
Design and the draft NPPF:

Joint response on design aspects of the consultation on the National Planning Policy Framework from The Academy of Urbanism, Civic Voice, Design Network, Institute of Historic Building Conservation, Place Alliance and Urban Design Group

As organisations, we welcome the Government's concern to address the housing crisis in England and the recognition that the planning system has an important and positive role to play in this. If communities up and down the country are also to be convinced, then how new housing developments are designed, and the quality of the places being created will be critical. A stronger emphasis on design can also help new and smaller developers into the market as design is the key means by which smaller developers can differentiate themselves.

Development on the scale that is required will profoundly affect real places and real communities and, as the arbiter of the public interest in such matters, the planning system needs to ensure that we are building places that we can be proud of today and that will be fit for generations to come. Getting the design right is the key to this and so the Academy of Urbanism, Civic Voice, Design Network, Institute of Historic Building Conservation, Place Alliance, and Urban Design Group came together to consider the treatment of design in the *National Planning Policy Framework, Draft text for consultation*. As well as discussions within and across our organisations, we came together at an open event on the 11th April in London to debate the design aspects of the draft NPPF.

The recommendations below stem from these processes. They relate only to the design aspects of the NPPF and sit alongside any other responses from our respective organisations. They suggest revisions to the following sections of the NPPF:

- 'Strategic policies',
- 'Promoting sustainable transport'
- 'Achieving well-designed places'.

Too timid

Our overriding impression is that while the draft NPPF says much that is positive about the importance of design, overall it is too timid and does not demonstrate the sort of bold and positive leadership that Ministers showed in the recent MHCLG Design Conference. In some areas the draft text might even be interpreted as a watering down of policy from the way design was covered in the text published in 2012.

The revised NPPF needs to give local authorities greater 'confidence' to establish high expectations by setting out more forcefully that local authorities and developers are expected to deliver high quality housing and placemaking everywhere. Good design and

place making does not necessarily cost more to deliver and should be a high priority in growth areas as well as where viability is tight.

This confidence needs to go hand in hand with the enhanced 'competences' that local planning authorities and developers need in order to achieve this. Fundamentally this requires that local authorities have the right personnel, processes and resources in place to secure high quality outcomes. Unfortunately, research conducted for the Place Alliance and Urban Design Group in 2017 has shown a decimation of urban design expertise within local planning authorities in recent years, and that half of local planning authorities have no in-house dedicated design capacity at all¹. We very much welcome the recent announcement of financial support for design skills in local planning authorities², but need to move to a situation where it is the expected norm that planning authorities fund their own dedicated design expertise, preferably in-house. Better placemaking will not be delivered unless and until the question of design capacity is addressed. As the experience of the 1990s and 2000s demonstrated, this only occurs when National Governments is more forceful in its expectations on design.

As written the design paragraphs lack clout and high-quality design can easily be seen as 'nice to have' but 'easy to ignore' rather than as an essential dimension of good planning. They should be re-written to more boldly set out the expectations of the government that **high quality design and place making is the expectation and should be delivered everywhere**. They should more forcefully set out the expected role of local planning authorities in achieving that, including the availability of suitably qualified staff.

We recommend that a new and more forceful paragraph be added before para. 124. It might read as follows: "The achievement of high quality places is a fundamental requirement of the planning system, and planning authorities should provide the conditions that support engagement between developers, communities and other interested parties, to achieve it. Being clear about how design and place making will be tested as part of planning, both in plan making and in determining planning applications is essential to ensure this happens. Good design is a key aspect of sustainable development, is indivisible from good planning, and contributes positively to making development acceptable to communities and places better for people." A revised para. 124 should then begin: "Planning policies and decisions should support the creation of high quality buildings and places everywhere. Plans should ..."

¹ <https://indd.adobe.com/view/f2dce345-a265-4c28-9ab3-223ac41110b6>

²

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/683592/Planning_Delivery_Fund_list_of_bids.pdf

We welcome:

- The design implications of transport:** We welcome explicit recognition in the Transport section of the proposed NPPF that “patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places” (para. 103). Highways design all too often remains the thorn in the side of planning authorities that have an ambition to create high quality places but whom are unable to persuade their Highways Authorities to share a similar vision. Highway considerations need to be considered early and embedded into pre-application discussions. Often, the 1992 roads dominated Design Bulletin 32 (as opposed to Manual for Streets) is applied. The continuing use of this type of street design guidance is overriding the policies advocated in the planning system, leading to poor quality development that is car dependent, low density, adds to flood risk, wastes valued countryside and leads to unhealthy lifestyles. Such guidance also fails to reflect many of the statutory duties that have been introduced over the past decade, and in particular will lead to streets that fail to discharge councils’ statutory duties under the Equality Act 2010, putting elderly, and disabled pedestrians at a substantial disadvantage over vehicle users. On this point the NPPF needs to be far stronger and endorsed by the Department for Transport to ensure it has the full weight of Government behind it. It should make explicit reference to Manual for Streets, which should be mandatory, and therefore to the expectation that the guidance contained therein is adopted jointly by highways and planning authorities. Local planning authorities should be instructed to refuse planning consent for development based on inappropriate road and footpath design standards, or that fails to pay due regard to the Public Sector Equality Duty.
- Proactive and 3D:** We welcome removal of the warning contained in the 2012 NPPF that “any additional development plan documents should only be used where clearly justified”. In the latest draft this has been replaced with a much more positive call for local authorities to be proactive and to “provide maximum clarity about design expectations” (para. 125) through the use of plans and supplementary planning documents. We also welcome encouragement to the use of “visual tools” that will enable local authorities to provide greater certainty by being more directive on key sites and developments. It is recommended that the wording be revised to clarify that this type of proactive guidance should be provided early in the development process, and, if necessary be three dimensional in its articulation of design issues, and available publically, either online or in an Urban Room.
- A clear set of design aspirations:** We welcome removal of the contradiction that has long sat at the centre of the national policy, that, on the one hand has encouraged a broad perspective on design whilst on the other hand seeks to limit local authority engagement by advising that “design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall

