

Individual Executive Member Decision

Newbury Town Design Statement (2018)

Committee considering report: Individual Executive Member Decision

Date ID to be signed: 16 July 2018

Portfolio Member: Councillor Hilary Cole

Forward Plan Ref: ID3391

1. Purpose of the Report

- 1.1 To report on the formal public consultation undertaken on the refreshed Newbury Town Design Statement and to consider its adoption as part of the community planning process.

2. Recommendations

- 2.1 To endorse and adopt the Newbury Town Design Statement (2018) as outlined in Appendix C.

3. Implications

- 3.1 **Financial:** There are no direct financial implications at this stage.
- 3.2 **Policy:** Design Statements prepared as part of the community planning process in West Berkshire can influence the operation of the statutory planning system.
- 3.3 **Personnel:** There are no direct personnel implications at this stage.
- 3.4 **Legal:** There are no direct legal implications at this stage.
- 3.5 **Risk Management:** There are no direct risk management issues arising from this Design Statement.
- 3.6 **Property:** There are no specific Property implications at this stage.
- 3.7 **Other:** N/A

4. Consultation Responses

Members:

Leader of Council: Councillor Graham Jones

Overview & Scrutiny Management Commission Chairman: Councillor Emma Webster

Ward Members: Clay Hill – Councillors Jeff Beck and Dave Goff

Falkland – Councillors Howard Bairstow and Adrian Edwards
Greenham – Councillors Jeremy Bartlett and Billy Drummond
Northcroft – Councillors Jeanette Clifford and Lynne Doherty
Speen – Councillors Paul Bryant and Marcus Franks
St Johns – Councillors Mike Johnston and Anthony Pick
Victoria – Councillors Dennis Benneyworth and James Fredrickson

**Opposition
Spokesperson:**

Councillor Alan Macro

Local Stakeholders:

Previously consulted during the preparation of the Design Statement. Consultation details are set out on page 5 of the Town Design Statement.

Officers Consulted:

Previously consulted during the preparation of the Design Statement. Consultation details are set out on page 5 of the Town Design Statement.

Trade Union:

N/A

5. Other options considered

- 5.1 No other options were considered as this was a review and refresh of the Newbury Town Design Statement originally adopted in 2005.

6. Introduction/Background

- 6.1 The Newbury Town Design Statement is a document describing the qualities and characteristics that local people value in the town and its surroundings. It sets out clear and simple guidance for the design of all development in the town. It cannot be used to stop new development, but it can be used to influence developers and the local planning authority, and to ensure that new buildings respect and reflect local character.
- 6.2 Such design statements are intended to influence the operation of the statutory planning system and this has worked well in West Berkshire in the past. The Council has actively encouraged the production of design statements and since 2001 seventeen Design Statements have been adopted by the Council.
- 6.3 Since June 2008 design statements achieve recognition through the community planning process rather than the statutory planning process, as previously. However, it does not mean that they are seen as any less important.
- 6.4 To ensure that design statements produced in this way are still accorded weight in the planning process, for example, by planning inspectors at appeals, it remains particularly important to show that they:
- have been produced in consultation with the local community and stakeholders, including statutory consultees;

- conform with relevant development plan policies; and
- have been adopted by the Council.

6.5 The following procedures are therefore being adopted by community groups in West Berkshire when preparing design statements:

Stage 1

Production of draft design statement by the design statement group with the involvement of a wide cross-section of the local community;

Stage 2

Officer agreement to final version of draft design statement;

Stage 3

Six week 'formal' consultation period where the design statement group consults with the local community and West Berkshire Council consult with relevant stakeholders & statutory consultees;

Stage 4

Amendments to the design statement made as appropriate;

Stage 5

Design statement group presents final design statement to the Council for adoption as an Individual Executive Member decision.

6.6 The review of the Newbury Town Design Statement has been carried out in accordance with this procedure.

7. Supporting Information

- 7.1 The Newbury Town Design Statement was originally adopted by West Berkshire Council in 2005, but it was decided by Newbury Town Council that a refresh should be undertaken and in 2016 a Working Group was set up to review the design statement. The review has resulted in updated text and graphics, as appropriate, to reflect the changes which have taken place within the town since 2005. It is not considered that this review has fundamentally changed the original design statement but the changes do provide a more up to date document. A six week period of public consultation was carried out in January 2017 prior to the submission of a draft to West Berkshire Council in June 2017.
- 7.2 Formal consultation on the draft design statement was undertaken by West Berkshire Council for a period of six weeks from 6th October to 17th November 2017. Officers consulted directly with all active consultees on the Local Plan consultation database, which includes statutory agencies, national interest groups, adjacent parish councils, local interest groups and local developers (or their agents). In addition, the draft document was made available on the Council's website, as well as the Town Council website.
- 7.3 Overall, 10 formal consultation representations to the draft document were received. The representations and recommended Council responses, along with the Working Group responses are all set out in Appendix B.

- 7.4 On the whole the consultation representations were positive and constructive. The Working Group has made amendments to the draft document in response to the consultation and as set out in Appendix B. A final version of the Newbury Town Design Statement (2018) is attached as Appendix C.

8. Conclusion

- 8.1 If the refreshed Newbury Town Design Statement is endorsed and adopted by West Berkshire Council it will replace the original 2005 design statement, provide detailed context for existing policies in the West Berkshire Local Plan and, where appropriate, will be used as a material consideration in the determination of planning applications.

