Planning for the Future White Paper

Design Council response, October 2020

Introduction

The Planning for the Future White Paper has potential to create some of the biggest reforms to our planning system since the Second World War.

In the context of the climate crisis and as a result of Covid-19, the way that new homes, workplaces, shops, leisure and community facilities are planned and designed is under the spotlight more than ever before. There is potential for enduring, positive change for people across the country – many of whom have not previously engaged in the planning system. The challenge, now, is to design a new system that will successfully bring this opportunity into reality.

Design Council has for decades championed and demonstrated the power of the built environment to make life better for all.

We work at national, regional and local levels – as strategic advisors to government, infrastructure bodies and local authorities and directly with communities. We offer training – from strategic design advice and support, mentoring and enabling to Design Review and strategic design advice and training in inclusive environments.

We have a rich history of setting the standards, enabling the change and delivering the quality that has made a positive difference in the way we live and experience our homes, neighbourhoods and infrastructure.

Our response to the White Paper is informed by this track record and our network of more than 450 Built Environment Experts (BEEs), many of whom contributed through written submissions and a roundtable discussion and are quoted throughout this response.

The White Paper's strong focus on design and beauty has the potential to bring about a significant and much-needed shift in our built environment, shaping the health, wellbeing of people and the sustainability of our places across the country.

But successful planning reform should focus, first, on the outcomes we want to reach before considering the best systems for delivering them. We need to look at what the people who live, work in and use these homes, communities and neighbourhoods really need and ensure that the planning system enables sustainable, healthy lives for all.

From this perspective, planning reform needs to shift even further than currently proposed. Our BEEs have commented:

> "It really is a strong beauty and design White Paper. But there are a broader range of aspects that are really important to fix that I don't think come across strongly enough in this at this point of time."

> "Creating attractive buildings and an immediately surrounding environment is only one aspect of good design – how people actually use and value the development as a whole will provide the final judgement."

Design as a driver for change

Throughout our response to the White Paper we wanted to bring out the opportunity for design to create meaningful and positive change for everyone.

Before looking in detail at the consultation questions, we set out seven attributes of great places: themes and areas of focus that we think should be the result of a good planning system and which should sit at the heart of future planning policy to ensure that we are delivering on the critical and urgent need for places that make people's lives better.

1. Putting people at the heart of building new places

"There is a lot of talk about building better, and design that goes inside and outside. There's a lot of focus on public realm, building beautiful, what it looks like on the outside. But what's it like for people? I went through the paper, and I think I found that that people were referred to 42 times. And that was up to the end of the introduction, and then nothing, as opposed to beautiful, beautifully and beauty. And this is about creating places for people and the quality of the place and the home that they live in. Inside, not just outside."

We support the endorsement and encouragement in the White Paper around community engagement; effective and meaningful approaches should be enabled through the planning process. We would also go further and say that planning reform should articulate more clearly the overarching objective of planning: meeting people's needs through the places we create.

Design Council's work uses design as a tool to help ensure that the places, services and products that we create put people at the heart of them. This includes recognising the diversity of people and taking an inclusive approach to how we plan and design places. Our previous work supporting Locality and its work with and communities to develop neighbourhood plans; our research and delivery programme on Inclusive Environments, and our strategic design work around community networks and design skills, all place people at the heart of planning and public engagement. We are currently working with The National Lottery Fund and Local Trust to develop community design networks and the GLA's social integration team, to develop principles and frameworks that support civic engagement.

Earlier this year we published the report A Public Vision for the Home of 2030 as part of a government-backed scheme to drive innovation in the provision of affordable, efficient, and healthy green homes of the future. Its findings demonstrate the importance of allowing people to contribute to the design of their communities and homes and the planning system must mandate the use of genuine community engagement and co-design processes to meet this need.

To achieve this, communities need support, resources and tools to allow meaningful engagement. It is crucial that planning reform makes it clear that people are at the heart of successful places and ensures that this is the golden thread running through the planning system and the design process.

2. Addressing the climate crisis

There is now grave concern among individuals, communities, businesses and the government about the future of our planet. In November 2019 the term 'climate emergency' was chosen as the Oxford Word of the Year after its usage increased 100-fold within 12 months. The need to act on the climate crisis is clear.

Human activities such as burning fossil fuels, agriculture and land-use have become the leading causes of climate change. And if greenhouse gases continue to be released into the atmosphere at the same or similar rate as today, temperatures in the UK could rise by 6-10°C on the hottest summer days in the next three to four decades, affecting our health, wellbeing and infrastructure including transport and utilities.

Implementing stronger environmental regulation, redesigning our city systems and infrastructure, and shifting our behaviours to cut greenhouse gas emissions are the only ways we can move forward safely and sustainably.

We need to ensure that these principles come first in planning, rather than being overruled by other more short-term forces in development.

Design Council's commitment in our 2020-24 strategy is to add to wider global knowledge on new, more environmentally sustainable practices and help the UK meet its stated net zero targets. We are already delivering on this through our [Design in the Public Sector] programme with the [Local Government Association] which is supporting councils to innovatively respond to climate change, and through our work with [Guy's and St Thomas' Charity] in developing testbeds for reducing the impact of air pollution in Southwark.

"Sustainability is a fundamental consideration. If mankind does not live in a sustainable fashion, including the wider sustainable issues of climate change and global warming, all the other considerations regarding development planning control are irrelevant. We may all suffocate and die in comparatively well-designed houses. We must value the natural world within our own countries and not reserve our concerns for the Amazon basin. We know trees help in the carbon dioxide / oxygen balance, a process they do very efficiently. So – more green space, more trees in more places – road verges, urban pavements, pocket parks – and the budgets to maintain them and replace failed specimens."

"*The White Paper appears development-led. Green references are pushed into the future with regards to the Government's Zero Carbon strategy…. the overall relaxations of policy probably make green development less likely. Especially for housing, as green innovation is seen as eating into profit margins; suggest there should be more content about localism, local constructors / supply chains, community enterprise, co-ops, freeing up finance, and much more emphasis on green innovation at a local level. We see nothing in the White Paper on adaptation, on national demands analysis, on redundancy and repurposing. Given that demographically populations are on track to decline mid-century this crowded country will find itself with acres of virtually unusable built infrastructure."*

3. Supporting healthy lives

The places that people live, work, learn and spend their time in are a major contributor to the many factors that influence the long-term health and wellbeing of the population. The

design of buildings, streets, parks and neighbourhoods can support good physical and mental health, help reduce health inequalities and improve people's wellbeing. Conversely, car-oriented environments and hostile public spaces can contribute to sedentary lifestyles and social isolation, increasing people's risk of disease. Non-communicable diseases are the leading cause of death and chronic long-term impacts worldwide and we know that our infrastructure and built environment plays a significant role in contributing to them. We also know that the design of neighbourhoods and homes can play a significant role in preventing these health conditions.