scale, density, massing, height, landscape, layout and access". In the new draft we see a diverse list of qualities (para. 126) for planning authorities to address that range from visual attractiveness to a sense of place, to safe and inclusive access, and this is welcomed. Whilst such lists can be written and re-written in many ways, the important health, environmental and happiness benefits of street trees and public art in the built environment are often forgotten³. It is recommended that bullet point b) be amended as follows: "are visually attractive and sustainable as a result of good architecture, layout and effective landscaping, including the provision of street trees"; and that bullet d) as follows: "establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types, materials and public art to create attractive and distinctive places to live, work and visit".

- **Encouraging architectural innovation:** The new list reminds us that local authorities should seek to respond to local character and history, whilst "not preventing or discouraging appropriate innovation or change (such as increased densities)". The large majority of new housing developments seek to use traditional styles which are poorly designed and detailed and which act to impoverish the vernacular design from which they draw inspiration. To help avoid this, it is recommended that this bullet point be phrased more positively to encourage greater innovation in architectural design as follows: "c) respond to local character and history, including the local built environment and landscape setting, whilst encouraging appropriate innovation or change (such as increased densities, energy efficiency or the use of contemporary architectural styles)"
- **Design at higher densities:** We welcome the drive to increase densities, where appropriate, in developments in order to make best use of land, as well as the associated reminder of the desirability of maintaining an area's prevailing character (including residential gardens), if that is a positive one, and of the importance of securing well-designed attractive places, even whilst density is increasing (para. 122). But denser places require an even greater focus on design given the intensity of their use and design policies and guidance should address the design implications of building at and across different densities. This should be made more explicit in paragraph 126c.
- **Balancing place and innovation:** We welcome the removal of the negative assertion contained in the NPPF (2012) that planning authorities "should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles". The new wording that "great weight should be given to outstanding or innovative designs", qualified with the assertion "so long as they are sensitive to the overall form and layout of their surroundings" (para. 130), gets the balance right and is welcomed.

³ The health and environmental benefits of streets are very powerful as revealed in the extensive research gathered at: www.place-value-wiki.net yet local planning authorities are increasingly struggling to ensure their delivery because of the unrealistic adoption requirements of many highways authorities. Explicit endorsement for street trees in new development in the NPPF may help to overcome this.

- **The use of design workshops:** We support the affirmation that local communities should be involved in both the development of design policies, in order that “they reflect local aspirations”, and in the evolution and assessment of individual projects. Design workshops (para. 128) are promoted and this is particularly valuable. The key with design workshops (or charrettes) is that they should occur early in the development process and in an inclusive manner, and this should be advocated in the revised guidance. If the Government is as keen as Ministers suggested at the recent MHCLG Design Conference to engage communities, the policy here might go further. For major housing developments the use of design workshops to engage key stakeholders (including the community) early is clearly best practice and should be required by the NPPF.

We question:

- **Design quality as a strategic policy concern:** In view of the new advice that strategic policies are now required “as a minimum” (para. 17) from local planning authorities, we strongly question the omission of design from the range of issues identified for inclusion in strategic policies (para. 20). ^(SEP) If delivery of a high quality built environment is not a strategic priority everywhere then we will surely see a continuation of the very poor quality developments that remain all too common across England. The London Plan (a strategic plan), has consistently demonstrated, in all its incarnations, how critical it is to have a strong ‘quality’ dimension as part of the strategic priorities of the capital. It is recommended that suitable high-level design expectations and related delivery processes are included in the list of strategic policies required from local planning authorities. We would recommend the following revision to bullet a) of the list at para. 20: “An overall strategy for the sustainable pattern, design quality and scale of development”
- **Strategic design of towns:** This strategic dimension of design should not only extend to aspirations for a high quality built environment across local authority areas, but also to the notion that new development allocations should be designed at the strategic scale to ensure that they integrate in a sustainable fashion with existing settlements, and therefore have the best chance to become ‘real places’ as opposed to unsustainable dormitories. There is clear evidence⁴ that the planning system is failing to ensure development in sustainable locations. Greenfield development is proceeding in a haphazard way, one field at a time, rather than in a manner that creates strong, competitive, cohesive and attractive towns. There needs to be strategic urban design input to local plans, covering issues such as sustainable transportation, connectivity, topography, the structure of neighbourhoods, and to ensure that each town has the opportunity to evolve further. A section should be added to the NPPF after the current section 3 ‘Plan-making’ on ‘Achieving good urban form’. Above all this should aim

