

**CONSULTATION
DRAFT**

**PLACEMAKING
GUIDANCE FOR
INFILL AND
BACKLAND
DEVELOPMENT**

FEBRUARY 2021



Preface

This **Supplementary Planning Guidance (SPG)** provides information, guidance and practical examples to complement the Council's adopted **Swansea Local Development Plan (LDP)**, including the following key LDP policy:

PS 2: PLACEMAKING AND PLACE MANAGEMENT

The draft SPG will be subject to a minimum 6 week consultation process. **Any interested individual or organization is invited to submit comments on this consultation draft version of the SPG during the public consultation period.** Further details regarding the consultation, including information on key dates and how comments can be submitted, are available on the Council's website at www.swansea.gov.uk/spg

NB: Words shown in *italics* within the document are defined in the Glossary (Appendix 1)

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How to use this guide:

This Supplementary Planning Guidance (SPG) provides focussed design guidance on what is termed as 'infill' and 'backland' development. The Guidance has been made simple to use through the inclusion of indicative example diagrams 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 individual circumstances of each site.

Please note that all dimensions stated or indicated in this design guide are measured externally.

1.0 Introduction

Aims and Purpose

- 1.1 The primary aim of this document is to set out clear and consistent guidance on matters relating to Placemaking, Heritage and Design for all types of residential infill and/or backland development. By adhering to the Guidance, applicants will be able to develop suitable infill and/or backland plots for new homes in a manner that respects the character of the local neighbourhood, enhances a sense of place, and protects the rights and wellbeing of neighbours.
- 1.2 The document (hereafter referred to as 'The Guidance') provides Supplementary Planning Guidance (SPG) in support of planning policies in the adopted Swansea Local Development Plan (LDP). The Guidance will be an important material consideration in the determination of planning proposals submitted to the Local Planning Authority, including at pre-application and planning application stages.
- 1.3 The Guidance should be used to inform the process of formulating any planning proposal within defined settlements for residential infill and/or backland development. Development of this nature is typically on small sites where the number of dwellings proposed is generally less than 10 in total. The Guidance is relevant for proposals on a wide range of site 'types', ranging from those in the most dense and urbanised areas of the city, to sites within the wide array of suburbs, towns, key villages and sparsely populated rural areas also characteristic of the County. For the avoidance of doubt, the Guidance does not relate to proposals outside settlement boundaries within the countryside.
- 1.4 Further details on the definition of residential infill and/or backland development are set out on page 6 of the Guidance.
- 1.5 The Guidance sets minimum requirements where appropriate and outlines the design issues which need to be considered on a 'case by case' basis. Its overarching purpose is to facilitate the Placemaking aspirations of the Council and deliver the key objective of significantly raising standards of design across the County.
- 1.6 The Guidance provides a framework to ensure that decision making on development proposals for new domestic infill and/or backland properties is guided by relevant placemaking and design principles, and ensure proposals accord with the requirements of national and local policy in relation to placemaking, heritage and design, and confirms the typical information required when submitting a planning application. Following the Guidance will therefore help avoid unnecessary delays when seeking planning permission, and provide more objectivity, certainty and consistency in decision making.

Definitions

- 1.7 Infill (gap) site development:** comprises residential development (flats or houses) that is located in a gap site within an existing street or lane frontage. Infill (gap) development usually takes place in built-up environments, however in more rural contexts the landscape setting should inform development potential and boundary treatments.



ADD ADDITIONAL PHOTO

- 1.8 Backland development:** comprises small scale development (usually one or two residential plots) to the rear of existing dwellings. However, there will be instances where backland development can include higher density development proposals of 10+ dwellings and this SPG should be read alongside 'Placemaking Guidance for Residential Developments' SPG.



ADD ADDITIONAL PHOTO

PLEASE NOTE: There may be instances (such as corner plots) where it will be appropriate to apply the relevant guidance for both Infill and Backland Development. In all cases, the sites could be undeveloped or comprise buildings that are proposed for demolition.

Placemaking and Good Design

- 1.9 Placemaking principles are at the heart of the Council's strategic planning agenda and is a fundamental facet of its approach to development management. **In its simplest form, placemaking is a 'people centred' approach to the planning, design and management of places and spaces. It seeks to create buildings and areas within which people would desire to live, work and spend recreational time.** The importance of Placemaking has been embraced as a cornerstone of the national planning agenda in Wales and the sustainable development objectives which underpin it.
- 1.10 All new development can contribute in some form to the making of places, and influence how that place will be experienced and enjoyed (i.e. its 'sense of place'), which will stand as a legacy for future generations of occupants and visitors. This Guidance, and the relevant LDP policies that it augments, stipulates that a holistic Placemaking and Place Management approach should be applied in all areas and at a range of scales, in order to create a genuine sustainable legacy in accordance with the Well-being of Future Generations (Wales) Act 2015 (WCFG Act). Crucially, creating successful places, or achieving positive changes in existing places, requires a holistic approach that brings together a number of different disciplines.

National and Local Context

- 1.11 At the national level, Planning Policy Wales (PPW, para 2.1.1 - 2.1.2) sets out the overarching national principles relating to planning and placemaking. These principles underpin the formation of local planning policies and inform individual decisions on development

proposals. PPW states that planning decisions must seek to promote sustainable development and support the well-being of people and communities across Wales. It requires that this be done by addressing seven well-being goals, one of which is to Foster Cohesive Communities, emphasising the importance of appropriate combinations of land uses. PPW makes clear that placemaking and sustainable development principles are essential to development at all scales.

- 1.12 The holistic approach to placemaking and place management as set out in national policy, guidance and advice is aligned with and promoted in the adopted Swansea LDP. The LDP is the overarching local planning policy document and provides the statutory local policy framework against which all planning applications submitted within the County must be determined. LDP policies emphatically embed the principle of development being required to create quality places and spaces. They emphasise that all new development, however small, has the potential to contribute in a positive and meaningful way to how a place will be experienced and enjoyed.
- 1.13 LDP Policy **PS 2 'Placemaking and Place Management'** specifically requires development proposals to create quality places via the approach of understanding and responding to the context and character of the application site. It highlights that consideration must be given to not just the building but also the space around it. Policy PS 2 provides the yardstick against which the effects of an application will be measured and it guides consideration of possible effects on cultural heritage, natural environment, public amenity, health and wellbeing, parking, landscaping, accessibility and transport.

Policy PS 2 specifically requires that:

“Development should enhance the quality of places and spaces and respond positively to aspects of local context and character that contribute to a sense of place”.

1.14 This Guidance highlights how well-designed new residential infill and/or backland development can accord with the requirements of PS2, and make an important contribution to sustainable communities. The guide can help to ensure applicants are able to develop suitable gap sites and backland plots for residential development a manner which respects the character of the local neighbourhood whilst also seeking to protect the rights and well-being of neighbours.

1.15 As well as PS 2, this SPG also provides supporting guidance and information for a number of other LDP policies, which includes (but is not exclusive to) the following:

- **PS 1: Sustainable Places**
- **ER 1: Climate Change**
- **ER 2: Strategic Green Infrastructure Network**
- **ER 4: Gower AONB of Outstanding Natural Beauty (AONB)**
- **ER 8: Habitats and Species**
- **ER 9: Ecological Networks & Features of Importance for Biodiversity**
- **ER 11: Trees, Hedgerows and Development**
- **HC 2: Preservation or Enhancement of Buildings and Features**
- **EU 2: Renewable and Low Carbon Energy in New Development**
- **RP 4: Water Pollution and the Protection of Water Resources**
- **SI 1: Health and Well-Being**
- **SI 8: Community Safety**
- **T 8: Parking**

1.16 Other LDP policies not referenced in the preceding list may also be relevant to some infill and/or backland developments, and it is therefore important that the Guidance be read in conjunction with all the relevant policies of the adopted Development Plan.

1.17 This Guidance forms part of a suite of SPGs that provide Placemaking Guidance for development in Swansea, which includes:

- Placemaking Guidance for Householder Development
- Placemaking Guidance for Infill & Backland Development
- Placemaking Guidance for Residential Developments
- Placemaking Guidance for Gower AONB

Any proposed development that would deliver a ‘group of houses’ must comply with the ‘General Placemaking Principles’ from the ‘Placemaking Guidance for Residential Developments’ SPG, principally any proposals for 10 or more dwellings.

1.18 As well as the suite of SPG relating to Placemaking, the Swansea LDP is also supported by a range of other SPG that are material considerations for decision making on planning applications. This includes, but are not exclusive to, the following SPG:

- The Protection of Trees
- Green Infrastructure
- Biodiversity
- Parking Standards (to be updated)
- Planning Obligations

1.19 When making an application applicant’s must demonstrate how proposals meet the requirements of the full range of policy and guidance used by the Council.

Document Structure and User Guide

- 1.20 The core part of this guidance explains the various detailed Placemaking, Heritage and Design issues that must be considered when preparing an application. When using the Design Guide you should first read the 'Overarching Placemaking Requirements' in Section 3.0, which includes advice on the 'Key Principles of Placemaking' as well as advice on 'Privacy, Amenity and Comfort'. Section 3.0 also offers guidance on how to successfully incorporate the necessary Biodiversity, Green Infrastructure (GI), and Sustainable Drainage Systems (SuDS) features into new development.
- 1.21 It is only after considering these Overarching Principles that you should then read through the specific design guidance notes that are relevant to your proposals; Section 4.0 'Guidance for Infill Development' and Section 5.0 'Guidance for Backland Development'.
- 1.22 All dimensions stated or indicated in this design guide relate to external measurements unless otherwise specified.
- 1.23 The principles set out in the Guidance are relevant to works that do not require planning permission but that can have a bearing on amenity and streetscene.

2. Design Process

Appraise the Context

- 2.1 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.
- 2.2 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 which must be protected, therefore not all areas are suitable for development.
- 2.3 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.
- 2.4 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.
- 2.5 The Design Commission for Wales (DCfW) have prepared '*Site & Context Analysis Guide: Capturing the value of a site*' which should be essential reading for all designers and developers of major planning applications. This document sets out a structured way of analysing places focussing on outcomes with the 'So What?' question.