Our Healthy Placemaking research highlights the barriers faced by built environment professionals in prioritising healthy placemaking, such as differences in ways the public are consulted, the perceived cost of implementing healthy interventions, and less emphasis being given to our indoor environments.

Evidence from various bodies including Public Health England and the UCL Institute for Environmental Design and Engineering paper make the inextricable link between the built and natural environment and health outcomes. Recognising that poor-quality environments have a direct and sometimes fatal impact on people through the prevalence of non-communicable diseases such as asthma exacerbated by air pollution, unhealthy homes and a lack of access to good quality green space.

The Place Alliance Housing Audit (2020), found that three-quarters of new builds in England were 'mediocre' or 'poor', finding that some developers are not incentivised to build well-designed projects. However, more needs to be done to enable this to happen consistently and meaningfully. Design needs to be better integrated into strategic planning at a local and national policy level, so we create places that work for everyone.

Planning has its roots in public health and social value as well as the development of new homes and the White Paper themes of beauty and fast track development should be strengthened by acknowledging the crucial role of planning departments, planning officers and developers alike for better health outcomes.

4. Championing high streets and town centres

Our high streets and town centres are at the heart of local economies and communities, creating natural spaces of activity, vitality and life. However, their role is changing – from the decline of bricks and mortar retail, but also from the fundamental effects that the Covid-19 pandemic is producing on how we live, work, shop and interact.

We have a once in a generation opportunity to reimagine our high streets, improve access for all, protect and encourage local co-working spaces and consolidate their position at the heart of communities. Pivoting high streets so that they provide for health, work, social integration, green space and creative and cultural uses that meet the needs of a diverse population, including, for example, protecting at-risk spaces for LGBTQI+ communities, is critical.

Design Council are partners in the High Streets Task Force, where we are working to support local leaders to breathe new life into high streets and town centres, as they adapt to the challenges of changing consumer habits.

We are also working with Power to Change, to support community led businesses in the high street, which highlights the need to recognise and protect community assets in high streets.

In addition, organisations like Sound Diplomacy have illustrated the necessity to ensure that planning reform protects and enables cultural creative spaces in our high streets.

Planning reform should allow the flexibility and direction to recognise the changing nature of our high streets. It should ensure that the protection and enhancement of community assets, cultural and creative spaces, is preserved through the approach taken to planning and licensing; use classes; the infrastructure levy; and Permitted Development Rights, while the opportunities of temporary and stalled spaces for more diverse uses should be harnessed.

5. Active travel and connectedness

Design Council has long understood the essential synergy of connectivity, active travel and transport infrastructure to homes and making better places. The White Paper focuses on homes and communities but does not look at transport collectively and holistically. There needs to be greater recognition of the crucial relationship of highways, streets and public transport to the creation of successful places.

Through our work on Home of 2030 and ThinkStation for Network Rail, we understand that people want to be better connected to each other and their whole communities. We have an opportunity to learn lessons from the pandemic, and place communities and pedestrians at the centre of placemaking and seek to reduce car use and create walkable neighbourhoods that encourage active travel.

We at Design Council are actively supporting this approach through our new strategic partnership with Sustrans and our continued work with Highways England and Network Rail.

In Active by Design we demonstrated the importance of accessible, walkable, human-centred neighbourhoods, where walking and cycling are the preferred mode of transport. It is crucial that we also recognise the importance of active travel in supporting healthier lifestyles, another prevalent factor in our country becoming more resilient to this and future pandemics. Another aspect of connectivity at a human pedestrian scale is one of neighbourhood friendly places that can alleviate loneliness, demonstrated by the work of the Loneliness Lab.

We recommend that planning reform takes a stronger approach to supporting good streets and enabling active travel by bringing together planning and design for streets and highways as part of new places. One tool to enable this would be to make the forthcoming revised Manual for Streets mandatory and ensuring that its principles are joined-up with forthcoming planning reform alongside the National Design Guide and the forthcoming National Model Design Code, while also building capacity and understanding of good street design in new highways projects, including encouraging highways authorities to participate in design reviews and more progressive road and street design.

6. Nature at the heart

Since the onset of the Covid-19 pandemic, we have globally recognised the importance and social value of green space, access to nature and good quality public realm.

Green space, and blue and green infrastructure is not just a nice-to-have. It should be given equal weight to housing and other land uses through the identification of strategic sites in regional and Local Plans and alongside local on-site provision.

Nature-based solutions and green infrastructure must be seen as an essential aspect of all development to support health and wellbeing, climate adaptation and the economic recovery of our communities, increasing land values as well as providing opportunities for local and regional employment.

Past research from Design Council, and current research from Fields in Trust and Park Alliance, show how access to green space and good quality public realm is intrinsic to good health and wellbeing and ultimately saves the public purse. It has also highlighted a lack of access to nature in areas of deprivation. Our planning system must enable access to quality open space.

Fields in Trust studies show that 3.7 million people do not have access to green space with a ten-minute walk from home. Our studies, Urban Green Nation and Community Green have shown a disproportionate lack of green space in deprived and BAME predominate communities and PHE, Friends of the Earth and Park Alliance studies all show the financial and health benefits derived from equitable access.

Ensuring the provision of more green and blue space, as well as the protection and enhancement of existing natural spaces, will increase our resilience to climate change and protect biodiversity.

Quality and quantity surveys leading to green space strategies that will act as a tool and action plan for local authorities should be mandatory and enshrined in both local planning and the new regulatory frameworks addressed in this White Paper. A baseline of good quality spaces within a ten-minute walking distance of all homes should be a call to action and a minimum standard for all neighbourhoods.

7. Delivering Design Quality

Achieving the above principles and realising design quality in new development requires the governance, the tools and the skills to ensure that this happens at every stage of the process.

This is a challenge now more than ever. Evidence from the Urban Design Group shows that almost half of planning authorities have no dedicated in-house design capacity. They can be reluctant to change or slow to implement new guidelines. And while many planning authorities benefit from an independent Design Review Panel, uptake is inconsistent, despite the NPPF encouraging planning authorities to make use of Design Review and other tools and processes.

We should be going much further in providing the strategic guidance and support to local authorities to ensure that they have access to the tools that ensure design quality at each stage of the process.

Design Council and partners have delivered key strategic advice and guidance for decades to local authorities, government agencies, developers, and key infrastructure agencies. Utilising our national network of Built Environment Experts, providing training to communities, Members, Local Authority officers through our Strategic Design Review, Inclusive Environments and Design in Public Service Programmes, we have produced key guidance such as: The National Design Guide (2019): demonstrating what good design means in practice. We have also provided recommendations and influenced policy and practice, for the revised National Planning Policy Framework (NPPF); worked with Network Rail, Highways England and combined authorities to develop design principles, and are currently working with the Centre for Digital Built Britain to help understand and communicate the digital skills required for our future graduates in the built environment.

