

REVIEW OF OUTLOOK, AMENITY AND DAYLIGHT SUPPLEMENTARY PLANNING DOCUMENT (SPD)

Executive Summary

The current Outlook, Amenity and Daylight Supplementary Planning Document (SPD) was adopted in 2008. The SPD provides detailed guidance on achieving suitable and appropriate outlook, privacy, daylight and sunlight in new residential development, whilst safeguarding the distinctive attributes of adjoining residential areas. The SPD is being reviewed to bring it up to date to reflect changes in national policy and policies of the development plan. When the SPD is adopted, it will be a material consideration in determining planning applications and other planning decisions. The weight that will be given to the SPD in planning decisions will be significantly enhanced by the extent of public participation during its preparation. The Executive is therefore requested to approve the SPD for public engagement and consultation. A copy of the SPD is included in Appendix 1.

Recommendations

The Executive is requested to:

RESOLVE That

- (i) the contents of the proposed revision to the Outlook, Amenity and Daylight Supplementary Planning Document be noted and approved for public engagement and consultation between September 2021 and November 2021; and
- (ii) delegated authority be given to the Director of Planning, in consultation with the Portfolio Holder for Planning, to approve amendments to the draft Outlook, Amenity and Daylight SPD to reflect new information before it is published for community engagement and consultation.

Reasons for Decision

Reason: To ensure that the Outlook, Amenity and Daylight SPD continues to be up to date for the purposes of managing development across the Borough.

The Executive has the authority to determine the recommendations set out above.

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Background Papers: None.

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Review of Outlook, Amenity and Daylight Supplementary Planning Document (SPD)

1.0 Introduction

- 1.1 The Outlook, Amenity and Daylight Supplementary Planning Document (SPD) provides detailed guidance on achieving suitable and appropriate outlook, privacy, daylight and sunlight in new residential development, whilst safeguarding the distinctive attributes of adjoining residential areas.
- 1.2 The Council expects the design of development to be of high quality, inclusive and comprehensive, not only looking at aesthetic quality, but also how the development brings various elements together to improve the quality of life of its users, and enhance the character of the area. This includes how development ensures satisfactory outlook, amenity, privacy and daylight in development. The Council is in the process of preparing a Masterplan for the Town Centre where most new development will be accommodated. The SPD will complement the delivery of the Masterplan.
- 1.3 The Core Strategy and the Development Management Policies Development Plan Document (DPD) includes robust policies to ensure high quality design of development, in particular, Policies CS21 and CS24 of the Core Strategy and DM7, DM10, DM11 and DM17 of the Development Management Policies DPD. The Outlook, Amenity and Daylight SPD provides detailed guidance on how the above policies would apply to the determination of day to day planning applications. A copy of the revised SPD is in Appendix 1.
- 1.4 The following topics are appropriately covered in the SPD:
 - **Outlook:** it ensure that residential development is considered in its rightful context. It ensures that the close proximity of another building (or other controlled works) does not adversely affect accommodation by diminishing the visual enjoyment of a dwelling's immediate setting.
 - **Amenity:** it ensures that the setting of development is appropriate. It ensures the provision of landscaped space or other high quality outdoor amenity surrounding dwellings usually forming; private amenity space (private realm), and the landscaped frontage to the development (public realm).
 - **Privacy:** it ensures the protection of habitable rooms and intimate areas of private outdoor amenity from being directly overlooked. It ensures that people can live in comfort in their private space at home.
 - **Daylight:** it ensure an appropriate amount of natural daylight required to illuminate internal rooms. Reference is also made to providing access to sunlight, and the safeguarding of access to sunlight for solar energy generation.
 - **An Appendix** (Appendix 1), which recommends a number of dimensions to achieve the minimum level of outlook, amenity, daylight and sunlight in residential layouts.
- 1.5 The report has been considered by the LDF Working Group at its meeting on 22 July 2021. The Working Group had suggested a few modifications to the SPD, which are already incorporated in the revised SPD at paragraphs 3.18, 4.14 and Appendix 2 of the SPD itself. In summary the amendments are:
 - Para 3.18: added 'and additional amenity space as proportionate for any tall buildings',
 - Para 4.14: removed the word 'laurel';
 - Appendix 1: Inserted reference to treating commercial/mixed use buildings the same as residential ones;
 - Appendix 2: new appendix to provide examples of separation distances used by other local authorities.

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1.6 The Draft Minute of the LDF Working Group meeting is in Appendix 2 of this report.

2.0 What next

2.1 Subject to the recommendations of the Executive, it is anticipated that the report will be published for a minimum of six weeks public engagement and consultation between September 2021 and November 2021 to give the public the opportunity to comment on the draft SPD, and for their views to be taken into account before the SPD is finalised. It is expected that the SPD will be adopted by the end of the year after appropriate scrutiny by the Working Group and approval by Council.

3.0 Corporate Strategy

3.1 The SPD will make a significant contribution to the delivery of the objectives of the Corporate Plan. It will help create an enterprising, vibrant and sustainable borough by ensuring that development is of high quality design and of an acceptable standard, including making appropriate provision to achieving suitable outlook, amenity, daylight and sunlight in residential development. The SPD will complement the delivery of the Town Centre Masterplan.

4.0 Implications

Finance and Risk

4.1 The revised SPD has been prepared in-house. There is no additional financial implications for preparing the SPD.

4.2 Some parts of the current SPD is out of date. There is a risk that development proposals will be considered using out of date SPD if the SPD is not reviewed.

Equalities and Human Resources

4.3 There are no equalities or human resources implications.

Legal

4.4 The SPD should be in general conformity with the development plan for the area. Officers will continue to ensure that this requirement is met to avoid risk of legal challenge.

5.0 Engagement and Consultation

5.1 The revised SPD has been prepared with the active involvement of the relevant sections of the Council, in particular, the Development Management Team. The draft SPD has been scrutinised by the LDF Working Group. The Community will be given a minimum of six weeks to comment on the document, and their comments will inform the final version of the SPD. The Working Group and the Executive will have the opportunity to consider the final draft of the SPD before it is adopted by Council.

REPORT ENDS