"Site analysis is a critical part of the planning and design process. No development takes place in isolation - it will be influenced by the conditions of the site and will have an impact on its context. Good site and context analysis forms the foundation of good design. "

(Site & Context Analysis Guide: Capturing the value of a site)

- 2.6 In some locations there may be scope for a high quality contemporary design solution and such approaches may be the best option to overcome site constraints, however these will be judged on case by case basis. All design proposals must be explained and justified in the Design and Access Statement (DAS) to show a logical design process from analysis through to the final proposals.

Statutory Designations

- 2.7 If the site is in a Conservation Area or the Gower AONB, then the Council has a duty to preserve or enhance the character of these areas. 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 a listed building or its setting.

Site and Context Surveys

- 2.8 An accurate survey of the site, levels, features, vegetation, ecology, boundaries as well as adjacent building heights, scale, character features, materials 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.

Green Infrastructure and Biodiversity

- 2.9 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 development where there are trees on, or overhanging, the site should be accompanied by a Tree Survey which conforms to the current British Standard.
- 2.10 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 will also require permission.

Access for All

- 2.11 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 from both the perspective of visitors and occupants. 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 than individuals and families having to move on to different accommodation as their needs change.

Community Safety

- 2.12 The appraisal of the context should include reported crime to help inform measures to reduce crime or antisocial behaviour and this will have implications for the design. In some instances an infill development may effectively 'secure' previously exposed boundaries or overlook previously unsupervised areas through new development, whereas some backland developments may open up what were previously secure rear gardens.

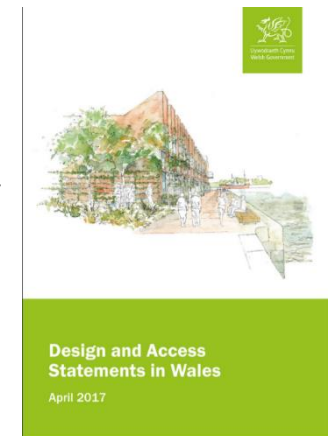
Pre-application Advice

- 2.13 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. You are therefore strongly encouraged to submit a pre-application package for consideration, particularly for sensitive sites and developments. Unacceptable proposals which have not been through pre-application are likely to be refused without negotiation.
- 2.14 In order to make the best use of Council resources and enable the authority to provide meaningful pre-application advice, the following information is expected:
- Draft Design and Access Statement
 - Site location plan
 - Initial site layout
 - Drainage strategy
 - Elevations and streetscene views.
- 2.15 As the design is developed and detailed plans are prepared more detailed advice can then be given.
- 2.16 The response will be comprehensive, incorporating the views of all relevant Council service areas.
- 2.17 There is a requirement for all major residential development schemes (10+ homes) to undertake statutory pre-application consultation (known as PAC) with the local community and relevant statutory consultees for a period of 28 days. It is recommended that pre-application advice is sought from the Council to ascertain key design points prior to this process.

Design & Access Statement – Explain and Justify

- 2.18 All planning applications for 10 or more houses must be accompanied by a Design and Access Statement (DAS). This is an opportunity to explain and justify proposals.
- 2.19 The Welsh Government has prepared guidance on the content of DAS (*Design and Access Statements in Wales - April 2017*). Whilst the amount of information provided should reflect the scale of the proposal and sensitivity of the context, all DAS documents will need to ‘tell the story’ of the proposal from site/context analysis, identification of precedents, vision setting, option testing, design development, explanation of the final proposal. This can be done using illustrations, plans, photos, and sketches as appropriate. For larger schemes of 50 or more homes, it is expected that the DAS will include a section explaining how the proposal will create a healthy place.

[The DAS] “...is a document that should address a key question: ‘why is it like that?’ by explaining how the design has responded to the site, context, brief, vision, relevant policy and objectives of good design. It is recommended that a DAS is concise and illustrated wherever possible to highlight the key information relating to design.”



(Design & Access Statements in Wales - April 2017, Welsh Government)



3.0 Overarching Placemaking Requirements

Overview

- 3.1 Appropriate infill and backland residential developments offer the opportunity to provide homes in locations which are well linked to existing communities, facilities and public transport, hereby adhering to the aspirations to create sustainable and cohesive communities whilst increasing densities in existing settlements. This form of development can however have a considerable impact on the amenity of occupiers of surrounding properties and can fundamentally change the character of an area. It is therefore important that the right balance is struck between enabling the re-use of land in accessible/sustainable locations, whilst ensuring this does not adversely affect matters such as amenity, safety, character.
- 3.2 There is no density range target for infill and backland development, rather the number and scale of buildings will be determined with regard to the context, accessibility and amenity considerations.
- 3.3 **All development proposals for residential infill and backland development will be considered having regard to the overarching Placemaking requirements set out in this chapter**, in addition to the relevant guidance in either Chapter 4 or 5. These overarching requirements are defined under the following headings in the paragraphs below:
- **Key Principles of Placemaking**
 - **Biodiversity Gain and Enhancement**
 - **Green Infrastructure (GI)**
 - **Sustainable Drainage Systems (SuDs)**
 - **Privacy, Amenity & Comfort**

Key Principles of Placemaking

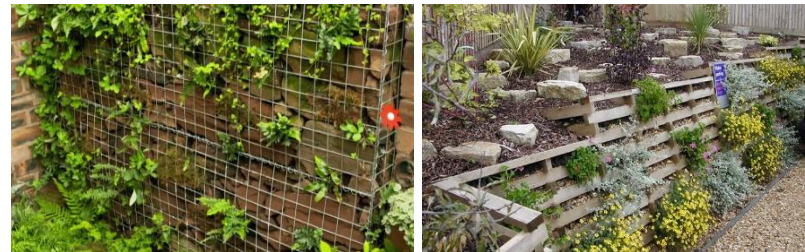
- 3.4 The Council is committed to integrating placemaking principles and good design into development **at all scales**. Placemaking principles are at the heart of the Council's strategic planning agenda, and similarly, are a fundamental facet of its approach to development management. In its simplest form, placemaking is a 'people centred' approach to the planning, design and management of buildings and places.
- 3.5 The importance of *Placemaking* has been embraced as a cornerstone of the national planning agenda in Wales and the sustainable development objectives which underpin it. This is emphasised by the *2020 Placemaking Wales Charter* which steers all those involved in the planning process to think about 'whole places' rather than just single developments or land use in isolation.
- 3.6 The six principles outlined in the Placemaking Wales Charter cover a range of considerations that contribute to establishing and maintaining good places – **People and Community, Location, Movement, Mix of Uses, Public Realm and Identity**.
- 3.7 These overarching principles should be reflected in both infill and backland development, with the objective of this guidance being 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 living environment.

Biodiversity Gain and Enhancement

- 3.8 Matters relating to biodiversity are key considerations for development **at all scales**. Infill and backland development proposals should seek to minimise the impacts upon existing Biodiversity, habitats and Green Infrastructure networks as well as introduce measures to enhance such important natural features.
- 3.9 A positive approach in terms of living with nature which supports improved biodiversity is beneficial in a number of ways including more stable ecosystems, flood management, cleaner air and more pleasant environments. The scale and nature of the proposed works will have variable impacts on biodiversity. It will be necessary to consider on site aspects as well as offsite ecological connectivity
- 3.10 As set out in Section 6 of the Environment Wales Act the Council will require a net benefit for biodiversity enhancements that are fully integrated into development proposals. Full details of how the Council will apply this approach to the planning decision making process is set out in the Development and Biodiversity SPG. A multidisciplinary approach is strongly advised and design teams should seek early engagement with relevant Council officers to ensure that the appropriate technical reports and surveys are commissioned in good time to avoid unnecessary delays to the project. In the case of ecological features, engagement with the Nature Conservation Team and undertaking of a Preliminary Ecological Appraisal (PEA) is strongly recommended to identify any protected sites, habitats and or species present.
- 3.11 Ecology is covered under separate legislation and it is a criminal offence to cause harm and/or disturbance to protected species and, as such, you are advised to submit a Preliminary Ecological Assessment (PEA) prior to undertaking any work. The Biodiversity

SPG provides a checklist of the types of development that may require species surveys. Please see Appendix 3 for additional detail on Biodiversity.

- 3.12 Infill and backland development proposals should provide biodiversity and habitat enhancement measures such as green roofs/walls, bird nesting boxes, bat roosting features, landscaping to include native hedgerow, trees and wildflower areas, creation of pond or bog gardens, minimise the use of close boarded fencing which reduces permeability/connectivity for biodiversity and maintain existing tree lines and retaining hedgerows.



Living/Green walls provide multiple benefits including habitats and biodiversity enhancements as well as helping to absorb and hold rainwater to help minimise flooding.

Green Infrastructure (GI)

- 3.13 Planning Policy Wales (PPW) 10 places new emphasis on delivering **multi-functional benefits** within development through the provision of integrated Green Infrastructure.
- 3.14 Green Infrastructure (GI) is the term for a network of connected, **multifunctional green spaces, other natural and semi-natural features and environmental management systems**. These are designed and managed to deliver a wide range of ecosystem services such as water purification, air quality, space for recreation and climate mitigation and adaptation. This network of green (land) and blue (water) spaces can help to provide a natural life support system for people and wildlife, improving environmental conditions and therefore health and quality of life.
- 3.15 The starting point on every site should be to work within the existing environmental constraints and opportunities. Infill and backland development proposals will need to consider **GI at all scales**:
- **Landscape** – i.e. retained landscape and habitat features
 - **Neighbourhood** – i.e. green corridors, wildlife areas
 - **Local street** – i.e. street trees, green verges, SuDS corridors
 - **Local plot** – i.e. hedge boundaries, rain gardens, green roofs
- See Appendix 4 for further detail on GI features at all scales.
- 3.16 It should be noted that some sites may form part of an important green corridor(s) at the landscape scale and may not be suitable for development. Some sites may include GI features which are important at the neighbourhood scale (i.e. boundary trees) and these will need to be retained and incorporated into proposals.