This broad spectrum of work has given Design Council unique insight into the need for training, advice, facilitation and demonstration of what good looks like to communities, developers and Local Authority departments. However, despite our continuing work with partners and strategic stakeholders, we recognise that strategic design advice, training and support is fragmented and variable in quality.

A new Design Quality Unit – an authoritative, agile, independent body focussed on supporting and strengthening the existing network of delivery agencies, providing a framework for delivery and set standards for training and advice. It should reach across Government departments and its agencies, bring together and harness the energies of the wide range of professional, industry, campaigning and advocacy organisations and experts in this field, whilst influencing developers and local government and helping to give ordinary citizens and communities the confidence that design quality really matters.

Key recommendations

Before detailing our responses to the White Paper consultation questions, we first set out key recommendations for achieving the outcomes above and making the most of the opportunities that these reforms present.

- Prototype and test new proposals, taking a design-led approach to refine and develop the proposals in the White Paper to ensure they work effectively before national roll-out.

- Utilise design guides and codes as part of a more strategic approach to design which is creative, proactive and enables great places, not just great buildings, including clarifying the role of design codes at each stage of the process and introducing a requirement for locally led design visions as part of the plan-making process.

- Ensure local government planning departments are provided with adequate resources, capacity and skills to achieve the ambitious plan-making opportunity of this reform.

- Establish and support a Design Quality Unit supported by a national network of strategic and local design delivery bodies to help local authorities to drive placemaking at this strategic level through enabling great leadership and providing resources, skills and capacity.

- Ensure quality is maintained at all levels of the planning process, without replacing the development management process or the role of other tools such as pre-application advice and guidance and Design Review which ensure quality at the stage of submitting the application. Resources for local authorities to access strategic design support and training should be identified, and developers should be encouraged to access design advice.

- Build on the work carried out through [The Place Alliance Housing Audit (2020)](#), which highlighted design skills shortages and undertake a national survey of local authorities and key civic organisations, to identify the skills gaps, in order to develop a national framework for training in design.

- Give Chief Placemaking and Design Officers the agency, authority, and resources to implement and drive change and embed the principles of placemaking beyond planning departments and into the community, supported by local champions who can drive participation in the planning process.

- Strengthen the approach to planning for people, including inclusive approaches that introduce a new national framework and guidance on how to meaningfully engage communities in an inclusive way; providing new guidance on inclusive design in practice; and strengthening the role of neighbourhood planning.

- Ensure beauty is not skin deep by focussing future design coding and the fast track for beauty on how our homes and neighbourhoods work and serve us, and not just how they look – with new home that provide internal quality, natural light, adaptable,

fit for purpose space, comfortable temperature, access to green space, considering energy efficiency and achieving net zero targets, with less emphasis on aesthetic appearance and character, which are shown not to be people's priorities.

- Embrace digital opportunities and utilise this for more democratic engagement, while addressing digital accessibility and literacy in communities, focussing on inclusive planning for people and creating easily accessible tools. Establish new standards for local authorities for data and practice and build digital skills and capabilities.

Detailed response to consultation questions

5.   Do you agree that Local Plans should be simplified in line with our proposals?

Local Plans are at the heart of successful development, setting a vision and framework for future requirements, ambition and opportunities for an area. They also provide certainty and clarity to communities, developers and business. It is crucial, therefore, that in the new system the important role of the Local Plan is not lost or diluted.

Any simplifications that are introduced to Local Plans should not reduce the scope of policies which preserve the quality of new places, including requirements for housing that include affordable housing and overall housing design and quality; sustainability and addressing the climate crisis; open spaces and green infrastructure; environmental protection and biodiversity; supporting town centres and successful high streets; transport and movement; employment; social infrastructure and land uses.

The general development management policies that are provided at a national level instead of at this scale should therefore be of sufficient specificity to provide strong material weight and protect the critical aspects that ensure the quality of proposals through the planning system.

However, there is an opportunity to introduce greater clarity into Local Plans, to focus on strategic designations and a more spatial and design-led approach.

Furthermore, a renewed focus on visual Local Plans and on the role of frameworks, visions and masterplans with key principles for development at this scale would provide a level of spatial clarity that is often missing from current proposals.

7(a). Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of "sustainable development", which would include consideration of environmental impact?

There is a significant opportunity within these reforms to bring about more radical, further-reaching changes to sustainability that will more significantly address one of the major challenges the world is facing. A new approach to the tests for local plans and a focus on sustainable development could enable meaningful change to how we prioritise new plans:

> *"Potentially a really positive opportunity to really drive that next generation of sustainable development."*

> *"If the sustainable development objectives are going to be reinforced, they have to be much more radical, and much more ambitious."*
> *"A 'presumption in favour of sustainable development' is however, not a strong enough consideration and a total rejection of non-sustainable proposals should be the norm."*

Ensuring the strategic planning of communities that can be sustainably supported by infrastructure and transport; enabling strategic landscape and biodiversity planning; delivering social infrastructure; and creating successful, well-designed communities are all critical at the plan-making stage and should be fundamental to a new approach. Making sure people have good quality homes that they can afford is fundamental to achieving broader sustainability goals, while well-designed environments that are inclusive, dynamic and resilient provide the framework for the UK's economy and social infrastructure. Ensuring that new homes achieve the highest possible standards of energy efficiency and low carbon is a critical part of this, and all of these aims holistically need to be underpinned by robust environmental regulation that delivers not only on the Government's commitment to by carbon neutral by 2050 but which addresses this now, in the homes we have already built as well as those that we will be building in the future.

However, there is a risk that a new definition will not by itself drive this much-needed change, and the term sustainable development needs more clarity, especially given the significance of what it represents.

> *"I think the term sustainability is so broad and mean so many different things to people that I just think that, you know, having got to a certain level to then shift, again, will just add to further confusion."*

The proposals propose replacing the current set of tests with a single definition. In general, we think that this could be a benefit in helping to navigate through a complex system of tests. However, we do not think it should be used to reduce scrutiny.
A consolidated test would need to be clearly defined and rigorous to ensure that it genuinely supports the creation of environments and buildings that help to address environmentally, economically and socially sustainable places rather than allowing development at any cost to slip through the net.

> *"On a more fundamental point the big challenge to sustainable development in the UK/England is the overall pattern of development that is being driven by government policy, and which is creating great levels of inequality and undue pressures on our core ecosystems. The outcome of what is proposed even if the government's proposals achieve 'more beautiful' development, is that we will have well designed developments in unsustainable places."*

- Environmental and social aspects must be given more weight – at the moment focus tends to fall on development and economic sustainability.
- The role of Natural England, Historic England and others must be clarified.
- New approaches need to ensure that they don't diminish or marginalise key aspects of placemaking at a local level.
- More detail is also needed to *"how this concept can be used as some sort of test of soundness in a plan."*
- *"And it seems that this, this test of replacing soundness is obviously bound up with deliverability and the duty to cooperate."*

The legal position was highlighted too:

> *"Yes, if the proper consideration of environmental issues, and therefore the role of Natural England, Historic England etc can be clarified a simplified system would be*

advantageous, however the issue of legal weight alongside viability would still remain unless clearer policy established, this is likely to be the biggest area in which issues of Judicial Review and case law will continue to dominate the way in which development proceeds, or not.”