⁴ For example: Location of Development GVA Bilfinger RTP1 2016

to ensure that transport issues are considered from the earliest stages of plan-making and development proposals, so that:

- a. development sites are encouraged where walking, cycling and public transport will be viable and attractive options for meeting the majority of people's access needs.
 - b. the potential impacts of development on transport networks can be addressed;
 - c. opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated.
- **Planning and design:** We object to the omission of the very clear and forceful statement included in the 2012 version of the NPPF that good design “is indivisible from good planning and should contribute positively to making places better for people”. This statement was valuable in helping to establish the centrality of design to planning in a context when many of our planners have little design training and can all too readily feel that design is something separate and distinct from planning. So saying this explicitly at the beginning of the national policy on design has a clear benefit. It is recommended that a modified version of the statement “Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people” (para. 56 NPPF 2012) be added back in, as has already been proposed above.
 - **Variety and coherence:** We question whether it is appropriate to link the level of detail and prescription in design guides and codes to the degree of variety in the urban form. Whilst it is clearly appropriate that some environments are more varied than others in their form, the suggested wording in paragraph 125 may falsely give the impression that in such places ‘anything goes’. Instead it may be that in such varied environments (for example in the shatter zones around many town centres) that a greater degree of coherence and order is required, in turn requiring a more detailed response in guidance. The new policy might be better framed as encouraging authorities to consider the degree of variety or coherence that is desirable from place to place, and how to better shape guidance frameworks appropriately to reflect this. In doing so local authorities are best advised to consider which issues are essential for them to seek to control, and which can beneficially be left to others.
 - **Design Review:** We welcome the inclusion of support for BF12 in the revised NPPF, but strongly question the seemingly less supportive text on design review. Whilst the draft policy states: “Local planning authorities should ensure that they have appropriate tools and processes for assessing and improving the design of development”, it merely states that “these include design advice and review arrangements” (para. 128) and does not attempt to further stimulate the use of design review. This contrasts with the more forceful 2012 statement that: “Local

planning authorities should have local design review arrangements in place". "Appropriate tools and processes" may, for example, simply imply standard development management arrangements where a non-specialist planning officer is charged to give advice and make decisions on design. As recently published research on design review arrangements in London shows, where systematic design review arrangements are in place, substantial benefits follow for all parties (see box). Ideally the policy should be reworded to 'require that independent design review be conducted for all major projects, particularly on major housing developments, or if of local or national significance'. As a minimum the expectation that design review should occur should be returned and strengthened in the policy. Clear pre-application advice that outlines when the requirement for design review is expected is essential to avoid delays in negotiation on these matters. We would recommend the following revision to para. 128: "Local planning authorities should ensure that they have appropriate tools and processes in place for assessing and improving the design of development. Early design advice and independent design review should be provided on major development schemes or for those of local or national significance. The processes by which this is delivered should be made clear in pre-application advice. Other tools ..."

'Reviewing Design Review in London' confirms¹ that well managed design review delivers:

- Better designed projects and places
- Culture change locally through which better design is seen as the norm
- A more collaborative process
- More empowered designers
- A more intelligent design process
- Greater certainty in the development process
- A faster formal planning process
- Endorsement for the promoters of challenging projects
- Support for internal design capacity within local authorities (where it exists)
- Help to fill design skills gaps in local authorities
- Greater confidence amongst public sector decision-makers
- Learning opportunities for all involved

(research to be published by Place Alliance, Urban Design London, Greater London Authority)

Unwarranted warning: We question the need for the NPPF to state, “where the design of a development accords with clear expectations in local policies, design should not be used by the decision-maker as a valid reason to object to development”. This raises the question, why does design (uniquely amongst the range of topics covered by the NPPF) need to have such a statement warning local authorities against ignoring their own policies. It gives the impression of a lingering sense in the Ministry that design is subjective and that policies can all too easily be set aside with design used as a means to oppose unpopular development, regardless of its merits. This is an unfortunate and unwarranted association for which there seems to be no evidence. The statement should simply be omitted as the Presumption in favour of sustainable development (para. 11) already states that “development proposals that accord with an up-to-date development plan” should be approved.

To conclude

In sum, the revised design paragraphs of the draft NPPF feature some welcome deletions and a few welcome additions, many focused on a new priority given to the ‘process’ of good design as enshrined in the revised title for the section: “Achieving well-designed places”. But despite the many new words, the content is not dramatically different and the fine words, whilst welcome, will not require or inspire the culture change on design that is so desperately needed across England. On this front the Government needs to show still greater leadership.

We hope that the suggested amendments outlined above will assist in that process and would be happy to discuss them further if that would be helpful. We can be contacted via placealliance@ucl.ac.uk