute to these.

7.2 It will give officers and Members of the Planning Committee a tool kit to resist developments of poor design and to improve design quality in the Borough. The Council's case at planning appeals will be further strengthened as a result of adoption, where planning applications have been refused on design grounds. Adoption as SPD will give the Design Code more weight as a material planning consideration.

7.3 The adoption of the Code will enable the continued upskilling of existing staff and will be of benefit in staff recruitment, retention and succession.

7.4 It is therefore recommended that the Planning and Development Management Committee:-

- Notes that the consultation draft Trafford Design Code (TDC) Supplementary Planning Document (SPD) has been approved by the Council's Executive;
- Notes that consultation on the draft TDC began on 3 July 2023 and that Planning Committee Members are encouraged to take part;

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