

Adopted

January 2014

INFILL AND BACKLAND DESIGN GUIDE



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How to use this guide:

This document sets out focussed. It has been made simple to use through the inclusion of indicative examples with ticks and crosses. These are intended as a guide only and do not indicate a blanket acceptance or rejection of a specific approach. As always the emphasis should be on the unique nature of every site.

Note: Due to the technical nature of this document it is not possible to make it available through the medium of Welsh.

1. Introduction

1.1 This document provides design guidance for Infill and Backland developments for up to 10 dwellings in urban, suburban and rural locations that are within the settlement boundary. It does not relate to proposals outside the settlement boundaries and within the countryside. Where infill or backland proposals are for more than 10 dwellings, please also refer to the City and County of Swansea Residential Design Guide (also subject to public and stakeholder consultation).

1.2 This document was adopted on 23rd January by the Development Management & Control Committee as Supplementary Planning Guidance to policies EV1, EV2, EV9, EV17 & HC2 of the City and County of Swansea Unitary Development Plan (2008).

How to use this guidance

Sections 2—5 set out general guidance for both infill and backland development.

Section 6 sets out guidance for **infill development**.

Section 7 sets out guidance for **backland development**.

Section 8 sets out guidance for **amenity and privacy** which is applicable to infill and backland developments.

If your proposal comprises both forms of development, then you should read both sections.

2. Definitions

Infill/gap site development

Infill development comprises residential development (either flats or houses) that is located in an existing street or lane frontage.



Backland development

Backland development comprises small scale development (usually one or two plots) to the rear of existing properties.



In both cases, the sites could be undeveloped or comprise buildings that are proposed for demolition.

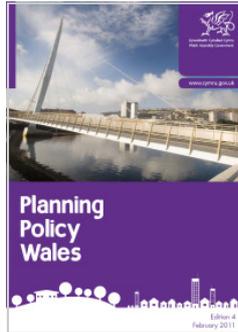
3. Policy Context

3.1 This section briefly outlines the national and local policy framework relevant to backland and infill developments.

National Policy

Planning Policy Wales (2012)

3.2 Planning Policy Wales (PPW) sets out a preference for the reuse of previously developed sites in accessible locations. (Paragraphs 4.7.2 and 4.9.1)



3.3 National housing policy is clear that tandem development should be avoided as it may cause difficulties of access to the house at the back and disturbance and lack of privacy to the house in front. (paragraph 9.2.13)

3.4 National policy points out that infilling is not appropriate everywhere and this should be based on the character of an area, plus the number of existing examples of development similar to the proposals. Where infilling is appropriate, the emphasis is on sensitive development in terms of character and amenity. (Paragraphs 9.3.2 and 9.3.3)

3.5 Paragraph 4.12.4 of PPW sets out mandatory sustainability standards for new developments. New dwellings must achieve Code for Sustainable Homes level 3, plus achieve 1 credit under issue Ene1 (Dwelling Carbon Emissions). Please check the Welsh Assembly Government web site for the latest guidance.

TAN 5: Planning and Nature Conservation (2009)

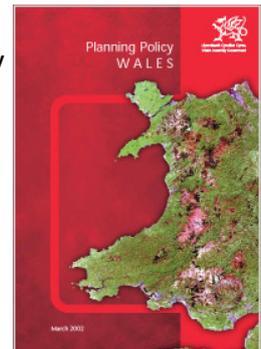
3.6 The planning process is critical in delivering the protection and enhancement of nature conservation which is set out in European and national legislation. Technical Advice Note (TAN) 5—Planning and Nature

Conservation encourages a five point approach to decision making:

- Adequate information (including surveys where necessary)
- Avoidance of harm
- Mitigation to minimise unavoidable harm
- Compensation to offset residual harm
- New Benefits

TAN 12: Design (2009)

3.7 National design policy emphasises that understanding the site and its context is the basis for a meaningful and sustainable design response. (Paragraph 4.3)



3.8 TAN 12 also sets out guidance on the structure and content of Design and Access Statements. See also more detailed local DAS guidance for the City and County of Swansea¹.

TAN 18: Transport (2007)

3.9 National transport policy promotes housing development at locations with good access by walking and cycling to primary and secondary schools and public transport stops, and by all modes to employment, further and higher education, services, shopping and leisure. (Paragraph 3.4)

TAN 22: Planning for Sustainable Buildings (2010)

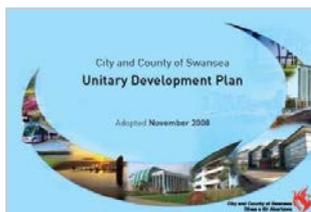
3.10 This document is effectively a ‘handbook’ to help implement the Sustainable Building Standards set in Planning Policy Wales. The emphasis is on reducing energy demand.

3. Policy Context

Local Policy

Unitary Development Plan (2008)

3.11 The City and County of Swansea Unitary Development Plan (UDP) sets out the policy context which informs all planning application decisions.



3.12 The following policies are those relevant to proposals for infill and backland development. These form the policy context for developments of this type and are significant in the determination of proposals. Below is a brief summary of the most relevant policies. For the full wording of the policy see the UDP.

EV1 Sets out the objectives of good design.

EV2 Sets out the requirements for the siting of new development proposals.

EV9 Sets out the standard of design in Conservation Areas and the requirements for the preservation or enhancement.

EV16 Sets out design requirements for a stated list of small villages.

EV17 Sets out design requirements for a stated list of large villages.

EV18 Sets out design requirements for rural affordable housing.

EV30 Encourages the protection existing trees/hedgerows and promotes new planting.

HC2 Supports proposals for housing development on previously developed sites.