- 3.17 From an individual house/plot perspective, GI includes features such as those set out in the preceding biodiversity enhance enhancement measures section as well as other enhancements such as SuDS features like rain gardens. Gardens contribute to improving green infrastructure at a local level, particularly where these incorporate biodiversity and SuDS enhancement measures.
- 3.18 Infill development will typically utilise existing street infrastructure and will not generally provide opportunities for street level GI, and therefore should ensure plot level GI measures are included.
- 3.19 Backland development will often involve the creation of a new shared/private drive or adopted cul-de-sac. This presents an opportunity for street level GI i.e. swales, street trees as well as on plot measures.



ADD IMAGE – Swales / street trees

Sustainable Drainage Systems (SuDS)

3.20 Under legislation in Wales, all new developments of more than 1 dwelling or where the construction area is 100sqm or more, require sustainable drainage systems (SuDS) for surface water.

3.21 The SuDS must be designed and built in accordance with Statutory SuDS Standards published by the Welsh Ministers and SuDS Schemes must be approved by the Local Authority acting in its SuDS Approving Body (SAB) role, before construction work begins.

3.22 SuDS features typically fall under three categories:

- Source Control – Green roofs, Rain gardens, Permeable surfaces
- Permeable Conveyance Systems – Swales, French/filter drains
- Passive Treatment (Pollution) – Retention ponds, Wetlands.

A comprehensive list of features can be found in Appendix 5.

3.23 SuDS must be positively integrated and designed in parallel with the planning and engineering layout. The SuDS approach links to the multifunctional GI approach at **all scales** with the type of SuDS features integrated into the development, at a plot (i.e. rain gardens) and/or local street scale (i.e. swales), varying depending on the scale and character of a site. The drainage strategy should be explained in the Design and Access Statement.



Rain gardens can be surface level and include water butts (top) or provided as planter boxes (bottom)

Privacy, Amenity and Comfort

- 3.24 Infill and backland developments should not unacceptably impact on the quality of life (usually called ‘residential amenity’) of the occupants of buildings, which includes the beneficial use of houses and gardens. When determining a planning application for infill or backland development the amenity of both existing occupiers, and future occupiers of any proposed buildings, will be safeguarded. Any proposal that would fail to protect residential amenity, including failing to provide adequate privacy for the occupiers of existing or proposed buildings, will not be permitted.
- 3.25 Key considerations relating to residential amenity include achieving relevant internal space standards, providing adequate private amenity space, and avoiding overlooking, overshadowing and overbearing impacts. In addition, the impact resulting from access and parking in terms of noise and disturbance must be considered.

Space inside the Home

- 3.26 Studies have revealed that the UK has the smallest houses and smallest room sizes than all other European countries included within the study¹. Therefore quality placemaking should be combined with quality internal living environments that support different lifestyles, occupant needs and well-being. This means that homes should have a convenient layout for everyday living with adequate storage and space to move about and work from home. Proposals will be assessed against the floor space table which is based on the Nationally Described Space Standard (NDSS) (2015).

- 3.27 These evidence based space standards supplement LDP policy PS2 (Placemaking and Place Management (and its expanded text). **Where the NDSS standards have been updated and/or new Welsh Government standards published pertaining to all new homes, new developments will be required to meet the national standards as set out in the relevant publication.**

Table 1 - Minimum gross internal floor areas and storage (m²)

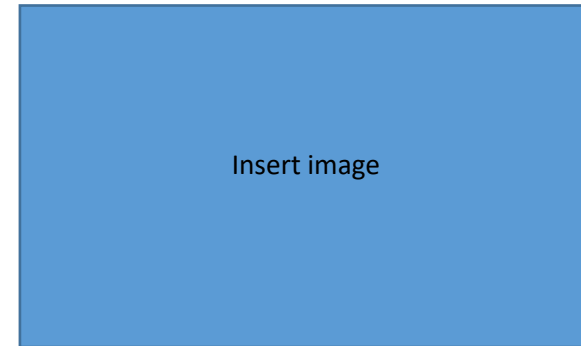
Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

(from the ‘Nationally Described Space Standard’ NDSS (2015))

¹ ‘One Hundred Years of Housing Space Standards – What now? (Julia Park – housingspacestandards.co.uk) (Jan 2017)

Gardens and Private Amenity Space

- 3.28 Garden sizes should be appropriate to the dwelling size and site specific considerations such as topography or shading.
- 3.29 Given the need for privacy levels and adequate spacing between homes, garden sizes are often determined by separation distances (see para 3.49 – 3.61). It is expected that garden sizes will be at least the same size as the footprint of the house which they serve, provided that these also meet the below separation standards. Gardens should be usable shape (i.e. not awkward triangles etc. or arranged as fragmented parts).
- 3.30 In addition to providing adequate space, it is important to ensure that outdoor amenity provision is usable and able to accommodate a 3x3 metre patio for sitting and outdoor dining, as well as a small shed and rotary dryer, plus sufficient space for potential rear extensions or future conservatories.
- 3.31 It may be possible to address SuDS requirements within plots such as rain gardens or soakaways. However, where this is not possible a system of open channels (swales) leading to an attenuation area may be needed to control drainage flows into the existing networks. The SuDS integration must not reduce the area of usable amenity space.
- 3.32 Gardens are also an important part of the GI strategy at the local level and should allow for carefully located new tree planting which can grow to maturity. Additionally the overshadowing impact of any existing mature trees located on garden boundaries should be considered also and may require the provision of a longer garden.
- 3.33 Where flats are proposed, balconies are expected to be provided above ground floor level. These provide useful amenity space and can also play an important role in adding visual interest and activity to street frontages.



- 3.34 Balconies must be of adequate size to allow the space to have a functional purpose. As a minimum, private balconies should be 3m² for 1-2 person dwellings, plus 1m² per additional person and should be organised to be a useable space for sitting around a table with a width of 1 - 1.5m.
- 3.35 Where sufficient evidence is provided to justify why balconies cannot be provided, for example amenity concerns, then Juliet balconies should be incorporated.
- 3.36 All flats are expected to provide full height glazing to maximise natural lighting and outlook from the main living space.
- 3.37 Ground floor flats should have direct access to a private garden/terrace area of at least comparable size to the upper floor balconies.
- 3.38 Where buildings utilise roofs to provide private outdoor space and other outdoor amenity space the proposal should take into consideration issues of design, overlooking (e.g. privacy screens) and crime prevention, as well as balancing the needs of other objectives such as renewable energy (e.g. solar panels) or biodiversity (e.g. green roofs) at an early stage in the design process.
- 3.39 All flats should have communal space for waste storage, secure cycle storage and clothes drying etc.

Protection of Residential Amenity

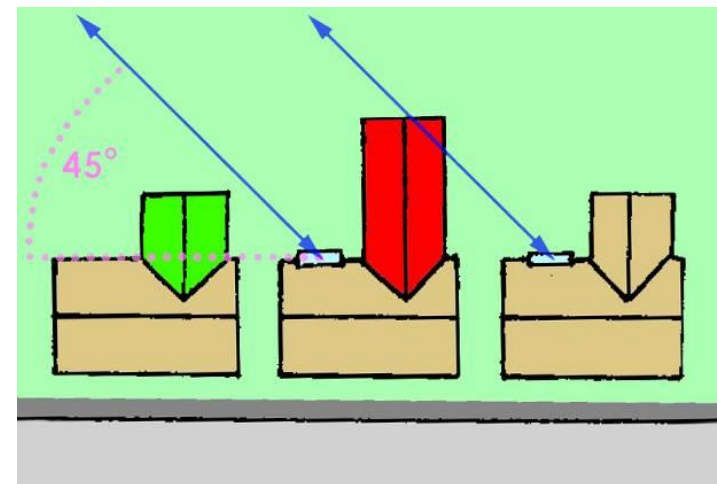
KEY DESIGN PRINCIPLES: AVOID OVERBEARING, OVERSHADOWING AND OVERLOOKING – THE 3 O's

- 3.40 **Avoid Overbearing Impact:** A two-storey development should not be positioned so close to the boundary adjacent to the garden of a neighbouring property such that it would unacceptably encroach upon the sense of openness and outlook from both their house and garden. Single storey proposals on sloping sites can have similar impacts.
- 3.41 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. If the side wall is at a higher level, and the separation distance should be increased by 2m for every 1m difference in level.

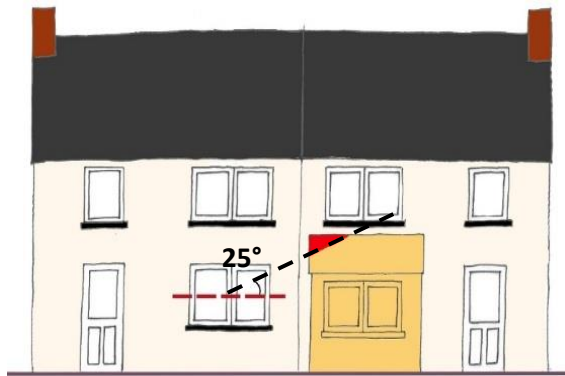


Habitable Room – a room used/ intended for sleeping, cooking, living or eating purposes. (Rooms/ spaces with less frequent use such as bathrooms, toilets, hallways, storage areas, closets, utility rooms are excluded).

- 3.42 **Avoid Overshadowing Impact:** It is important that any infill or backland development does not reduce sunlight and daylight to an unacceptable level in neighbouring houses. It is also important not to cast large shadows over neighbouring houses and gardens. The degree of sunlight and daylight 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.
- 3.43 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.
- 3.44 As a guideline to assess the degree of sunlight and daylight lost and shadow cast, **the 45 degree test** is used. This relates to a line taken at 45 degrees on plan from the centre of the nearest habitable room windows in an adjoining property. Any part of the proposed building which extends beyond the line may be considered to adversely affect the amenity of the neighbouring occupiers.