“Putting a SD test in law will just create more scope for litigation. The problem is that we have no national spatial planning – if we did then the system would be simplified by setting out what is required in the national interest and leaving it to the locality to sort out what is needed in the interest of the local community.

7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?

Planning at a regional and sub-regional scale is critical for the strategic oversight and successful coordination/integration of some of the most critical elements of good placemaking: including environmental management and landscape; economic development; land use; and transport and movement.

The local authority boundaries which determine the bounds of Local Plans are set at an administrative scale that does not reflect the geographies across which people live and work and at which landscape operates and interacts with its context.

While the Duty to Cooperate has not been a successful tool to enable effective cross-boundary issues, there have been other bottom-up initiatives which have worked very effectively in bringing about strategic planning. Examples includes emerging good practice in joint Local Plans such as in Greater Cambridge and South West Devon that exhibit a positive opportunity to strategically plan at the critical sub-regional scale. We think that more should be done to encourage these partnership approaches ideally across the geography of housing market areas.

We recommend encouraging and showcasing how consensus-led approaches and collaborative tools can build a shared vision and goals.

There is a role, too for the Design Quality Unit in both sharing best practice and helping to independently facilitate strategic planning and enable wider conversations that can set principles across sub-regional contexts.

However, stronger tools that enable strategic planning are undoubtedly required, ideally at the sub-regional scale and a truly effective approach will need regulation as well as incentive.

This will be more straightforward in the combined authorities where duties exist on the combined authority to enable strategic planning. In the absence of formal bodies that can help negotiate, we think that a partnership-based approach which captures the powers and capacity of existing strategic organisations would be the best approach, such as local enterprise partnerships in coordinating these efforts.

Finally, when it comes – critically – to directly adjacent local planning authorities:

> *"Policies could demand in Local Plans that areas within an appropriate distance of the Local Plan boundary must be subject to common policies to blur the distinction between Local Plan policies and create an intermediate zone which avoid abrupt policy differences."*

11. Do you agree with our proposals for accessible, web-based Local Plans?

Yes. In principle, the more details that can be digitised, put online, shared further and used to bring about more meaningful engagement when it comes to both Local Plans and planning applications the better.

Local authorities should establish new standards for data and practice and build up digital skills and capabilities, increasing democratic engagement and local commitment to design and place.

There is potential here to unlock the opportunity of plantech, and build on the knowledge and insight developed by organisations such as the Connected Places Catapult on the Future of Planning.

Digitisation should be seen not only as the new standard but also a tool to enable a more user-led approach with people at the heart.

For communities, digital tools can also go a long way in helping to facilitate more effective conversations with local people. The work of organisations such as Commonplace and initiatives such as ChangeExplorer have illustrated the power of using digital tools to reach out to broader audiences and harness better engagement; while initiatives like Toolz have provided 3D models of the city that can enable local planning officers and local citizens to envisage how new development will work within a city.

We must ensure, however, that a shift to digital tools and new participatory processes enables a more inclusive approach, rather than excluding groups or deepening the experience of exclusion for some. Digital exclusion is felt particularly strongly by people living in vulnerable circumstances such as homelessness, while older people or those with disabilities may also face other boundaries to accessing, using or feeling confident about using technology.

> *"The importance of using digitisation to directly meet public concerns and aspirations should be the focus of such changes, the professional sector, public and private can be required to meet their own needs, but none of the proposed changes seem to address the public and by using technology this fault could be addressed. For example, the end of planning notices in local papers may be inevitable with the consequential loss of income and further pressure on local papers, but the retention of site notices would seem worth retention."*

When it comes to Local Plans and planning authorities, *"firstly of course, it will be important to acknowledge the hard work by many authorities to date, in digitising their planning records amidst huge pressure on staff resources."*

The profusion of technologies and software currently used within local authorities presents a challenge and sufficient resource should be put in to make sure that their technology is fit for purpose. Local authorities also need to be provided with resource and access to training to invest in their digital skills to ensure that they have the knowledge and capabilities to do this and use it effectively.

The data which sits behind Local Plans including the evidence base; and the data which emerges from local plans through planning applications; often comes in different formats and is not accessible, adaptable or discoverable. For the evidence base of a Local Plan, this results in policy which quickly becomes redundant. We support this focus on a move towards data formats that can be accessed and discovered easily and effectively.

Given the scale and complexity, this should be a gradual project that plans for change: *"What would be sensible would be a period of trialling and transition ideally under the auspices of the new MHCLG design body."*

There should be clear national standards, methodologies and established protocols that allows this to be done effectively. Working in partnership with organisations such as the [Government Digital Service](#) including alignment with their new standards for data sharing and the [Centre for Digital Built Britain,](#) part of the Construction Innovation Hub, would ensure best practice and coordination.

Design Council's work with the latter on developing a capabilities framework will ensure that all new graduates going into built environment professions are equipped with the knowledge and skills required to enable a digital transformation of the built environment. They have a significant role to play in ensuring that the rest of the industry can keep up as well.

Finally – the digitisation of planning needs to link into the same process happening right across the development and construction lifecycle:

> *"The UK Government through its Construction Strategies has pioneered an industry uptake of BIM as a means to reduce overheads, relate to standardised prefabricated construction (well-illustrated in the Urban Splash examples) and improve efficiencies. Extending BIM to larger Planning Processes would therefore be worthy of examination and demonstrate a joined-up-construction approach."*

12. Do you agree with our proposals for a 30-month statutory timescale for the production of Local Plans?

We welcome the ambition to deliver new Local Plans at pace, in a context where only a third of councils have up to date adopted Local Plans and where out of date planning policy fails to provide a framework that can provide the quality of places and homes that we need. However – we question whether this timescale is sufficient, and this topic was divisive amongst our experts.

The main query around this timescale was the ability of a Local Authority to create, consult upon and agree a Local Plan that sufficiently understands and addresses local issues with enough political leadership to tackle the most important challenges.

On one hand, a BEE commented: *"Yes. It is better to have a less complex Local Plan in 30 months than an out of date complex Local Plan which is up to 7 years out of date and fails to provide relevant guidance on contemporary issues."*

Another, however, said: *"The lack of a comprehensive approach and the impact of other intended changes means that the direct relevance of these proposals to places is hard to judge and within the 30 month period how the robust evidence base required is collated and presented to set the scene to justify policies and delineations is challenging, unless clearer regulation and direction is set and promoted."*

We think that meeting a 30-month deadline will be particularly challenging considering the increased scope envisaged for Local Plans, which will take a much larger proportion of the overall planning effort than previously by front-loading the process and introducing more rigorous community engagement and the creation of design codes.