AS6 Sets the criteria for parking provision required to serve developments.

Supplementary Planning Guidance

3.13 This guidance complements the City and County Residential Design Guide through the provision of specific information relating to infill and backland development. It should also be read in conjunction with other adopted Supplementary Planning Guidance documents such as:

- Gower Design Guide
- Conservation Area Appraisals
- Community Safety SPG
- Planning Obligations SPG
- Car Parking Standards



4. Design process

Appraise the context

4.1 Infill and backland development by their very nature have a close relationship to the existing context. Therefore a thorough survey of the site and the surrounding area should be the starting point.

4.2 It is important to understand the physical context of any proposal. This can be achieved by examining the townscape and landscape around the site which will reveal the size of houses, gardens etc. There may be locations where large gardens are part of the character of an area or where the vegetation within large gardens is of visual or ecological importance, therefore not all areas are suitable for development.

4.3 It is also important to appraise the visual context of the proposal. This can be achieved through a photographic survey and examination of aerial photography/maps.

4.4 Generally the design of schemes should be informed by immediate buildings and by the character of the wider locality. Even backland proposals that would not be in prominent public view should be designed to harmonise with their surroundings.

In many cases an appraisal of the local context will highlight distinctive patterns of development or landscape where the intention will be to sustain character. Appraisal is equally important in areas where patterns of development have failed to respond to context in the past. In these areas appraisal should point towards solutions which reverse the trend.

(TAN 12: Design para 4.5)



Online mapping is a good starting point to understand the layout and greenery in an area.

4.5 In some locations there may be scope for a more contemporary design solution, but this will be judged on case by case basis. All design proposals must be explained and justified in the Design and Access Statement.

Statutory designations

4.6 If the site is in a Conservation Area, then the Council has a duty to preserve or enhance the character of that area. This may mean that gap sites, large gardens and/or mature vegetation are an essential part of the character of an area and any loss of these features will be resisted. Where development is considered appropriate, there will be a greater emphasis on quality. Similar considerations will apply if a proposal affects the setting of a Listed Building.

4. Design process

Site survey

4.7 An accurate survey of the site, levels, features, vegetation, ecology, boundaries, adjacent building heights etc are important (especially for smaller sites) to ensure that development can actually be accommodated and to allow an accurate assessment of the proposals in context.

Existing trees and hedges

4.8 Often sites contain trees and hedges. Mature vegetation is not easily replaced and should be retained where possible as it can soften the impact of development and benefit biodiversity. Where these features are retained, the development should make adequate provision for long term retention. Any application for infill development where there are trees on or overhanging the site should be accompanied by a tree survey which conforms to BS5837 "Trees in relation to construction – Recommendations".

4.9 Some trees are also covered by Tree Preservation Orders (TPOs) and works to; or removal of such designated trees requires planning permission. Applicants are therefore advised to check the status of any trees to be affected by the proposed development as these are a material consideration in the determination of applications. Furthermore works to trees in Conservation Areas may also require permission.

Access for All

4.10 Access for all is a consideration at all scales of development. Whilst infill and backland developments may 'plug' into existing infrastructure, they should be accessible in their own right. This should include consideration of approach routes, parking areas and entrances to buildings both from a visitors and occupants perspective . Consideration should be given to the 'Lifetime Homes' concept whereby a home is designed to be adaptable to allow change over time in response to the changing needs of the household. Not only is this inclusive it also allows communities to stay together rather individuals and families then having to move on to different accommodation as their needs change.

Community Safety

4.11 The appraisal of the context should include consideration of opportunities to reduce crime or antisocial behaviour as this may be implications for the design. In some instances an infill development may effectively 'secure' exposed boundaries or overlook unsupervised areas through new development, whereas some backland developments may open up what were previously secure rear gardens.

4. Design process

Pre-application advice

4.12 Pre-application advice from the Council can assist in improving the quality of development and help to speed up the determination of the subsequent planning applications. It is therefore strongly encouraged particularly for sensitive sites and developments.

4.13 In order to make the best use of Council resources and enable the authority to provide meaningful preliminary advice, the following information is expected:

- Draft Design and Access Statement
- Site location plan
- Initial site layout
- Initial dwelling details including elevations and streetscene views.

4.14 As the design is developed and detailed plans are prepared more detailed advice can then be given.

4.15 The response will be comprehensive, incorporating the views of all relevant Council service areas.

Design & Access Statement – explain and justify

4.16 All planning applications for residential development must be accompanied by a Design and Access Statement (DAS). This is an opportunity to explain and justify proposals.

4.17 The DAS must demonstrate the steps taken to appraise the context of the development. It must also explain how the design of the development takes the context and the design guidance set out in TAN12 (Design) into account.

4.18 The DAS must be fit for purpose and 'readily identifiable' as meeting the statutory requirements, therefore there is a required structure and content (see Appendix 1). Whilst the amount of information provided should reflect the scale of the proposal and sensitivity of the context, all DAS will need to concisely and clearly communicate the design approach and should include illustrations, plans, photos, and sketches as appropriate.

5. Objectives

5.1 Infill and backland developments offer the opportunity to provide homes in locations which are well linked to existing communities, facilities and public transport. However this form of development can have a considerable impact on the amenity of occupiers of the surrounding properties and can change the character of an area. There is no density range target for infill and backland developments, rather the number of homes and scale of buildings will be determined with regard to the context and accessibility.

5.2 Therefore a balance needs to be struck between reusing land in accessible locations and considerations of amenity and character:

Design is an important consideration and in the case of infill development the integration with the 'streetscene' is key consideration. Furthermore, just because backland sites are not generally visible from the street they must still be well designed.