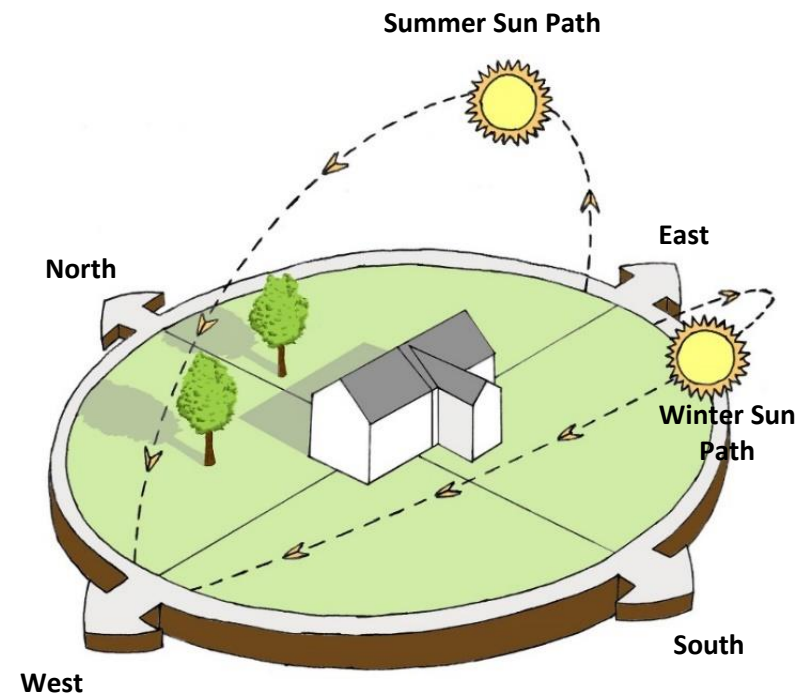
3.45 In the case of some infill development proposals, such as those relating to terraced streets, it may also be necessary to test the height of the proposed development against the **25 degree test** in order to assess potential lighting and overbearing impacts. This test is applied as a 25 degree angle taken from the centre point (mid vertical and mid horizontal point) of the window opening of the nearest habitable room in an adjoining property. If all of your proposed development falls beneath a line drawn at 25° from the horizontal, there is unlikely to be a substantial effect on daylight and sunlight.



3.46 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.

3.47 Other factors which will be taken into account include the orientation and positioning of the proposals and any surrounding dwellings or other structures. This is due to considerations of the sun path and the fact that south facing elevations receive more sun throughout the day. As such your proposals will have a greater impact on buildings lying to the north of these.

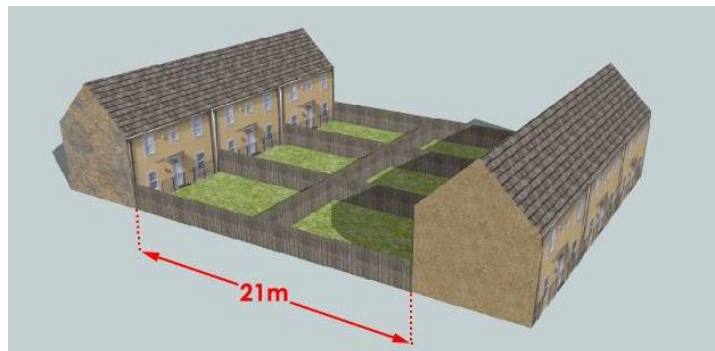
3.48 The following diagram shows the typical summer and winter sun paths across the sky rising from the east and setting in the west. As can be seen southern elevations will receive more sun overall whilst northern ones receive the least. You should consider therefore of the impact of your proposals on your neighbours in terms of building orientations and the path of the sun through the day.



3.49 **Avoid Overlooking Impact:** Proposals should not overlook neighbouring houses or their private gardens to an unacceptable degree. If habitable rooms such as bedrooms, living rooms and kitchens are proposed on the first floor or above, great care should be taken to avoid direct overlooking from windows and balconies, particularly when close to the boundary.

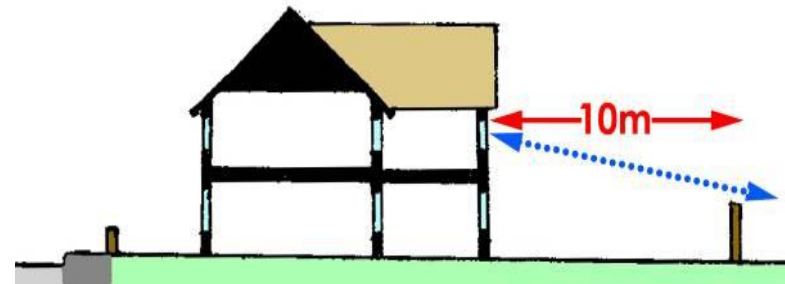
3.50 Some degree of mutual overlooking is common in higher density development and the stage at which this becomes unacceptable will depend upon individual circumstances. However, the following guidelines are considered to represent the minimum distances in most instances to prevent an unacceptable degree of overlooking.

3.51 Where a proposed habitable room window will directly face an existing habitable room window in a neighbouring property across a private garden area, the separation distance should be **at least 21 metres in 'back-to-back' situation.**



3.52 A 21m separation between dwelling frontages across streets is not necessary. Instead, separation distances should be determined by the character of an area and established building lines.

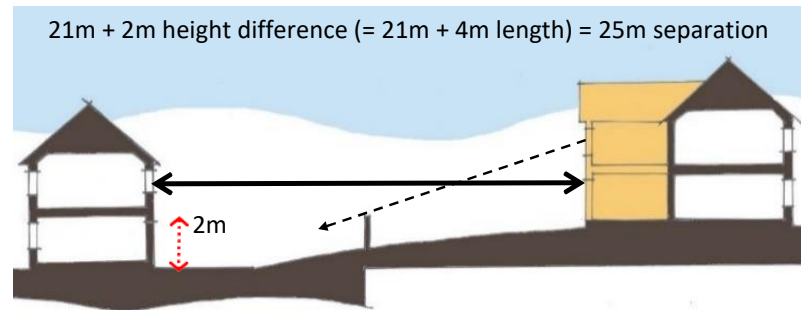
3.53 In addition to protecting the residential amenity of neighbouring properties the local planning authority will also consider the impact proposals will have on neighbouring private amenity space. Unacceptable direct overlooking into these spaces can be avoided by ensuring a **separation distance 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.**



3.54 Oblique overlooking of neighbouring gardens can be reduced by the careful positioning of windows and the retention of an adequate gap to side boundaries. Screen hedging and planting can also reduce the potential for overlooking. Permanent obscure glazing to small windows in rooms which are not classed as 'habitable' or small secondary window sin habitable rooms can also help address this.

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

- 3.56 Therefore, as a starting point, **the basic 21m separation distance should be increased by 2m (between windows and garden boundaries as indicated in the preceding paragraphs) for every 1m difference in level.**



- 3.57 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 and present this relationship is by means of a drawn section.
- 3.58 A reduced separation distance may be acceptable where the landform between the dwellings and boundary treatments provide acceptable screening or within a Conservation Areas in order to reflect positive elements of local character. However, this will need to be fully justified in the supporting Design & Access Statement (required for applications within Conservation Areas).

- 3.59 Where properties are angled to one another, or where the landform or boundary treatments provide suitable screening, there may be instances where reduced separation distances will be considered.
- 3.60 Shorter separation distances between properties will generally 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.
- 3.61 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 clearly demonstrated.
- 3.62 **Avoid Disturbance to Occupiers:** 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.

4.0 Guidance for Infill Development

Overarching Principles

- 4.1 Priority will be given to preserving or enhancing the character of the streetscene or lane. All proposals will be judged initially on this criterion.
- 4.2 Not all infill sites will be suitable for development and proposals will be considered on a case-by-case basis. Some undeveloped gaps in otherwise built up street frontages are important green infrastructure areas, and form an integral part of the character of an urban, suburban or rural area. These gaps may, for example, 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.
- 4.3 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 necessarily always copy the context. For example, there may be scope to incorporate various features in adjacent buildings, hereby responding to local character and context, but in a more contemporary manner.
 - In areas which display a strong degree of variety, there is the opportunity for the proposals to be different.

- 4.4 There may be scope for more innovative, contemporary design solutions in areas which exhibit a wide variety of character, or in areas which are deemed to have limited architectural merit. However, 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. The gap and mature trees are an important feature of a dispersed village. This issue has been successfully defended at appeal.

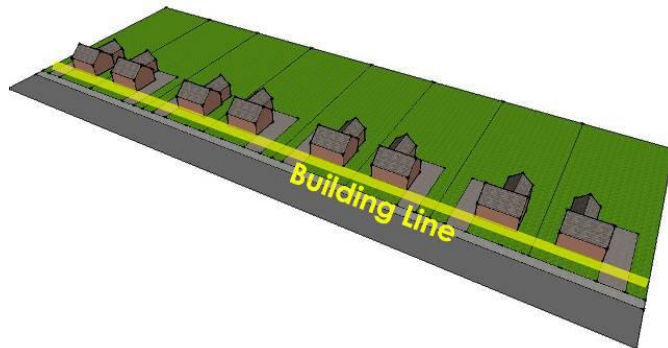
- 4.5 When assessing proposals for infill development the Council will pay particular attention to the following paragraphs (4.6 - 4.37).

Incorporation of Existing Features

- 4.6 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 or other important established planting, should be given sufficient space to grow without impacting on the amenity of proposed amenity spaces. A footpath or desire line should be well integrated whilst maintaining a direct, safe and visually attractive alignment.

Building Line

- 4.7 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 visual cohesiveness and quality of the streetscene. Only in exceptional cases where staggered building lines/ 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 green infrastructure, boundaries and character. Front garden depths are an integral element of the consideration of the building line.