Yet another BEE focussed on the importance of quality over speed: *"It takes a long time to get it right. And I think this obsession with speed is really damaging. It takes time to get good development sometimes. And it should, because in order to talk to people in order to have good community involvement in order to do all the things you want to do is going to take time."*

Flexibility is important too. Ideally Local Authorities should be able to update the evidence base or elements of policy of already-adopted Local Plans more easily to help meet community needs more readily in a quickly changing environment.

In every case, the ability of Local Authorities to deliver the kind of Local Plans envisaged under the new system will be greatly improved if they are provided with the resource and skills that can enable this process to take place with sufficient knowledge, skill and support – something that the Design Quality Unit could enable, alongside well-resourced design and placemaking teams within local authorities.

13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system?

13(b). How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?

Yes. A new planning system provides a valuable opportunity to embed communities at its heart.

Neighbourhood Plans have formed, and should continue to form, a crucial part of a system that meaningful engages communities in a proactive, inclusive way in the future of their places.

- Neighbourhood planning has seen a huge appetite among local communities to take ownership of what happens in their area and to shape the change they want to see,

- from the type and quality of housing developed, to the community facilities and services needed.
- [Recent research for MHCLG](#) has highlighted that not only can neighbourhood planning play a major role in ensuring housing delivery, it has also helped improve design policy; help to define local priorities; and have improved local engagement with planning authorities and the attitude of local communities to development in the borough.
- This local involvement is essential. Our research and experience show, however, that people need evidence to value design, as well as powerful stories to understand how it works. Partly, this is because people can have their own preferences about how they receive information and what they find convincing.
- In our direct experience, neighbourhood planning has demonstrated the positive outcomes that come from engaging communities in planning for the future of where they live.
- Our work with Locality on neighbourhood planning forums has also provided [support and guidance to communities](#) around the UK looking to develop locally-led neighbourhood plans, helping to embed good design in local communities a providing tools, activities and key considerations to ensure the creation of great places.

In places, it may be appropriate to continue to work with neighbourhood forums to develop any additional design coding or guidance required for these areas which is envisaged by the new system, with local providers as part of the Design Quality Unit providing this resource and guidance.

However, neighbourhood forums need support and further capacity to make them a further success, something that the Design Quality Unit could provide. *"Not every locality has the community cohesion, skills and desire to produce a Neighbourhood Plan."*

There are also diversity and equality issues with neighbourhood plans, [recognised by the RTPI](#), that need to be addressed and could form part of the Design Quality Unit's work:
- Some social or demographic groups may not be represented within neighbourhood forums meaning that a neighbourhood plans only represents part of the community
- Some places have more existing knowledge, skills or experience and capacity within the community, meaning that they are better placed to be able to form neighbourhood forums and to be able to develop and put together policy, while others may not have the resources to make this a reality.

The more strategic role that neighbourhood plans can play was also covered: *"There is no recognition of the ways in which neighbourhood plans are delivering growth in the high street, housing and employment. Generally, there is no mention of the importance of local solutions, or participation in actual development schemes or creative place-making at site and neighbourhood levels."* We think that there is scope to apply the principles of neighbourhood planning to town centres and mixed-use areas.

Resource is again important. It is imperative that local planning authorities and neighbourhood planning groups are sufficiently resourced to enable them to produce local design expectations.

While we need to ensure that the new system retains the role of recent and relevant adopted neighbourhood plans, it is important that these documents remain relevant within the hierarchy of the new planning system.

As our BEEs pointed out: *"If the Local Plan is produced within 30 months with consultation stages and accompanied with design codes the scope and relevance of Neighbourhood Plans, which were a produced of the past Local Plan regime may not be relevant."*

Looking wider and further
Neighbourhood planning is just one way in which communities can be proactively involved in the future of their communities. Design Council recommends a more holistic approach using the opportunity of the planning reform and new design codes to engage communities at an early stage through design-led processes such as charettes that can bring communities together to proactively plan for their communities.

There is scope, too, to bring together some of the tools and methods that can be used with local community groups to co-develop visions and design codes, with those that might be focussed through a neighbourhood plan.

For example, Design Council has worked in the States of Jersey to lead a series of charettes to define a community-led vision for the future of the Esplanade Quarter at St Helier and its relationship to the waterfront and historic town. A key conclusion was the need to focus on a wider area, including the waterfront and harbour. In order to secure a wider vision, it was recommended that the existing masterplan should be de-adopted and that a community engagement strategy was urgently required. A process was agreed to develop a strategy for the wider area of South West St Helier aiming to seize the opportunity to create a new world class district.

MHCLG has recently led successful pilots for charette processes with JTP in Liskeard, Cornwall, and in Aveley with the Princes Foundation, supported by Design Council as part of our ongoing work in providing Design Advice to Thurrock Council. Continuing the good work of these initiatives and working in partnership will be critical to the success of a community-led approach.

A Design Quality Unit can play a key role in working with neighbourhood forums and other community groups to provide knowledge, capacity, skills and resources to bring groups together, facilitate the development of local visions, and develop neighbourhood plans. Community outreach should be a crucial element of the new unit: a dedicated individual working in local areas who works with local community groups, building capacity, information, helping to ensure that local planning issues are developed with the active engagement of members of the community and championing inclusion and diversity with the planning system.

17. Do you agree with our proposals for improving the production and use of design guides and codes?

Design Council has extensive experience in developing design guidance and best practice for local authorities and developers over many years:

- In 2006 we developed the national guidance for design coding alongside the Department for Communities and Local Government
- We provided extensive support to local authorities in the development of design guides, standards and codes, through the neighbourhood planning initiative with DCLG and through commercial client relationships.
- In 2019 we worked alongside Tibbalds to develop the National Design Guide for MHCLG and are currently working with MHCLG to support stakeholder engagement on the new National Model Design Code
- We have advised through Design Review and strategic advice on numerous major development proposals across the UK which incorporate the strategic use of design codes, from Canada Water in Southwark to Cranbrook in East Devon.
- Recently we have worked with the West Midlands Combined Authority to develop their Design Charter, to promote, inspire and encourage great design and to illustrate and guide applicants through providing case studies and examples of design approaches that can achieve their design principles
- We have developed design principles for Heathrow Airport, Network Rail and Highways England, working with the client to identify the core principles of good design that can inform their overall approaches to commissioning, design and management, and providing Design Review which measures against these principles.
- We have worked with Housing Associations including Clarion, Hastoe and Orbit to develop design principles and standards across their projects to improve the quality of housing. We have delivered a series of reviews to assess their emerging strategies and individual policy areas.

Overall, we support the proposals to introduce new design guides and codes into the planning system and welcome the overall renewed focus on proactive and design-led planning that they will afford. They are critical tools in the placemaking toolbox to help developers, designers and local authorities proactively plan for new communities and in the new system we recognise the fundamental role that they will have to play in requiring and regulating the quality of what is designed and built.