Amenity of existing occupants is a key consideration in terms of avoiding overlooking, overshadowing and overbearing impacts. In addition, the impact resulting from access and parking in terms of noise and disturbance requires consideration.

5.3 The overarching objective of this guidance is to achieve good quality development which integrates positively with the context, preserves the amenity of existing properties and provides occupants of the new development with a high quality environment.

Sustainable design

All development must achieve the following minimum sustainable building standards set by the Welsh Government¹, At the time of publication these are:

All new dwellings to meet Code for Sustainable Homes Level 3 and obtain 1 credit under issue Ene1 - Dwelling Emission Rate (CfSH version 3, Nov 2010).

For mixed use developments and multi residential developments, the minimum standards are:

Applications with a site area of 1ha or a floorspace of 1000m² to meet BREEAM Very Good and obtain Excellent under Ene1

It is advised that a pre-assessment sustainability report is included as part of the application to ensure that sustainability measures are addressed at an early stage. The plans will need to show any proposed micro generation equipment and any surface water attenuation which is required for greenfield sites.

1. Please refer to the latest edition of PPW for the latest sustainability requirements

6. Infill Development

6.1 With regard to Infill development, priority will be given to preserving or enhancing the character of the streetscene or lane and all proposals will be judged initially on this criterion.

6.2 Not all infill plots will be suitable for development and proposals will be judged on a case by case basis. Some undeveloped gaps in otherwise built up frontages are an integral part of the character of an urban, suburban or rural area. These gaps may allow important public views, be occupied by visually important trees, provide formal footpaths or informal desire lines, perform a formal or informal amenity/open space function, be home to important ecology or Protected Species, be used for local food production or simply provide ‘breathing’ space in an otherwise built up area.

6.3 Where development is appropriate it is important to identify the degree of uniformity or variety in the area immediately around the site. This should inform the design approach:

- In areas of a strong uniform character, the proposal should ‘fit in’ but not always copy the context.
- In areas which display a strong degree of variety, there is the opportunity for the proposal to be different.

6.4 There may be scope for a more innovative contemporary design solution in areas which exhibit a wide variety of character or in areas which are deemed to have limited architectural merit but this will be judged on a case by case basis and should be explained in the Design and Access Statement.



Example of a gap site that is not appropriate for development . In this instance the gap and mature trees are an important feature of a dispersed village. This issue has been successfully defended at appeal.

6. Infill Development

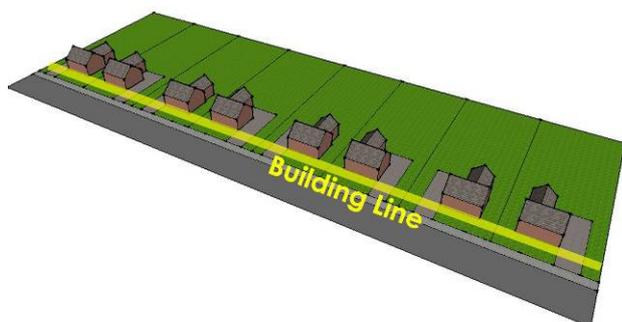
6.5 When assessing proposals for infill development the Council will pay particular attention to the following paragraphs (6.7-6.30):

Incorporation of existing features

6.6 Where an infill site includes a feature or features of significance, consideration must be given to how the proposed development relates to this. For example a retained tree should be given sufficient space to grow without impacting on the amenity of proposed garden spaces. A footpath or desire line should be well integrated whilst maintaining a direct, safe and visually attractive alignment.



Use retained features such as trees as focal points



Building line

6.7 Development proposals will be expected to follow the established building line where this is a strong characteristic of an area. Proposals which project or are set back from the building line will often disrupt the quality of the streetscene. Only in exceptional cases where existing set back or forward frontages are a feature of the area, or where there is significant justification to deviate from the established building line will this be permitted. Analysis of the context will also indicate the importance of front gardens in terms of greenery and character. This is an integral element of the consideration of the building line.

6.8 All Infill units must have their primary elevation including windows to habitable rooms and front door facing the street or adjacent public area (for example parks, open spaces, etc). This approach creates an accessible, attractive and legible streetscene which is also safer by virtue of natural surveillance. Some infill developments may help to secure existing exposed boundaries with new development.



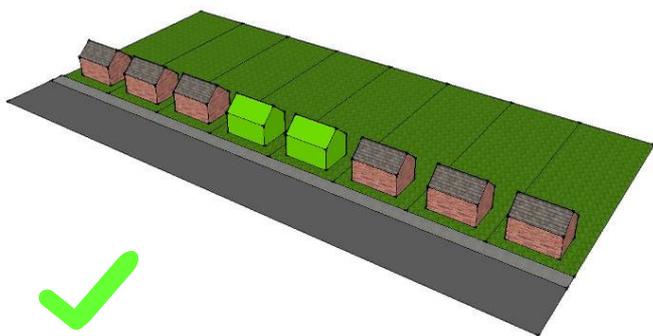
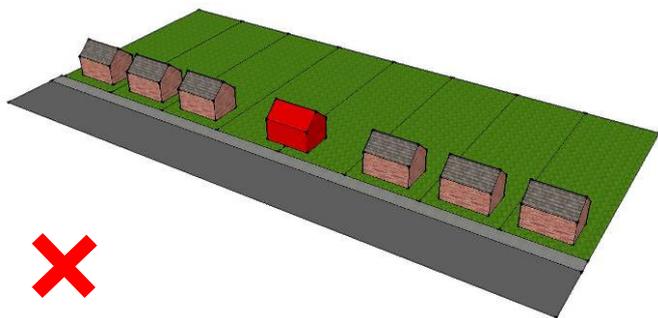
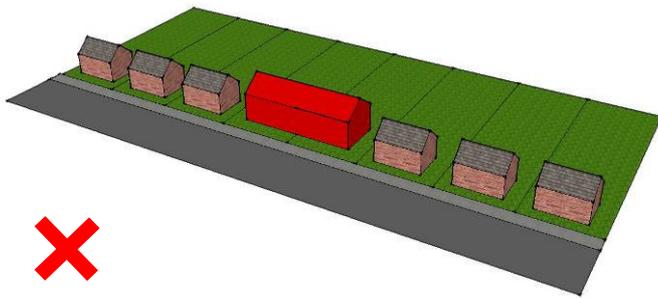
Example of infill development (right) that provides a subtle updating of the local vernacular whilst following the established building line and scale.