- 4.8 All infill dwellings 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.

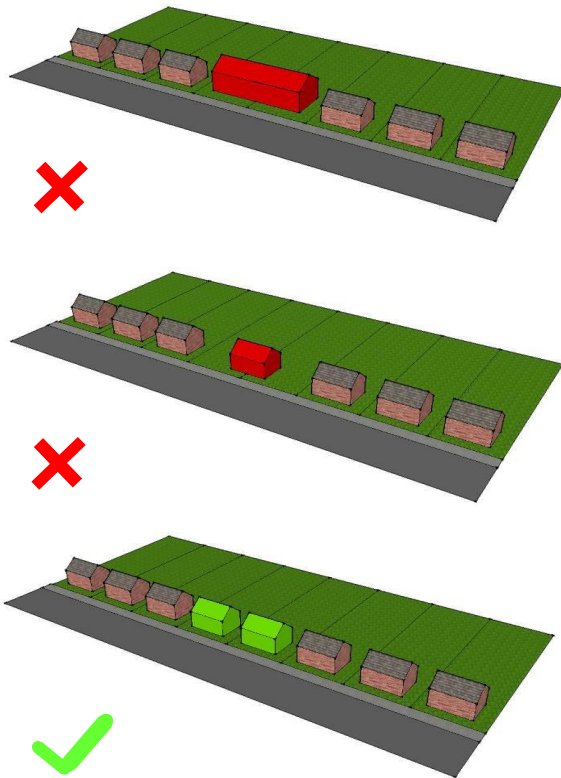


Infill development that provides a subtle updating of the local vernacular whilst following the established building line and scale.

- 4.9 Corner plots will need to be 'dual aspect' with two public elevations relating to the public realm. When undertaking corner plot development the main elevation with front door should face the main street or movement route. Both public elevations will need to be well detailed with meaningful windows serving habitable rooms on both facades.

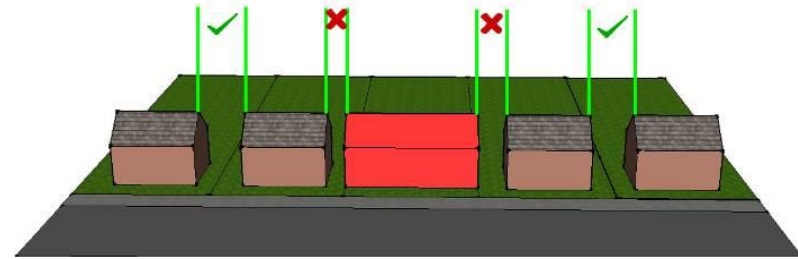
Plot and Building Width

4.10 The spaces between buildings have as much of an impact on the character of the streetscene as the form and appearance of the buildings. Plots must be sufficiently wide to accommodate 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 broadly consistent to that of those in the existing street frontage.

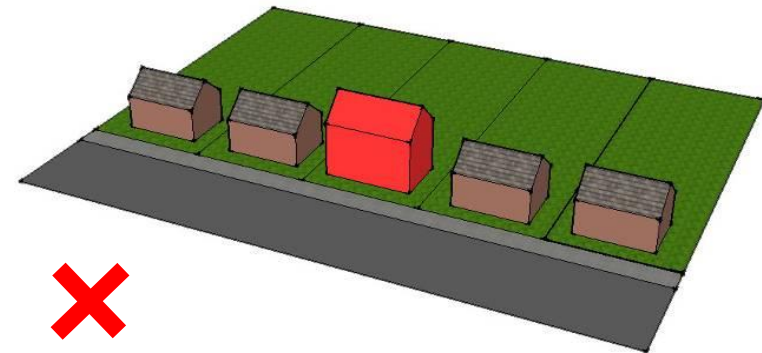


Height, Scale and Massing

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



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



Character and Appearance

4.13 This Guidance does not seek to arbitrarily impose a particular architectural style. The key considerations will be factors such as scale, siting/ layout and the building line to ensure a positive relationship to the established streetscene.

4.14 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)

4.15 This does not mean that new development should seek to replicate what is found around the site, but instead that new developments should reflect the positive elements of local character, and where appropriate this may be 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
- Plot widths and set backs
- Shape and pitch of roofs
- Detailing

- Window and door proportions and arrangement
- Materials and colours
- Boundary treatments
- Degree of consistency or variation

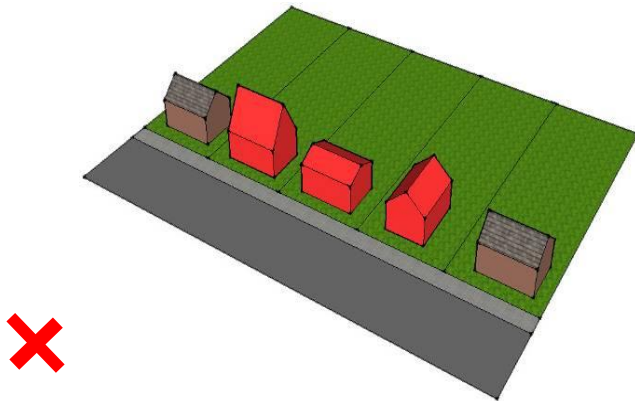
4.16 The elements of character can be identified by a photographic survey of the area around the site. Where the site lies in a conservation area, there may be a published description that identifies the special architectural interest and the character appraisal should be the starting point. For schemes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



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

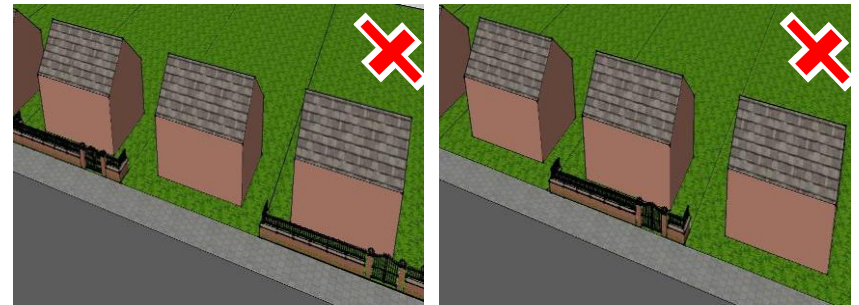
Materials and Details

- 4.18 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.
- 4.19 Materials should be selected to reflect the best aspects of local character whilst addressing robustness, fitness for purpose and weathering. The materials (texture, colour) for walls, roofs, windows and doors, should respond to dominant materials in the area. Where it is not possible to match a specific material, a sympathetic match should be achieved.
- 4.20 The size, proportion and detailing of window and door openings should reflect the character of the area.
- 4.21 Where a traditional pitched roof is proposed, this should generally match the pitch and orientation of existing roofs to either side. Mixing different types of roofs (e.g. pitched and hipped) and/ or different roof pitches on the same development will not generally be supported.



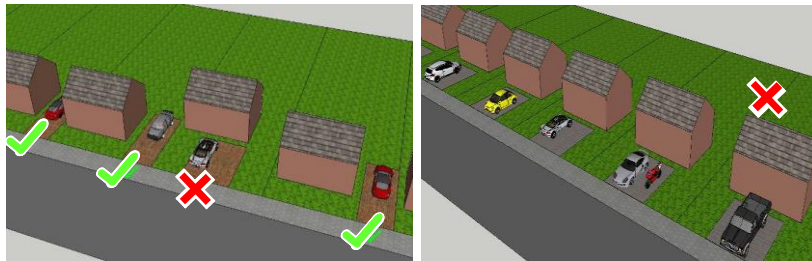
Boundary Treatments

- 4.22 Boundary treatments should be included in the character appraisal. 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.
- 4.23 Any proposed boundary treatment visible in the public realm should closely match those found in the existing streetscene, particularly where these form a visually continuous frontage along the street. Close boarded fencing as an individual treatment will not be acceptable for boundaries in the public realm.
- 4.24 Open frontages will not be permitted in streets with enclosed front boundaries and vice versa.

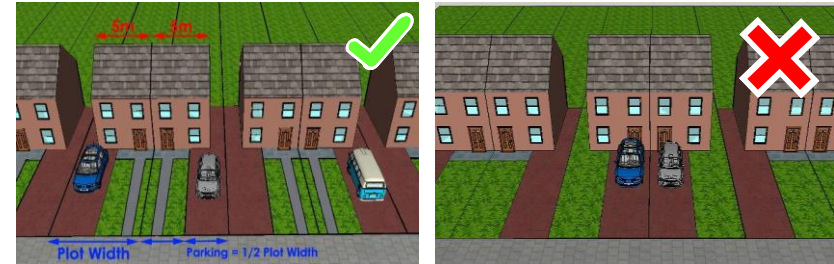


Access and Parking

- 4.25 Any proposal for infill development must incorporate satisfactory safe arrangements for the provision of access and parking. Please refer to the relevant Council Parking Standards SPG to establish the required level of parking provision.
- 4.26 Private side driveways 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, should not compromise the incorporation of green infrastructure and should not dominate the streetscene.



- 4.27 In order to reduce the visual dominance of parked vehicles, frontage parking areas should be combined with planting and/ or low walls (in some cases).
- 4.28 In the case of narrow fronted dwellings (typically 5m wide) frontage parking must not take up more than one parking space width (2.6m wide) and must not obstruct access for all to the front door.



- 4.29 Parking and access areas should be finished in permeable surfaces and combined with other SuDS features such as rain gardens and soakaways etc. (where possible), in order to minimise the runoff in comparison to the undeveloped site.



- 4.30 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.

Frontages

- 4.31 Adequate provision must be made for composting, recycling and waste facilities within the site. In some instances it may be necessary for provision 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.
- 4.32 Innovative design solutions for refuse/ recycling stores should be integrated into the design of the development and, where visible from the public realm, secured and result in minimum impact on public realm/ the streetscene.
- 4.33 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. This means locating these on less publically prominent side elevations as well as locating them as close to the ground as possible. All meter cupboards as well as other externally visible paraphernalia such as flue vents, waste pipes etc. should be shown on the elevation drawings as part of the submission.