They are not a panacea, however, and need to be carefully thought through and embedded into a design-led system to be effective. These proposals require need further clarity to ensure that design codes add value and weight to a broader system that holistically enables and regulates for design quality. There is a risk that design codes alone may be too constrained as an approach – crowding out opportunities for good placemaking, holistic design thinking and meaningful engagement. They need to be better related to Neighbourhood Plans too, to ensure communities' efforts over the last 10 years are captured and protected within a new system.

- *"In reality, design codes are just one part of a complex urban jigsaw. Local knowledge, professionalism, and commitment to quality outcomes are key factors, and design codes will only work if these human aspects are in place. This means*

that the Proposed New Body as quality guarantor should be established PRIOR to the proposed reforms, so all the pieces are firmly in place, to ensure fully workable and evolving changes that have the confidence of the communities served."

If we are to be serious about design, any new guidance and design codes need to be fully embedded in Local Plans; properly developed with the input of the local community; flexible enough to allow for change over time; but specific enough to ensure that bad design doesn't slip through the net.

The aspiration in the White Paper that codes have real 'bite' by making them more binding on planning decisions is welcome. In reality this may be undermined by the simultaneous need for design codes to be flexible though, and this challenge needs further examination.

To counter these challenges, we suggest introducing alongside design codes a requirement for a design vision – a formal process in the planning process that enables holistic approach to placemaking in a particular place and which provides a framework around which codes and detail can be prescribed, and which meaningfully engages the community.

The first step, however, is to focus on the multiple purposes of design codes and clarify their purpose.

Which areas are coded?
- The White Paper notes that design guides and codes could be produced *"for a whole Local Authority area, or for a smaller area or site"*. The geography of the areas chosen will be key. Rather than linking them necessarily to areas which are categorised as Growth, Renewal or Protected, there should be a more place-led approach to designating areas. They are likely to be a variety of scales according to the context although should contribute to an overall character of place.
- *"There is little convincing evidence design codes will meet all settings but certainly in delivering large housing schemes and a collaborative approach by all parties they have much to offer. As with Growth, Renewal, Protect, it will be a question of suitability of particular sites and the abilities of the parties to cooperate."*

Who does it?
- The White Paper notes that there are several different routes by which local authorities can bring forwards design codes: by planning authorities, by neighbourhood forums, or by applicants. We know from our work on schemes across the UK, however, that in most cases where design codes are developed, they are by private developers for major new schemes with several phases as part of an outline planning application.
- We think that there is value in both these approaches but the process of who develops a code at which stage and the role that it plays required much further clarity. We have noted further thoughts on this below and in our response to Question 20 on the proposals for a fast-track for beauty.

The balance of flexibility and detail
- Design codes play an important role in providing Local Authorities and the public with confidence over the vision and the quality of a new neighbourhood or place that will be built out over a long period of time. Getting the right level of detail to ensure this quality will be crucial.

- The White Paper proposes that design guides and codes be developed alongside the Local Plan for inclusion within the plan or alongside as supplementary planning documents (SPDs). We suggest that a high level of direction is set within the Local Plan, to set the strategic designations and key principles, while design codes at a more detailed and local level can be delivered through SPDs and/or by developers as part of outline planning applications. This hierarchy will be critical to ensuring the appropriate balance of flexibility and detail at each stage, with a new flexibility for design codes to respond to changing environmental, social and economic circumstances and change and adapt over time.

The level of detail required
- Aesthetic form and appearance should not be the sole focus of design codes – it needs to enable the celebration of unique qualities of place. *"I'm concerned that it could be a dangerously unifying process that you could end up with very much a recipe book approach that I think could really negate all of the individual core qualities and characteristics of place."*
- Design codes are not sufficient to address the critical design issues that determine high quality development, and which are successful places for people to live and work. Broader urban design principles need definition too through the spatial frameworks in Local Plans; through the development of the higher level of 'vision' that we suggest needs to sit above the detailed design codes; and through additional guidance and standards where appropriate.
- However, we should ensure we go beyond proscribing specific design approaches as found in Vitruvius, and like the well-known Regency pattern books which promoted Palladian styles. These approaches have value from an architectural approach, and helped create the popular townscapes of Bath, Cheltenham, Leamington Spa amongst many others but they do not address the broader scope of issues or enable the parameters that can be seen through design codes.
- *"We have to make the distinction between design codes and pattern books. As the [guidance from the DCLG and CABE](#) states "A design code's aim is to provide clarity over what constitutes acceptable design quality for a particular site or area, and thereby provide a level of certainty for developers and the local community alike. Design codes set out design principles aimed at delivering better quality places, for example the requirements for streets, blocks, massing and so forth, or they may focus on landscape, architectural or building performance issues (for example, increasing energy efficiency). However, unlike many generic urban design guidelines or local development standards, design codes do not simply repeat policy or guidance found in other national or local policy or guidance documents."*
- The overall suite of guidance at national and local levels should address traffic and car parking: *"We know that when it comes to public engagement one of the public's abiding concerns is about the impact of traffic and car parking. And that concern concerns people far more, I think, sadly, then then design."*

Ensuring quality
- In the same way that independent Design Review forms a critical part of securing and ensuring design quality in schemes going through pre-application, we recommend introducing a renewed focus on the role of independent design review for design codes and guidance. These documents should go through rigorous design-led processes with external advice to ensure that they are delivering the best possible outcomes, and design codes should be tested.

- The 2003 DETR and CABE guidance offered detailed advice on the preparation and testing of design codes. We recommend reviewing this guidance to provide additional advice within the planning system on how local authorities can ensure rigorous tests for the quality of design code so that it is fit for purpose.

Involving communities
- Communities should be involved in design guides and codes. We think that their input should be focussed around developing a vision for their area – how it works, how it connects, the type of amenities and facilities, the things they need to live their life well – rather than only in the detail of coding.
- Involving people at this early stage enables more constructive and proactive thinking about the things that really matter, rather than prompting more conservative or reactive approaches.
- With this in mind, we support the proposal to only give material weight to local design codes that have been brought forward with input from the community.

"I think one of the issues about community engagement. And I do speak as someone who has had a lot of experience in this, that I think that people are deeply, deeply conservative when it comes to, to things like this."

"It's about having time spent on the design, it's about having those right stakeholders involved securing their commitment and actually, using and developing a vision for what kind of place is a very good way of doing it. So it's really important to have that strong element about what kind of place we try to create."

Design codes are not the only tool
- Design codes play an important part in securing design quality but alone they are not sufficient to secure good design quality.
- Spatial planning at a Local Plan level is critical so that a strategic code can be embedded in the Local Plan rather than relying on a call for sites, while codes as SDPs for growth areas, simple context analysis and briefs would be a good starting point and improve most developments.
- We also recommend considering other holistic design tools, standards and certifications alongside the system and making these available to local authorities: such as WELL, Fitwel, Flourish, Building for Life and other tools such as those led by the UK Green Building Council and BRE.
- Tools and encouraging where appropriate other more specific standards to be developed are also recommended, particularly for procuring organisations as we have seen in Homes England, Network Rail, Highways England and Housing Associations.
- Spatial planning at a Local Plan level is critical so that a strategic code can be embedded in the Local Plan rather than relying on a call for sites, while codes as SDPs for growth areas, simple context analysis and briefs would be a good starting point and improve most developments.