6. Infill Development

6.9 Corner plots will need to have two public elevations to relate to the public realm on two sides. When undertaking corner plot development the main elevation with front door should face the main street or movement route.

Plot and building width:

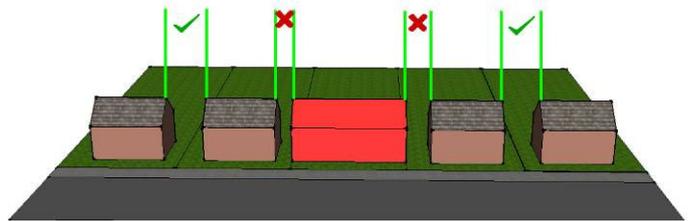
6.10 The spaces between buildings have as much of an impact on the character of an area as the form and appearance of the buildings. Plots must be sufficiently wide to site buildings of an appropriate frontage width without resulting in a cramped



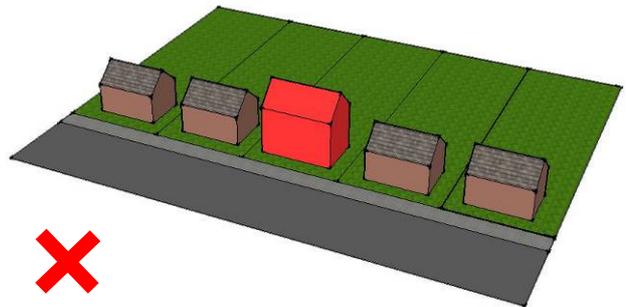
appearance. The width of the building plot and the width of the proposed dwelling should be similar to that of those in the existing street frontage.

Height, scale and massing:

6.11 New developments should provide an adequate visual separation between buildings. This includes the relationship between side walls and roofs.



6.12 Generally the height, form and massing of the proposed building should be similar to that of those in the existing street frontage.



6. Infill Development

Materials and details

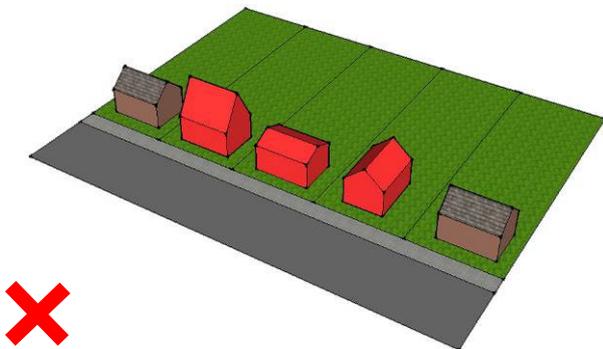
6.13 The context analysis should form part of your Design & Access Statement. This should include identification of the main wall and roofing materials in the area.

6.14 The materials for walls and roofs should respond to dominant materials in the area. Where it is not possible to match a specific material, a sympathetic match should be achieved.

6.15 The size, proportion and detail of window and door openings should reflect the character of the area.



6.16 Where a traditional pitched roof is proposed, this should generally match the pitch and orientation of existing roofs to either side.

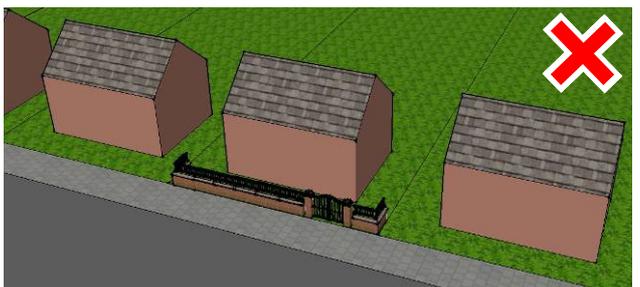


Boundary treatment

6.17 Front boundaries are desirable in most residential areas as these help to provide a clear buffer between the public and private realms. This helps to reinforce a sense of ownership over space which reduces opportunities for crime. Any proposed boundary treatment visible from the public realm should closely match those found in the existing street scene, particularly where these form a visually continuous frontage along the street.



6.18 Open frontages will not be permitted in streets with enclosed front boundaries and vice versa.

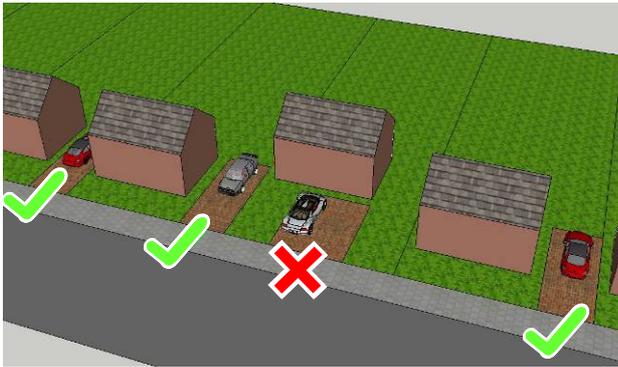


6. Infill Development

Parking

6.19 Any proposal for infill development must incorporate satisfactory safe arrangements for the provision of access and parking. Please refer to Car Parking Standards SPG¹ to establish the required level of parking provision.