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



Traditional design approach

Well detailed new build in traditional style

Respects established rural character



New Contemporary design

Adds quality and character in an area of variety

Maintains existing building line and scale



Contemporary vernacular

Modern use of traditional materials

Maintains established building line and scale



Infill flats

Makes best use of land in accessible locations

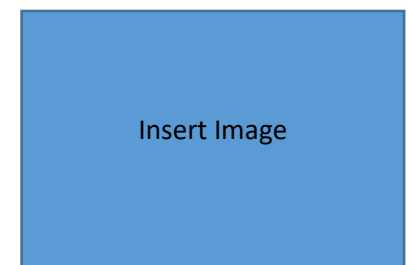
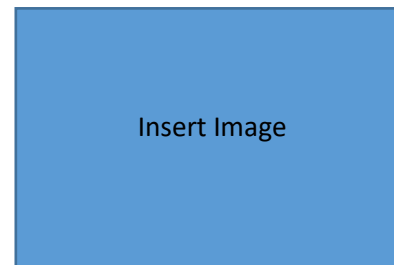
Important to relate scale to existing context

5.0 Guidance for Backland Development

Overarching Principles

- 5.1 Opportunities for backland development comprise land to the rear of existing buildings, often 'landlocked' sites, such as rear gardens and private open space, usually within predominantly residential areas. These sites generally have no street frontages, however just because backland sites are not generally visible from the street, they must still be well designed and appropriately scaled to suit their context.
- 5.2 Backland development should be a **subservient form of development** 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 backland development. Whilst a thorough analysis of the context of existing backland development within the locality forms 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 each site.
- 5.3 Where features such as trees are to be retained (or where trees in adjoining gardens overhang the site), or new tree planting is proposed, adequate space should be allowed for trees to mature without detracting from garden space.
- 5.4 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.

- 5.5 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 established greenery and/or garden space
 - Enclosure of public utility services
 - Loss of car parking
 - Prejudicing future development through piecemeal development
 - Poor outlook onto 'dead frontages' or rear lanes
 - Reduction in site security from opening site up.
- 5.6 In addition to the above, layout proposals for backland development should also make the best use of maximising a pleasant outlook from proposed dwellings.
- 5.7 When accessing proposals for backland development the Council will pay particular attention to the following paragraphs (5.8 – 5.31).

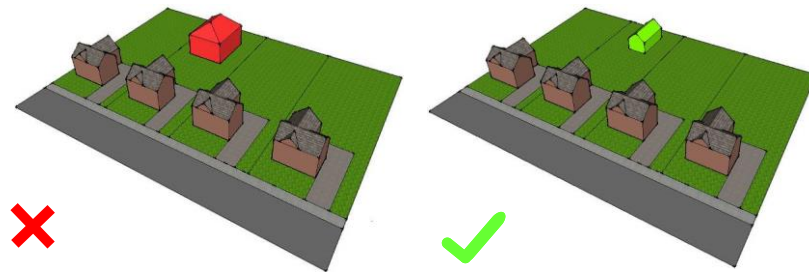


Incorporation of Existing Features

- 5.8 Where a backland 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 or other important established planting, should be given sufficient space to grow without impacting on the amenity of proposed amenity spaces. A footpath or desire line should be well integrated whilst maintaining a direct, safe and visually attractive alignment.

Height, Scale and Massing

- 5.9 Backland developments should be subservient in scale and size in relation to the frontage properties. This is to avoid overdevelopment of the site and ensure that there are no overbearing impacts on adjacent properties. Ground levels should also be given consideration as development on higher ground is likely to have greater impact on surrounding properties. Dwellings of large scale will not be allowed in backland locations.



Character and Appearance

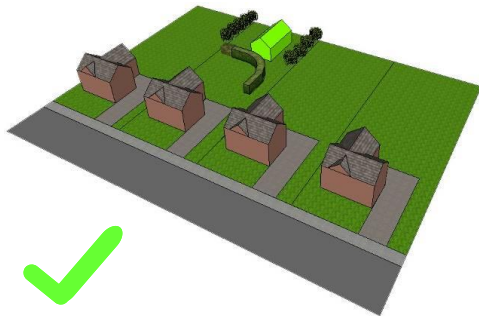
- 5.10 This Guidance does not seek to arbitrarily impose a particular architectural style. The starting point should be an appraisal of the context of the site. Generally, the design of schemes should be informed by immediate buildings and by the character of the wider locality. New development should reflect the positive elements of local character.
- 5.11 Where the site lies in a conservation area, there may be a published description that identifies the special architectural interest, and a character appraisal should be the starting point. For schemes in Gower, the adopted Gower AONB Design Guide identifies the main elements of 'Gower Vernacular'.
- 5.12 There may be situations where there is no existing positive character which can be reflected in the site. This is not justification for mediocre design. Instead this provides an opportunity to raise the design bar, possibly by establishing a new contemporary character through reinterpreting forms and materials.

Materials and Details

- 5.13 By its nature, backland development should be largely out of prominent view and not dominate the frontage property, however there should still be partial views for legibility. The nature of backland development is not an excuse for poor design, or substandard use of materials and detailing.
- 5.14 Materials should be selected to reflect the best aspects of local character whilst addressing robustness, fitness for purpose and weathering. Choices should be fully justified in a DAS.

Boundary Treatments

- 5.15 Boundary treatments should be included in the character appraisal. Backland sites are often bounded by poor quality, inactive boundaries of varying styles (i.e. fences/walls). In some instances it may be necessary to upgrade boundaries, for example planting could be used to either strengthen or hide boundaries, as well as provide biodiversity and green infrastructure enhancements.
- 5.16 The security of the boundaries must also be considered as backland development may open up rear gardens to crime. Therefore boundaries may need to be made more secure or development proposals should increase natural surveillance of the site. In certain circumstances outward facing development will be most suitable, especially in more rural landscapes.



- 5.17 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. Close boarded fencing as an individual treatment will not be acceptable for boundaries in the public realm.

Access and Parking

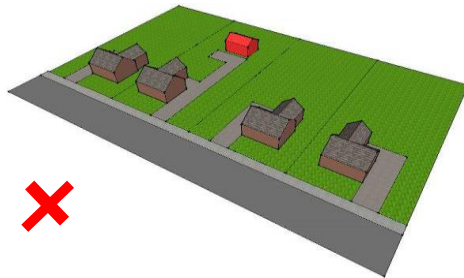
- 5.16 Existing and new access should follow the principles of inclusive design as set out in 'Manual for Streets'. Developments of more than 5 homes will require access designed to adoptable standards. Developments of 5 or less homes can be served off a private drive arrangement.
- 5.17 Backland development proposals will need to ensure that appropriate access is provided for the level of traffic generated in line with the requirements of 'Manual for Streets' and the relevant Council Highways Manual. If an existing vehicular access is to be utilised then it does not necessarily mean that this access can be intensified in terms of numbers of units served without improvements. There may also be instances where no more development would be supported in any case.
- 5.18 When considering access works it is important to note the 1m height restrictions on any boundary treatments within the visibility splay area for this access. Backland developments should make provision for a family car to turn on site. Where more than one dwelling is proposed then a swept path analysis should be submitted detailing an appropriate turning facility for refuse/emergency vehicles.
- 5.19 Parking and access areas should be finished in permeable surfaces and, where possible, combined with other SuDS features such as rain gardens and soakaways etc., in order to minimise the runoff in comparison to the undeveloped site.
- 5.20 Although backland development is typically located away from the streetscene, it will be important to consider a legible and convenient arrival point for visitors, deliveries etc. As such parking should not dominate or negatively impact upon these spaces. An appropriate

buffer/front garden area can also provide space for biodiversity enhancement and possibly amenity use.

- 5.21 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 when determining planning applications for backland developments.

Tandem Development

- 5.22 Tandem development comprises 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.

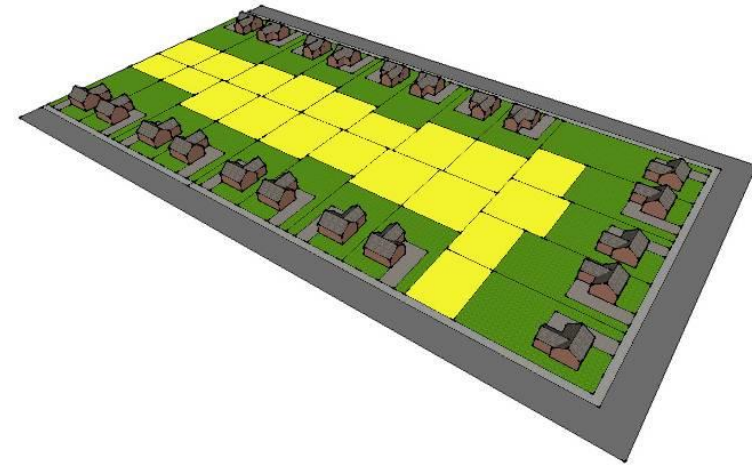


Comprehensive Development

- 5.23 It is sometimes 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. Developing each plot separately can cause knock on issues which may result in some areas being unable

to be developed fully. As such the holistic development of adjoining plots is to be encouraged.

- 5.24 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.



Appendix 1: Biodiversity Gain and Enhancement

The following information expands the overview material found in Section 3.0 of the Guidance.

Matters relating to Biodiversity are key considerations for all development and proposals should seek to minimise the impacts upon existing biodiversity, habitats and green infrastructure networks, as well as introduce measures to ensure net benefit to biodiversity in accordance with the Section 6 duties.

This appendix expands on the biodiversity considerations for infill and backland developments. More information is contained in the Biodiversity SPG.

Special Ecological Sites

You should check whether your proposed development is within or near to a site designated as being of ecological importance. Please refer to the Swansea LDP Constraints and Issues Map (www.swansea.gov.uk/ldp) for the location of nationally designated sites and local designations such as SINCs. Further survey information may be required if the proposed development is likely to impact upon a designated site (see Policy ER 8).