"Design is addressed primarily through design codes. There is no recognition that placemaking and achievement of good design should be inclusive, participatory and creative activities. The reliance on codes reduces the scope for meaningful participation at site level and could lead to soulless, formulaic development."

Resourcing

Where the White Paper envisages that local guides and codes will be developed by local authorities, the primary challenge will be ensuring that they have the capacity, skills and resource to effectively be able engage well and deliver the outcomes needed.

Pressure could also come from the 30-month deadline and potentially affect quality. *"…it feels like the pressure will be on for local authorities to look at the national model design code and there will be concerns about cut and paste codes where there isn't enough time to consult in 30 months."*

"I think this drastic change would actually mean a slowing up and a loss of quality over a period of time."

A new Design Quality Unit with local partners can offer a solution, providing strategic and practical guidance and support to local authorities, communities and other stakeholders – sharing best practice while ensuring that the intrinsic qualities of each location remain.

A Design Quality Unit

Yes. We strongly endorse the establishment of a Design Quality Unit for England and see it as key to achieving many of the ambitions set out in the White Paper. It is referenced throughout our response as a solution to many of the challenges being experienced in bringing forward high quality places and spaces, with more detail below.

Our work as one of the Place Alliance partners advocates this approach in recognition of the challenges we will all collectively need to address to realise the ambition of the White Paper reforms and to the need to address the serious issues of building back, levelling up and addressing social inequality.

Design Council recognises that organisations and government will need to work together to support local authorities and communities to rise to the challenge of building skills and capacity at scale and in the regions and meet many of the White Paper's overarching aims.

To successfully meet these needs, the Design Quality Unit should embrace the following key principles:

1. **Collaboration and partnership**

There currently exists a rich infrastructure and network of bodies and delivery organisations – many of which have shared ambitions, experience, and knowledge of strategic design advice to communities and local authorities. We endorse the need to work closely and collectively together to achieve shared outcomes as part of this initiative to develop a central body.

Existing organisations like Design Council and its 450 plus network of contracted Built Environment Experts, the regional Design Network, new organisations such as Public Practice, and organisations that support communities, like social integration organisation Belong and Groundwork UK for example, all play a part in the development of the built and natural environment already.

Working in this existing rich network with fellow organisations, where we have previously provided support for Neighbourhood Planning for example, with bodies like Locality and Power to Change to support communities, we endorse and recommend the facilitation of a supported network of delivery organisations that can make up both strategic and locally based Place Teams to assist communities, local authorities and developers, streamlining and making it easier for all to find and secure support.

2. **Regionality and scalability**

We need to address regional and local delivery and ensure that support provided to communities, local authorities and developers, derives from local place-based knowledge – where local providers know their clients/audience community best, as well as the strategic advice, supported by central guidance, policy and strategic advisors.

It is critical that a new Design Quality Unit provides both a central body that operates a national scale to provide co-ordination, to ensure a link to government policy and priorities, and to set guidance and best practice nationally – and a series of local providers, based on existing local providers who have a strong track record in delivering guidance, capacity and advice around the country – to ensure that this works on the ground.

"I think the regional networks are also really important to maximise the value… within the White Paper, it is potentially talking about reinforcing the existing network of architecture and design centres and I would fully endorse that, because I think those have a really valuable regional network of expertise. And I think starts drawing on the enabling role that those centres provide and was a strong part of CABE's strength of bringing skills and expertise along with good practice."

"In the design of such bodies the issue of who is capable and responsible for what, and what weight can be afforded to their views is critical. This question therefore exposes the principal flaw of the various reforms being considered, particularly with the issue of public legitimacy and responsiveness to local communities is a concern. Certainly, reforming the advice and assistance CABE was able to offer on schemes and planning policy development could be very useful, but the respective roles of Planning Advisory Service, Design Council, BBBB Commission would all need clarifying."

3. Diversity and inclusion

We need to ensure that a design body is diverse and inclusive. The organisations and people involved in it need to ensure a transdisciplinary approach, working with other sectors that are not exclusive to the built environment specialists. Design Council's Built Environment Network, for example, includes not only the core recognised built environment disciplines such as architecture, planning and engineering, but also broader areas – incorporating sociology, anthropology, health and ecology.

"The golden thread is design quality through that network, but also place sensitivity in terms of the importance of understanding context. And so that hierarchy and network needs to be very broad, to fit design, in a place sensitive way to the needs that are there, environmental, economic, and social. It has to look at a very broad range of facilitating partnerships and building in drawing in a lot of expertise, and is also a local level all of the elected members through a democratic process that are representing local communities, but also ensuring that communities are empowered through this process as well."

Meanwhile, the work of the Design Quality Unit needs to embrace inclusive practice and foster a more diverse conversation about the built environment. Currently only 1% of Architects are Black or Black British. It should be working to support the diversification of the industry, strengthening the voices of the BAME community and other under-represented voices both within the industry and also across the communities that it works with.

Recognising lived, local, non-London centric from a variety of backgrounds – socio-economic; race and ethnicity; gender and place experiences contribute to the levelling up agenda.

Deep and meaningful engagement practice is key. The Design Quality Unit's local partners can help support profound community engagement and foster deeper and more inclusive engagement. We propose ensuring that each local provider within the Design Quality Unit has a dedicated community engagement officer who can actively work with new and emerging local groups and help lead local communities through the process of how to engage with local development and new planning policy, visions, guides and codes in their area. Working with organisations such as the [Loneliness Lab](#), [We Belong](#) and the [Centre for Aging Better](#), for example will allow developers and planners alike to access the broad and growing knowledge about what people want from their new communities and also the specific needs of a variety of people build healthy, more connected developments.

4. Governance

For a Design Quality Unit to work effectively, good governance is crucial for allowing the balance of local influence and knowledge and unified central strategic advice offer. We recommend an independent organisation with separate governance but with close links to government to ensure that there is a close working relationship between the direction of planning reform and policy and the work of the Design Quality Unit.

This governance should also establish a relationship between the central body and local providers to provide co-ordination while also allowing local providers to respond to the particular needs of local authorities, developers and community groups.

5. Quality and standards

Taking the above principles – a balance of local delivery and central advice – there will be a need to develop standards of delivery and advice to ensure continuity and across the service providers. The Design Quality Unit can play a key role in developing guidance for the tools and practice required by local places to establish best practice. This could incorporate new guidance around effective community engagement; provide additional guidance and training where required around the creation of design visions and codes. The Design Quality Unit can also therefore ensure that there is a minimum quality of service provided by local partners.