6.20 Generally side parking drives are favoured over frontage parking as this reduces the visual impact of cars in the streetscene. However where appropriate frontage parking is proposed this should not disrupt the building line and should not dominate the streetscene.



6.21 Therefore frontage parking provision should be combined with planting.



6.22 In the case of narrow fronted dwellings (typically 5m wide) the frontage parking must not take up more than half the width of the individual plots and must not obstruct access for all to the front door.



6.23 Parking and access areas should be finished in permeable surfaces to minimise the runoff in comparison to the undeveloped site.

6.24 A drive width between properties or with a boundary to one side will need to be 3.2m wide to enable car doors to be opened and this width should be increased to 3.8m if the parking space is for use by a wheelchair user.

6. Infill Development

Frontages

6.25 Adequate provision must be made for composting, recycling and waste facilities within the site. With a move to fortnightly refuse collections and recyclables, there is a greater need for external storage areas. In the case of terraced houses, provision will either have to be made for secure rear access or for storage areas to be carefully integrated into the site frontage. The same issues apply to cycle storage. The same issues apply to cycle storage. Reference should be made to the current requirements in the City and County of Swansea. All refuse storage areas visible from the public realm should well integrated into the streetscene.

6.26 White plastic meter cupboards can detract from the appearance of dwelling elevations and as such should be situated as to best minimise their harmful visual impact on facades.



Refuse and recycling storage should be well integrated as should not detract from frontages and the public realm

6. Infill Development

Character and appearance

6.27 This guidance does not seek to arbitrarily impose a particular architectural style. Adherence to the preceding urban design principles can accommodate a variety of architectural styles from traditional to contemporary. The key consideration will be factors such as scale and building line to ensure a positive relationship to the established streetscene.

6.28 The starting point for the character of a new development should be an appraisal of the context of the site.

In many cases an appraisal of the local context will highlight distinctive patterns of development or landscape where the intention will be to sustain character. Appraisal is equally important in areas where patterns of development have failed to respond to context in the past. In these areas appraisal should point towards solutions which reverse the trend. (TAN12: Design para 4.5)

6.29 This does not mean that new development should be a copy of what is around the site, but instead that new developments should reflect the positive elements of local character, possibly in a contemporary manner. These elements of character should be identified in an appraisal of the site context and could include:

- Building form
- Proportion and scale of buildings
- Shape of roofs
- Materials and colours
- Degree of consistency or variation
- Window proportions and arrangement
- Detailing
- Boundary treatments

6.30 The elements of character can be identified by a photographic survey of the area around the site. Where the site lies in a conservation area, there may be a published description that identifies the special architectural interest. For schemes in Gower, the adopted Gower Design Guide identifies the main elements of 'Gower Vernacular', whilst in Conservation Areas, the character appraisal should be the starting point.



6.31 Materials should be selected to reflect the best aspects of local character whilst addressing robustness, fitness for purpose and weathering.

6.32 There may be situations where there is no existing positive character which can be reflected in the site. This is not an excuse for mediocre design. Instead this provides an opportunity to improve the character and quality of the area, possibly by establishing a new contemporary character through reinterpreting forms and materials.

6. Infill Development



Traditional design approach

Well detailed new build in traditional style
Respects established rural character



Contemporary vernacular

Modern use of traditional materials
Maintains established building line and scale



New Contemporary design

Adds quality and character in an area of variety
Maintains existing building line and scale



Infill flats

Makes best use of land in accessible locations
Important to relate scale to existing context
Draws on local features and materials

7. Backland development

7.1 Opportunities for backland development comprise 'landlocked' sites behind existing buildings, such as rear gardens and private open space, usually within predominantly residential areas. These sites generally have no street frontages.

7.2 As a general rule, backland development should be subservient to frontage properties. Also where there is a presence of existing backland development within a locality, proposals should take cues from this in terms of scale and plot to footprint ratios and reflect the traditional pattern of development. Whilst a thorough analysis of the context of existing backland development within the locality is a good starting point for proposals of this type it should be noted that individual applications will be assessed on the unique circumstances presented by sites.

7.3 Where features such as trees are to be retained (or where trees in adjoining gardens overhang the site), adequate space should be allowed for trees to mature without detracting from garden space.

7.4 The design of backland development must be based on a clear understanding of the effects that this type of development can have on residential character and amenity. Issues that can occur which must be considered and avoided, or at least minimised to an acceptable level, are:

- Loss of privacy and spaciousness
- Loss of daylight
- Inadequate access
- Loss of green/garden space
- Enclosure of public utility services
- Loss of car parking
- The prejudicing of future development through piecemeal development
- Poor aspect onto 'dead frontages' or rear lanes