Protected Species

If you are already aware that protected species are present on or close to your site, you should include all available information as part of your pre-application submission. As a part of this process the council's ecology team will provide comments on what surveys are required and any ecological compensation or enhancement measures. Please note that the presence of protected species may not just be limited to your site and as such the

Council will need to consider the wider presence of protected species such as bats and nesting birds.

If a survey is needed, it must be up-to-date and carried out by a suitably qualified ecologist. The required information should include the necessary surveys, impact assessment, method statements and mitigation/enhancement strategies. This information will need to be included as part of your planning application. All Ecological Surveys submitted in support of planning applications are considered to be valid for a period of 2 years, after which time, updated surveys will be required. You need to be mindful of this when considering when to undertake pre-application advice and when an application is likely to be submitted.

Please note that **Ecological surveys are seasonal, so the required survey must be carried out at an appropriate month of the year**, and time of day. The survey information should include a data search from the South East Wales Biological Records Centre (SEWBRc), and use nationally recognised survey guidelines/methods where available.

A number of bird and animal species are protected under various Environmental laws and as such it is a criminal offence to undertake works which would result in disturbance to these without proper mitigation measures being implemented.

The presence (or potential presence) of protected species will require compliance with all of the relevant statutory obligations and responsibilities, and may involve obtaining a licence from NRW if criminal offences are to be avoided. The appendix section of the Biodiversity SPG also sets out a checklist of the types of species surveys that will be required for different types of development and other relevant factors.

The following is a list of the most common types of species likely to be affected by infill and/or backland development works. Please note that this list is not exhaustive and to ascertain the potential impact of a proposal or establish if a licence would be required, then you should seek pre-application advice or the advice of a suitably qualified ecologist.

Bats

Survey information for bats must always be provided up front as part of a planning application. A planning application which could impact on bats cannot be determined until the necessary information has been provided.

The survey, survey report and mitigation/compensation/ enhancement proposals must always be undertaken and prepared by a licenced bat surveyor (bat survey licences in Wales are supplied by NRW). **The survey season for bats is from the beginning of 1st May until the 30th September** (with some limited surveys possible in April and October).

If the submitted survey shows that bats are likely to be affected by your development then mitigation, compensation and enhancement proposals will need to be provided. These proposals will depend on the results of the bat survey. They may include: incorporating a bat roost within the building, erecting bat boxes or tree/hedgerow planting. Mitigation, compensation and enhancement proposals must also take account of factors such as lighting and proximity of a suitable habitat.

More information on the broad requirements and process of bat surveys can be found in the CIEEM document entitled "What to Expect from a Bat Survey: A Guide for UK Homeowners" which can be found at:

<https://cieem.net/resource/what-to-expect-from-a-bat-survey-a-guide-for-uk-homeowners/>

Barn Owls

The protection for barn owls covers all birds, their nests and eggs. The special protection afforded to them makes it an offence to disturb birds at the nest. Before any work commences, a survey may be required to be undertaken by a suitably qualified ecologist.

If barn owls are found, mitigation/compensation and enhancement proposals will be required and may include providing nest boxes in/on/near the building or structure. Proposals which affect barn owls must also consider factors such as lighting and proximity of suitable habitat.

More information about local Barn Owl surveys, search procedures, ways to help you to spot evidence of occupation as well as some background on Barn Owls and the law can be found in the "Barn Owl Trust: Survey Techniques leaflet on the CIEEM website:

<https://cieem.net/resource/barn-owl-trust-survey-techniques/>



Nesting Birds

The protection for nesting birds covers all wild birds from being killed, injured or taken. This protection also extends to birds' eggs, young and nests (whilst in use).

Bird species such as house martins, house sparrows, swallows and swifts all use buildings to nest in/on. Areas of dense vegetation (e.g. hedgerows and scrub) are also important for nesting birds.

Works which might affect nesting birds should avoid the bird breeding season, which is generally considered to be 1st March to 31st August.

However, this may begin earlier and finish later depending on the bird species. Pre-works checks for active nests may also be required.

Additional information on bird licensing as well as links to a list of Schedule 1 protected species and other information can be found at:

<https://naturalresources.wales/permits-and-permissions/species-licensing/uk-protected-species-licensing/bird-licensing/?lang=en>

Hedgehogs

The multiple protections for hedgehogs makes it illegal to kill, capture or cruelly treat wild hedgehogs. Hedgehogs are listed as a species of 'principal importance' for the purpose of maintaining and enhancing biodiversity in Wales.

The choice and permeability of proposed boundary treatments is of particular importance for mitigating harmful impacts on hedgehogs and as such the use of softer, natural boundaries is recommended (e.g. hedgerows). Where it is proposed to utilise hard boundaries such as walls and fences, these should either not be fully flush to the ground or include gaps or holes of a minimum of 13 x 13 cm at strategic points in their base to allow for hedgehogs (and other mobile/foraging species) to pass through these. For further information on hedgehog friendly fencing please visit:

<https://www.hedgehogstreet.org/hedgehog-friendly-fencing/>

Other hedgehog friendly features which can be incorporated into gardens include semi-permanent and temporary elements such as log piles, compost heaps, leaf piles, overgrown patches, wildflower patches and ponds. Further information on these as well as a guide on how to build a hedgehog home can be found at:

<https://www.hedgehogstreet.org/help-hedgehogs/helpful-garden-features/>

Biodiversity Enhancement Measures

Infill and/or backland development proposals should provide new opportunities for wildlife, and may include the following features. You are encouraged to consider integrating the following into your proposals anyway in order to improve local biodiversity and habitats for local species generally:

- Incorporating green roofs and green walls into the construction;
- Providing bird nesting boxes for a range of species (e.g. sparrow terrace, swift box, house martin cup etc.) and bat roosting features within the roofspace, bat boxes externally or on suitable mature trees within the grounds, and bird feeders and bird baths;
- Erecting a barn owl box;
- Landscaping the garden to include native hedgerows, trees and wildflower areas. The use of native species of local (or at least Welsh) provenance and species of known benefit to wildlife and pollinators in any soft landscaping scheme associated with the development is essential, together with use of diverse seed mixes for lawns/ gardens.
- Creating a pond or bog garden;
- Creating a log pile or rock pile;
- Providing a bee and/or invertebrate 'hotel' in your garden;
- Minimising the use of close board fencing or other hard boundary features which reduce permeability/connectivity for biodiversity.

And where such treatments are used;

- Make small holes (min 13 x 13cm) within any boundary fencing to allow foraging hedgehogs and other mobile species to be able to pass freely maintaining and improving connectivity to

adjoining areas/gardens maintaining existing tree lines and retaining hedgerows;

- Maintaining existing tree lines and retaining hedgerows.

Invasive Non-Native Species (IINS) e.g. Japanese Knotweed

Where an invasive non-native species of flora listed in Schedule 9 Part II section 14(2) of the Wildlife and Countryside Act 1981 (as amended) is present on a planning application site, an invasive non-native species (flora) condition will be placed upon that application.

Such conditions are normally attached to planning applications to deal with Japanese knotweed infestation, however these can also be attached to deal with the presence of other less common INNS if present.

In order to discharge the condition, you must provide and implement a suitable method statement to control the plant before, during and after the development. Japanese knotweed in particular can be very difficult to eradicate and furthermore is classed as 'controlled waste' under the Environmental Protection Act 1990, requiring that this be disposed of with registered waste carriers such as specialist Japanese knotweed contractors. If Japanese knotweed is present on your property you are therefore encouraged to employ the services of a registered knotweed specialist. For further information on treatment and identification of Japanese Knotweed:

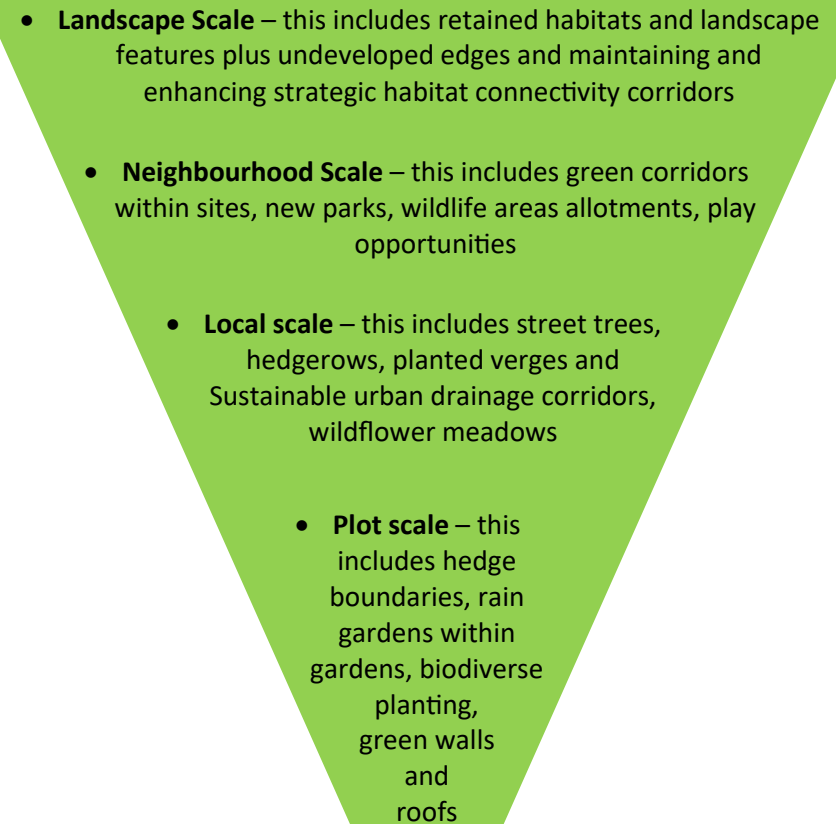
<https://www.gov.uk/guidance/prevent-japanese-knotweed-from-spreading> and <https://www.rhs.org.uk/advice/profile?pid=218>

Appendix 2: Green Infrastructure (GI)

Swansea's natural environment and its strategic Green Infrastructure (GI) network provide critical ecosystem services which the council has a statutory duty to maintain and enhance. Living with nature should be a key theme of all new developments through a green infrastructure led approach to placemaking.