Background Papers:

N/A

Subject to Call-In:

Yes: ☒ No: ☐

The item is due to be referred to Council for final approval	<input type="checkbox"/>
Delays in implementation could have serious financial implications for the Council	<input type="checkbox"/>
Delays in implementation could compromise the Council's position	<input type="checkbox"/>
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months	<input type="checkbox"/>
Item is Urgent Key Decision	<input type="checkbox"/>
Report is to note only	<input type="checkbox"/>

Wards affected:

Clay Hill, Falkland, Greenham, Northcroft, Speen, St Johns and Victoria

Strategic Aims and Priorities Supported:

The proposals will help achieve the following Council Strategy aim:

☒ **HQL – Maintain a high quality of life within our communities**

The proposals contained in this report will help to achieve the following Council Strategy priority:

☒ **HQL1 – Support communities to do more to help themselves**

Officer details:

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Job Title:	Principal Planning Officer
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9. Executive Summary

- 9.1 The Newbury Town Design Statement is a document describing the qualities and characteristics that local people value in the town and its surroundings. It sets out clear and simple guidance for the design of all development in the town. It cannot be used to stop new development, but it can be used to influence developers and the local planning authority, and to ensure that new buildings respect and reflect local character.
- 9.2 The Newbury Town Design Statement was originally adopted by West Berkshire Council in 2005, and it was decided by Newbury Town Council that a refresh should be undertaken and in 2016 a Working Group was set up to review the design statement. The review has resulted in updated text and graphics, as appropriate, to reflect the changes which have taken place within the town since 2005. It is not considered that this review has fundamentally changed the original design statement but the changes do provide a more up to date document. A six week period of public consultation was carried out in January 2017 prior to the submission of a draft to West Berkshire Council in June 2017.
- 9.3 Formal consultation on the draft design statement was undertaken by West Berkshire Council for a period of six weeks from 6th October to 17th November 2017. Officers consulted directly with all active consultees on the Local Plan consultation database, which includes statutory agencies, national interest groups, adjacent parish councils, local interest groups and local developers (or their agents).
- 9.4 Overall, 10 formal consultation representations to the draft document were received. On the whole the consultation representations were positive and constructive. The Working Group has made amendments to the draft document in response to the consultation and as set out in Appendix B. A final version of the Newbury Town Design Statement (2018) (Appendix C).

10. Conclusion

- 10.1 If the refreshed Newbury Town Design Statement is endorsed and adopted by West Berkshire Council it will replace the original 2005 design statement, provide detailed context for existing policies in the West Berkshire Local Plan and, where appropriate, will be used as a material consideration in the determination of planning applications.

11. Appendices

- 11.1 Appendix A – Equalities Impact Assessment
- 11.2 Appendix B - Table of consultation representations and responses
- 11.3 Appendix C – Newbury Town Design Statement 2018

Appendix A

Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; this includes the need to:**
 - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
 - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?
- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

What is the proposed decision that you are asking the Executive to make:	To endorse and adopt the refreshed Newbury Town Design Statement (2018) as outlined in Appendix C.
Summary of relevant legislation:	Design Statements prepared as part of the community planning process in West Berkshire can influence the operation of the statutory planning system
Does the proposed decision conflict with any of the Council's key strategy priorities?	No
Name of assessor:	Sarah Conlon
Date of assessment:	29 May 2018

Is this a:		Is this:	
Policy	No	New or proposed	Yes
Strategy	No	Already exists and is being reviewed	Yes
Function	No	Is changing	Yes
Service	No		

1 What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?	
Aims:	The purpose of the decision is to endorse and adopt the refreshed Newbury Town Design Statement (2018).
Objectives:	The design statement describes the qualities and characteristics that local people value in the town and its surroundings.
Outcomes:	If endorsed and adopted by the Council the document will replace the original 2005 design statement, provide detailed context for existing policies in the West Berkshire Local Plan and, where appropriate, will be used as a material consideration in the determination of planning applications.
Benefits:	The design statement sets out clear and simple guidance for the design of all development within the town.

2 Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources

of information have been used to determine this.

(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)

Group Affected	What might be the effect?	Information to support this
Age	No impact	N/A
Disability	No impact	N/A
Gender Reassignment	No impact	N/A
Marriage and Civil Partnership	No impact	N/A
Pregnancy and Maternity	No impact	N/A
Race	No impact	N/A
Religion or Belief	No impact	N/A
Sex	No impact	N/A
Sexual Orientation	No impact	N/A
Further Comments relating to the item:		
Six week period of formal consultation was conducted on this item, seeking views from a wide range of statutory agencies, national interest groups, adjacent parish councils, local interest groups and local developers (or their agents). The document was also made available on the Council's website.		

3 Result

Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?

No

Please provide an explanation for your answer:

The purpose of the decision is to endorse and adopt the refreshed Newbury Town Design Statement (2018). The design statement describes the qualities and characteristics that local people value in the town and its surroundings. The design statement sets out clear and simple guidance for the design of all development within the town.

Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?

No

Please provide an explanation for your answer:

The purpose of the decision is to endorse and adopt the refreshed Newbury Town Design Statement (2018). The design statement describes the qualities and characteristics that local people value in the town and its surroundings. The design statement sets out clear and simple guidance for the design of all development within the town.

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

4 Identify next steps as appropriate:	
Stage Two required	No
Owner of Stage Two assessment:	N/A
Timescale for Stage Two assessment:	N/A

Name: Sarah Conlon

Date: 29 May 2018

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) (rachel.craggs@westberks.gov.uk), for publication on the WBC website.