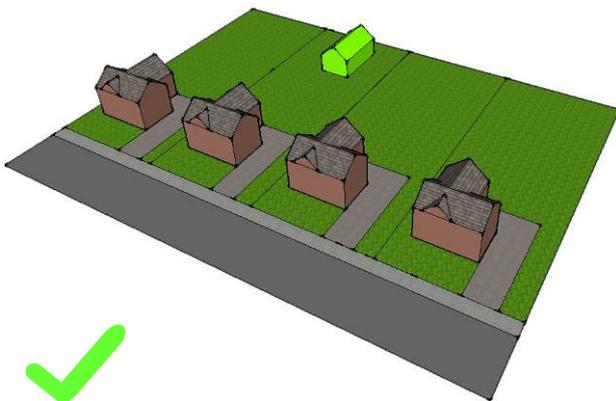
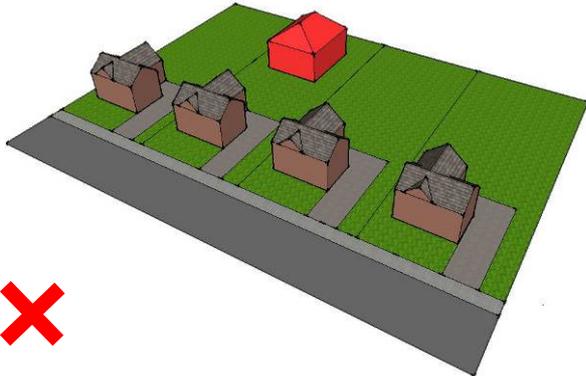
7.5 In addition to the above, layout proposals for backland development should also make the best use of maximising a pleasant outlook from proposed dwellings.

7. Backland development

7.6 When assessing proposals for infill development the Council will pay particular attention to the following paragraphs (7.7-7.18):

Scale

7.7 Generally backland developments should be subservient in scale and size in relation to the surrounding properties in order to avoid overdevelopment of the site and ensure that there are no overbearing impacts on adjacent properties.



Access and parking

7.8 Existing and new accesses should follow the principles of inclusive design as set out in Manual for Streets.

7.9 Backland developments will need to make provision for a family car to turn on site.

7.10 Parking and access areas should be finished in permeable surfaces to minimise the runoff in comparison to the undeveloped site.

7.11 The potential disturbance to existing and future residents caused by the use of a new rear access and associated parking/turning area is a material consideration.

External space

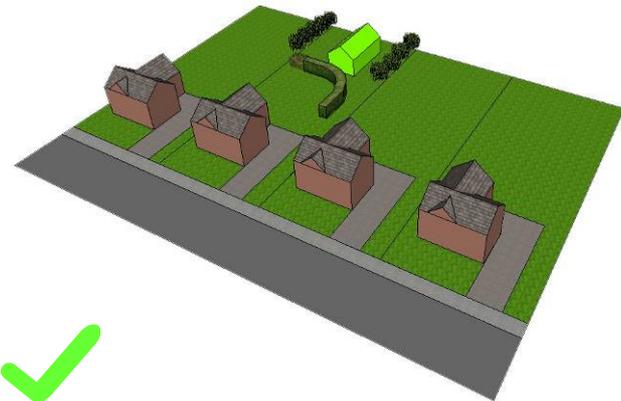
7.12 Backland development must not result in unacceptably small rear gardens for the existing or proposed properties. The garden sizes will to an extent be determined by the separation distances set out in section 8. However the proposed and retained garden area should be reasonable in relation to the type and size of the existing and proposed properties. The absolute minimum useable rear garden areas (excluding parking and turning areas) should be at least the same size as the footprint of the property.

7. Backland development

Boundaries

7.13 Backland sites are often bounded by poor quality boundaries of varying styles. Therefore consideration must be given to the outlook of future residents. In some instances it may be appropriate to upgrade the boundaries, in other cases planting could be used to hide boundaries, or an alternative approach would be to arrange the site as an inward looking courtyard which turns away from the boundaries.

7.14 The security of the boundaries must also be considered. Backland development may open up rear gardens to crime and antisocial behaviour. Therefore boundaries may need to be made more secure with natural surveillance.



Outlook

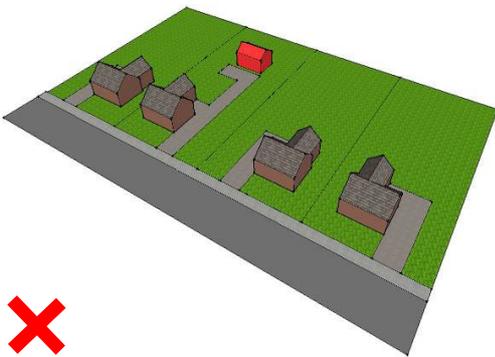
7.15 Consideration should be given to which way a backland development will face. For amenity reasons overlooking to surrounding windows and gardens will not be allowed. It may be worth considering an inward looking courtyard arrangement to overcome issues of overlooking.



7. Backland development

Tandem Development

7.16 Tandem development proposals comprise of a situation where a new house is placed directly behind an existing one with both properties sharing the same vehicular access or driveway. Proposals of this nature will often be unacceptable due to access difficulties, disturbance and lack of privacy.

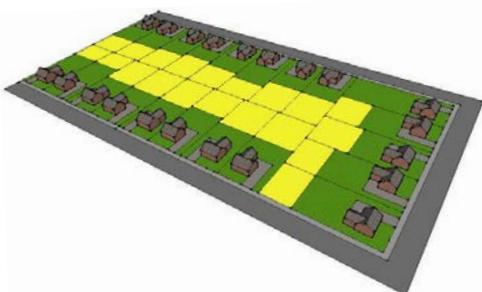


Character and appearance

7.18 Generally the design of schemes should be informed by immediate buildings and by the character of the wider locality. Even backland proposals that would not be in prominent public view should still be well designed.

Comprehensive development

7.17 It is often possible to assemble sufficient land from a number of adjoining rear gardens to enable a small group of houses to be developed in a better manner. Therefore any proposals for piecemeal development will be resisted where there is considered to be potential for the development of a larger area. When considering larger scale development proposals it is important to note that Private Roads/Shared Drives can serve up to a maximum of 5 dwellings each. In addition to this access must also be provided for 2 cars to pass each other safely.



8. Privacy and Amenity

Infill and backland development must not unacceptably detract from the quality of life of the occupants of neighbouring houses and gardens. This section outlines the key principles that apply to both types of development.