Planning Policy Wales emphasises the importance of integrating Green Infrastructure (GI) at all scales (6.2.1) which can be positively addressed in a hierarchical approach as shown opposite. These features should form part of the overall design led approach to placemaking.

It may be that a Green Infrastructure Strategy is required for infill and backland developments. The extent of detail required will be proportionate to the scale of the application. A simple presentation on a map, with a brief written statement may suffice for smaller developments, whilst more complex developments where there is a larger design team with a broader range of technical supporting documents may require a more comprehensive submission to communicate the justification for the design solutions proposed.

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- **Landscape Scale** – this includes retained habitats and landscape features plus undeveloped edges and maintaining and enhancing strategic habitat connectivity corridors
 - **Neighbourhood Scale** – this includes green corridors within sites, new parks, wildlife areas allotments, play opportunities
 - **Local scale** – this includes street trees, hedgerows, planted verges and Sustainable urban drainage corridors, wildflower meadows
 - **Plot scale** – this includes hedge boundaries, rain gardens within gardens, biodiverse planting, green walls and roofs

Appendix 3: Sustainable Drainage Systems (SuDs)

All new developments, under legislation in Wales, of more than 1 dwelling or where the construction area is 100sqm or more, require sustainable drainage solutions (SuDS) for surface water. SuDS must be designed and built in accordance with Statutory SuDS Standards and approved by the Local Authority acting in its SuDS Approving Body (SAB) role, prior to construction works commencing.

All infill and backland developments will be required to incorporate SUDs systems. These typically fall under three types:

- Source Control
- Permeable Conveyance Systems
- Passive Treatment (Pollution)

Source Control

Source control and prevention techniques are designed to minimise the increased surface water runoff and discharge from developed sites which have more hard surfaces (as opposed to natural spaces), by storing this as close to the source as possible and discharging it at a slower rate than to minimise the volume of water discharged from the site (as well as possibly treating this as it is discharged). Such features for consideration in your development proposals include:

- Green Roofs
- Infiltration Trenches
- Permeable Surfaces (e.g. porous paving)
- Rainwater Harvesting (e.g. water butts and grey water systems)
- Rain Gardens
- Soakaways

Green Roofs

Green roofs fall under two types: intensive and extensive. Intensive green roofs are thicker with a min. depth of 12.8cm and can support a wider variety of plants for biodiversity as well as better drainage function. However, they are heavier and require more maintenance. Extensive green roofs are shallower (2—12.7cm) and require less maintenance but are less species diverse and perform a lesser drainage function.



Green roofs can be applied to a number of flat or shallow pitched structures - extensions, sheds, stores and garages or car ports

Infiltration Trenches

Infiltration trenches are shallow excavations filled with rubble or stone that create temporary below ground storage of rain and storm water runoff, thereby enhancing the natural capacity of the ground to store and drain water. Infiltration trenches initially hold the water as they fill up and then allow it to drain into the surrounding soils from the bottom and sides of the trench at a slower rate. Ideally these should receive cross flows of runoff from adjacent surfaces.

Permeable Surfaces

The use of impermeable hard surfaces such as tarmac, concrete and certain types of paving stops rainwater from percolating into to the ground which can make water pool in low lying areas as well as run along the surface into other areas possibly resulting in localised flooding. Permeable paving options provide for gaps in the surface to allow for varying levels of ground water percolation to avoid this issue. Options for permeable surfacing can include loose gravel and other small non-bound aggregates (provided that these are not likely to wash onto the public highway), permeable block paving, porous paving and reinforced grass paving etc. Permeable grass paving options are particularly supported in appropriate locations as these can contribute to biodiversity and green infrastructure connectivity as well as visually softening hard surfaced areas in addition to providing a drainage function.

Rainwater Harvesting

Rainwater harvesting collects and holds rainwater in storage for other uses. A simple approach to this is to connect a water butt to a downpipe to store water for garden use. Other grey water systems can include piping rainwater for flushing toilets in your extension.

Rain Gardens

These are typically shallow trenches filled with absorbent, free draining soil and appropriate plants which can withstand temporary flooding. Another form utilises a planter box to act as a secondary storage tank with a controlled drainage. In addition to helping to drain water from the surface into the soil these features also provide a filtering function which provides cleaner water back into the water system. For more information:

<http://raingardens.info/>



Rain gardens can be surface level and include water butts (top) or provided as planter boxes (bottom)

Soakaways

A soakaway is a buried drainage feature which infiltrates surface water into the ground, rather than discharging to an offsite location such as a watercourse or sewer. Soakaways requires digging a suitable hole which is typically replaced with a formal structure, constructed using a concrete ring, a fabric membrane or plastic crate system.

The storage hole is typically filled with stone and rubble, which allows the water to percolate and remove pollutants before being infiltrated into the soil in a controlled manner. Geo-cellular crates can also be used, which

provide more storage, but less filtration of surface water runoff. Soakaways require particular conditions to work and as such you are advised to seek out further information before installing any such feature.

Permeable Conveyance Systems

Permeable conveyance systems move (convey) water slowly towards a watercourse (such as a river) allowing storage, filtering and some loss of runoff water through evaporation and infiltration before it reaches the discharge point. The main types of permeable conveyance systems are surface water swales and underground systems such as filter drains (or French drains).

Swales

Swales require a relatively large space and are typically found in streets. In the simplest terms these are shallow ditches with gently sloping sides which run alongside or in the middle of streets. Swales are designed to store and convey water runoff as well as remove pollutants in the process. Swales can be simply grassed but are more effective if vegetated with appropriate planting including trees in appropriate locations.

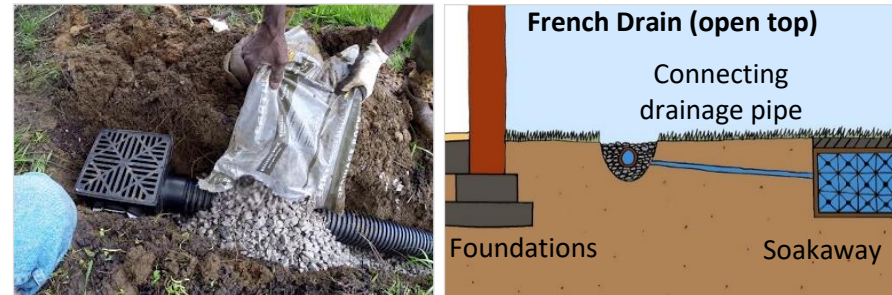


Simple grassed swales convey water during wet weather (left) and a vegetated street swales (right) can improve biodiversity and street character

Filter / French Drains

Filter/French drains can take several forms but one of the simplest methods for these is to create an infiltration trench filled with gravel that also includes a slotted or perforated pipe. These drains are mainly used to direct groundwater or surface water away from a particular area, like the foundation or basement of your home. The surface level water will be directed towards the lowest point, and then allowed to flow through the gravel into the drain. The gravel also does the job of blocking excess debris from entering the drain. The water will then be collected in the slotted pipe present at the bases, and directed away from your home, towards a more suitable location for infiltration.

French drains are different from general surface drains in that they collect water throughout the whole length of the drain rather than one single spot. As such they work well in preventing the pooling of water in specific spots as well as better dealing with heavy downpours which may overload a single fixed drain. In appropriate circumstances, French drains can also be installed in combination with walls to help minimise loading pressure and water pooling against these structures.



Construction of a French/Filter Drain (left) and combining a French drain with a soakaway storage can help to minimise flooding around your property provided that the ground conditions are suitable (right)

Filter/French drains can also be combined with soakaways to provide a simple yet effective SuDS solution to drain water away from dwellings as well as other structures and areas:

Passive Treatment (Pollution)

Passive treatment systems use natural processes to remove and break down pollutants from surface water runoff. Small scale systems such as filter strips, can be easily designed into the landscape and are sited upstream of other SUDS. Larger, 'end of pipe' systems usually involve storage of water in constructed ponds.

Passive treatment systems usually require a larger area than other feature types and therefore are not typically suited to individual plot applications unless you have a very large development site. However, your site may provide opportunities to connect to and enhance such features, which include:

- Detention basins
- Retention ponds
- Wetlands

Detention Basins

Detention basins are used to store run-off from large areas. Water usually runs into these from conventional drainage systems or from upstream SuDs such as swales.

Detention basins let run-off spread across a wide floor area and only fill after heavy rainfall when they will hold large volumes of water. This lets pollutants settle out before the water soaks away or discharges slowly downstream.



Filled detention basin served from swale and separate underground SuDS outlet pipe (left) and a dry detention basin with planting (right) adding to local character, biodiversity and providing amenity space

Retention Ponds and Wetlands

Retention ponds are similar to detention basins but store water for longer and are generally wet at all times. This allows natural processes, using bacteria and sunlight, to break down pollutants before the water eventually flows into downstream watercourses. Ponds can also be a welcome addition to urban areas, encouraging plants and wildlife.

Wetlands comprise of densely vegetated bodies of water in the form of shallow ponds and marshy areas which use sedimentation and filtration to treat contaminated run-off. However as a result of this process these should be the last stage of SuDS management due to the risk of siltation.

Newly created ponds and wetland areas are ideal for treating lightly contaminated water from farmyards and farm roads. Existing natural ponds or wetlands should never be used to treat run-off as this can damage or disturb the wildlife that is already in the area.

A number of ponds can be connected, or included with wetland areas to tackle run-off from larger areas at the neighbourhood and landscape scale. More information on can be found at: <https://www.susdrain.org/> and <https://www.sudswales.com/>

Appendix 4: Consultation Statement

To be added