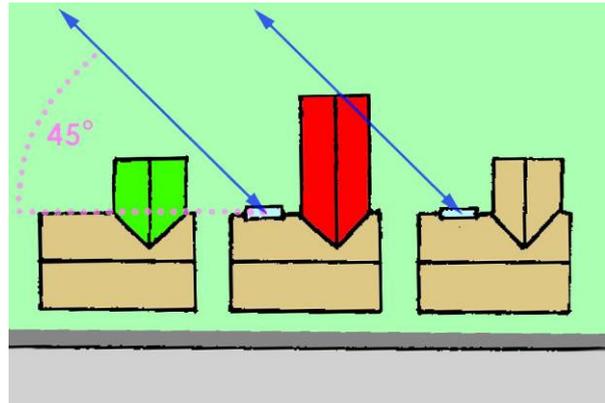
Avoid overbearing impact

8.1 Two-storey development should not be positioned so close to the boundary that it would unacceptably encroach upon the sense of outlook from neighbouring dwellings and gardens. Single storey proposals on sloping sites can have similar effects.

8.2 Where a blank two storey wall is proposed close to existing habitable room windows, the minimum separation distance must be 15m. This is to avoid an overbearing impact on the affected habitable room and to ensure adequate natural lighting.



8.3 In many streets there is a common rear building line where the houses are all the same depth. If the upper floors of a proposal project beyond the rear building line then it may impact negatively on the amenity of adjacent properties. The proposal may result in an overlooking, overbearing and/or overshadowing impacts which may be unacceptable. In these cases the 45 degree test can be used. A line is taken at 45 degrees on plan from the centre of the nearest window to a habitable room. Any part of the proposed building which extends beyond the line may be considered to adversely affect the amenity of the neighbouring occupiers.



Avoid overlooking impact

8.4 Proposals should not overlook neighbouring houses or their private gardens to an unacceptable degree. The following guidelines are considered to represent the minimum distances in most instances:

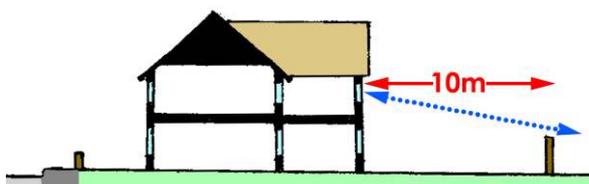
8.5 Where a proposed window for a habitable room will face an existing habitable room window in a neighbouring property across a private garden area, the separation distance should be at least 21 metres.



8.6 It is not necessary to provide 21m separation between dwelling frontages across streets. Instead the separation should be determined by the character of the area and any established building lines.

8. Privacy and Amenity

8.7 Consideration should also be given to the impact proposals will have on a neighbour's private gardens. Unacceptable direct overlooking into these spaces can be avoided by ensuring a separation distance of at least 10m exists between a proposed first floor habitable room or elevated ground floor window and the rear or side garden boundary of neighbouring properties.



8.8 Where homes are set at different slab levels, or those over two storeys in height are proposed this can result in additional overlooking and overbearing impact. Also the potential need for earthworks or retaining structures can limit the useable garden and is a consideration when assessing the relationship to new and existing homes.

8.9 Therefore as a starting point, the basic 21m separation distance should be increased by 2m for every 1m difference in level. Where the distances are increased, this should include a longer garden for the lower home to compensate for any slopes or retaining structures. If the increased distances cannot be met then a planting or design solution may be required. In many instances, the best way to assess this relationship is by means of a drawn section.

8.10 A reduced separation distance may be acceptable in Conservation Areas in order to reflect positive elements of local character. However this will need to be fully justified in the Design & Access Statement.

8.11 Where properties are angled to one another or where the landform or boundary

treatments provide suitable screening it may be acceptable to reduce separation distances.

8.12 Shorter separation distances between properties will often be acceptable for single storey proposals depending on the site specific constraints, such as the arrangement of the windows and the type of boundary treatment.

Avoid overshadowing impact

8.13 It is important that any infill or backland development does not reduce natural light to an unacceptable level in neighbouring houses and gardens. The degree of light lost and shadow cast will depend on the position of the development relative to the sun and its height and length in relation to existing properties.

8.14 In order to assess the degree of natural light lost to surrounding properties, the 25 degree test may be utilised. This relates to a line taken at 25 degrees from the horizontal at a point 2m up from the floor at the centre of affected ground floor habitable rooms in the surrounding properties.

8.15 Non compliance with the 25 degree rule will not necessarily result in refusal of planning permission, provided that appropriate impact analysis on the affected properties can demonstrate that the loss of natural light is within acceptable parameters.

Avoid disturbance to occupiers

8.16 It is important that the siting of external works such as access tracks, parking areas, turning areas and patios do not unnecessarily disturb the surrounding residents.

In some limited situations it may be possible to achieve appropriate privacy and amenity through design and screening rather than physical separation. However this must be demonstrated.

Appendix 1: Design and Access Statement

The DAS is an opportunity for you to explain and justify your proposals. It must be fit for purpose and ‘readily identifiable’ as meeting the statutory requirements, therefore you should include each of the headings set out below (and over) in your DAS. The bullet points give some examples of the information to include in each section. The amount of information provided should reflect the scale of the proposal and sensitivity of the context.

All DAS’s will need to concisely and clearly communicate the design approach, therefore you should include illustrations, plans, photos, sketches as appropriate.

You must demonstrate the steps taken to appraise the site and context of the development. This should include:

Site analysis

- Access points
- Boundaries
- Site features
- Topography
- Constraints and opportunities

Economic, Social and Physical Context analysis

- Character appraisal
- Local facilities e.g. shops, schools, public transport

Policy context

- Relevant Unitary Development Plan policies and area designations
- Relevant Supplementary Planning Guidance

Involvement

- Community/neighbour engagement
- Pre-application advice

Response to objectives of good design:

The DAS must explain how each of the following aspects of the scheme:

- Access
- Character (with regard to each of the below):
 - amount of development
 - layout
 - scale
 - appearance
 - landscaping
- Community Safety
- Environmental Sustainability
- Movement

address the objectives of good design as set out in section 4 of TAN 12 (Design):

- Ensuring ease of access for all
- Sustaining or enhancing local character
- Promoting legible development
- Promoting a successful relationship between public & private space
- Promoting quality, choice and variety
- Promoting innovative design
- Ensuring attractive, safe public spaces
- Security through natural surveillance

- Achieving efficient use and protection of natural resources
- Enhancing biodiversity
- Designing for change
- Promoting sustainable means of travel

Design evolution

The DAS must demonstrate how the design of the scheme takes into account the context and each of the objectives of good design by means of:

- Vision statement covering type of building or place to be created and how it will relate to the context
- Details of scheme evolution from initial concept to final design
- Options considered but discarded
- Competing issues

Final scheme

In addition to the planning applications drawings, the DAS should include additional visual information as necessary to explain the final scheme, such as:

- Coloured elevations
- Contextual elevations showing surrounding development
- Perspective drawings (preferably at eye level)

Appendix 2: Consultation Statement

The draft Infill and Backland Development Design Guide was presented to Development Management and Control Committee on the 6th June 2013. Members approved the draft document to be issued for public and stakeholder consultation.

The consultation period ran from the 4th July 2013 until the 6th September 2013 and the following consultation methods were utilised:

- Notification emails highlighting the consultation on the draft document were sent to Councillors, Community Councils, consultees registered to the Local Development Plan (LDP) consultation database, developers, specific and local consultation bodies and relevant academics.
- A dedicated webpage was also established to explain the consultation and allow the electronic document to be downloaded in pdf format..
- Copies of all relevant documents and supporting information were made available at the Civic Centre and all Libraries within the County.
- Bilingual posters were sent to all libraries for display.
- A summary leaflet was also made available which distilled the guidance down to two sides of A4 paper.
- A Press Release was issued and featured within the South Wales Evening Post on the 8th July 2013.
- The consultation was featured in the 'Have your Say' section of the Council home page on the web site.
- Social media in the form of Twitter was also used to inform a wider audience of the consultation which resulted in 20 tweets in total being sent out to the 13,600 Council Twitter followers. Response tweets were also received from external agencies totalling over 800+ additional followers).
- A presentation to Designers, Developers, Agents, and Housing Associations was made to publicise the draft guide and gain feedback..
- A presentation to the Disability Liaison Group to publicise the draft guide and gain feedback..

During the consultation period there were 993 unique page views on the dedicated web page. The maximum number of views of the web page on a single day was of 102 views on 9th July 2013 which coincided with one of the Tweets.

In total, comments from 15 individual respondents were received. These respondents covered a wide range of organisations and interests including house builders, planning agents, housing associations, access representatives, external consultees, academics and members of the public. The respondents made over 50 separate comments on the draft Infill and Backland Development Design Guide. The full list of respondents and the breakdown of the representations received along with the Authority's response is available upon request..

Summary of Representations Received

Most comments were supportive and suggested improvements to the content of the Infill and Backland Development Design Guide and the main comments and responses are summarised below.

There was a significant comment that access for all was not sufficiently emphasised. This was addressed by adding a new section on designing developments at all scales to be accessible to all and by adding specific references to sections such as ensuring legible and accessible entrances to homes.

There were questions about the density targets with regard to infill and backland developments. Whilst there is an emphasis on relating to the existing character, the actual term 'density' was not mentioned. Plus in some accessible and well located instances it may be appropriate to increase the densities of infill developments as part of a sustainable design approach. Text to cover these issues was added to the final document..

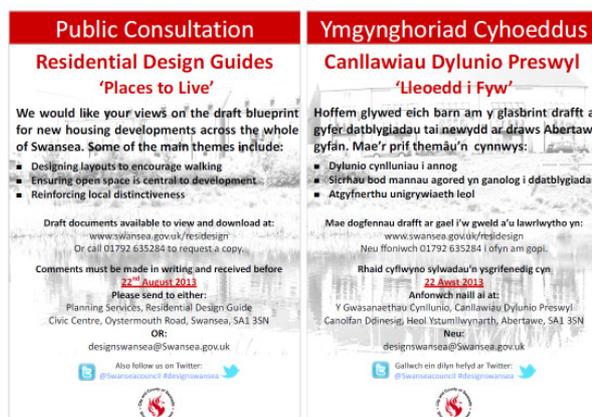
Whilst there were references to the natural environment in the draft document (including the recognition that not all vacant sites are developable) it was considered that a clear link was needed to the national guidance on ecology which is contained in TAN5.

There were comments about strengthening the references to community safety. Whilst there is a stand alone SPG on this topic it has been strengthened in the final document..

There were a number of comments about frontages in terms of front gardens, bin storage and meter cupboards. These issues were all incorporated.

Whilst the tried and tested 21m separation distance was not challenged, questions were asked about the increase of this distance for homes at different levels as proposed in the draft document. This was considered to be overly prescriptive and a more flexible approach was now proposed with the onus on the applicant to prove that an 'alternative' provision will be effective in ensuring adequate privacy and amenity.

The full detailed list of comments made, the consideration of these comments and the resulting changes are available on request..





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