For example, [the Principles and Practice of Design Review](#) were developed by the Design Council, endorsed by leading member organisations and referenced in the NPPF.

We think that the new hub and spoke Design Quality Unit can help to meet a number of the challenges faced by local authorities and practitioners involved in placemaking across the country by:
- Being a central place to drive ambition, to ensure that all those involved in the creation of new places have the motivation to deliver on the aspirations for design and quality, and to bring together all voices in a coordinated effort.
- Providing much-needed resource and capacity to local authorities who may not have this in house (particularly as there will be so much more work to undertake in the new system in the creation of new design codes and guides).
- Ensuring great quality design by working in partnership with those across the industry to explore new ideas, innovate and test these ideas.
- Helping to upskill local authorities and local communities through training, best practice and outreach.

- Playing a central role in research and evaluation of the built environment, ensuring that we are learning from our experiences in new development, to test that they are meeting the needs of the communities who use them, and sharing best practice more widely.
- Providing central coordination that links the activities of design advice providers, local authorities, and central government together and makes efficient use of the capacity to develop new guidance and resources or local authorities
- Providing additional Design Review, advice and support to developers, local authorities and neighbourhood forums involved in local areas to strengthen proposals and ensure a design led approach to development.

Why we need it
"I think that would be something that could be very helpful and support all actors in the development industry, because I think a lot of that is going to be needed with this amount of radical change. But balance between centralisation and evolution is really critical to getting it right, I think. And I think it's also important that doesn't undermine existing organisations that are effective in their fields."

"One of the things that has been missing for the last 10 years is a body that has a national clear remit and voice."

"And I think particularly from a national body around good advice on how to do things is really critical. I think it would be a shame if it's just a sort of one idea driven body. It should encompass exploring ideas and innovation and testing out different ways of doing things."

The role of a Chief Officer
The White Paper proposes a Chief Officer for design and placemaking who can help to drive leadership around design and placemaking and establish a vision for placemaking that is integrated across local authorities. This is a positive move and can demonstrate a commitment to placemaking and ensure accountability.

Our BEEs agreed:

> *"I think a Chief Officer, whatever you call them, is an indicator. But we also need to continue the push that people have been doing for years now to try and put whatever you call it: design placemaking planning, really at the heart of local government."*

> *"But what I do agree is the idea that they're putting a Chief Officer in there means that they are recognising that there is an absolute need to bring back strategic planning to support and design the design master planning work at the Local Authority level to better inform development; that I completely support."*

> *"Every planning authority should have its raison d'être the approval of high-quality design and the rejection of poor design."*

But placemaking is a holistic and multi-disciplinary process and we think that one person alone should not be expected to carry this. We envisage that a Chief Officer will bring a holistic perspective and the leadership skills to be able to bring local authorities along with them, working with wider design and placemaking teams and the local providers of the

Design Quality Unit to enable joint learning and training that can support planning and highways departments to be upskilled.

Where the Chief Officer and their team sits within a Local Authority will be important. They should be a level of leadership to ensure that they have strategic oversight and vision for all the parts of local government – not just planning and regeneration, but also highways (and where appropriate a level of direct relationship, oversight and duty imposed on the relevant highways authority), public health, economic development, and social infrastructure. This is a strategic role but they also need to reach into the detail within the planning department to provide support in developing briefs and strategies for regeneration, supporting the development of Local Plans, guides and codes, and assessing the quality of incoming planning applications.

Resource will again be a challenge for the effective introduction of a Chief Design or Placemaking Officer. We recommend that funding is allocated centrally on top of existing local government budget to enable the creation of these posts and appropriate teams of specialists.

> *"One of the key things in terms of effectiveness is that if you are requiring authorities to do that, you also need to provide the funding to create the post. Because as we know, Local Authority resources are stretched. And some authorities may already have an officer who can take on that role or give that description, but others may not."*

> *"And I think you can say the same thing for Chief Officer level, because I read a real tension in the White Paper speed, quality and [cost], and you can't have all three, we know that it's not possible."*

19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?

Homes England plays a unique role in being able to demonstrate government's ambitions for achieving design quality through directly funding and commissioning new homes.

As one of our BEEs put it: "*Homes England has an important role in demonstrating that high quality design is not an expensive option that can be negotiated away in public housing. The UK needs as many examples as possible of good design being delivered in an affordable fashion across a range of house and tenure types."*

Strengthening the role and value of design within Homes England and across its wider supply chain would be a significant and welcome step forward in being able to build best practice for all to follow, helping to overcome tensions between delivery and quality on the ground.

Design Council has applied practical design tools and methodologies to help embed design into organisations like Network Rail for example, demonstrating value for money, and the ability to design products and services that put the customer at their heart.

The White Paper notes that there is potential for Homes England to play a role as part of a new body for design quality in championing quality in development that they directly commission and setting best practice. This reflects the fact that many of the critical gateways for achieving design quality sit outside the planning system.

In 2019, Design Council's report to the Building Better Building Beautiful Commission set out recommendations on how beauty can be achieved through procurement. This included establishing the business justification; defining the procurement strategy; making the investment decision; all the way through into construction and implementation, handover, and evaluation.

We say in the report that an intelligent client will *'have the courage and the confidence to manage the process in a way that puts beauty at its core, rather than as a 'nice to have' that can be downplayed or sacrificed as cost constraints begin to bite, and that asserts that the delivery of beauty as part of the overall project is not negotiable. It is possible to place a quantifiable value on beauty in this context.'*

Homes England therefore has the opportunity to play a critical role to play in effective procurement and the promotion of quality. By incorporating these stages holistically into a measurement of design quality, it can demonstrate best practice and showcase for the government these key elements in new development.

To support this aim, Design Council has an MOU with Homes England in place already and is committed to supporting this approach, as well as the development of a skills centre of excellence across England which can complement the development of Design Quality Unit and its partner network delivery approach.

20.   Do you agree with our proposals for implementing a fast-track for beauty?

The White Paper proposes the introduction of a fast-track for beauty in order to incentivise and accelerate high quality development. Some of the proposals ,including principles around design coding are discussed elsewhere in this response, and we provide further detail below.

Overall, while we support the proposal to enable better quality development to come forward quickly, we are concerned that achieving both delivery and quality will be a challenge on the ground.

We support the proposition for more proactive planning earlier in the design process in the proposed system and believe that more focus on early stage design visions, guides and codes can play a valuable role in both providing more joined-up placemaking, better places, more certainty and speeding up the process.

However, this is not a replacement for the role of development management and other tools which also ensure that through the design development of individual proposals, and at the point of the application being submitted, quality is being upheld.

Pre-application stages are a critical opportunity for creative discussion, dialogue and design progression between the applicants and their design teams and the local authority. It is

through this process that there is the opportunity to build consensus, identify problems or risks early on, and creatively explore design solutions, even where these fall within the principles already set by a local framework, vision or design code. It is also through this stage of the planning process that Design Workshops, Review and other advice forms a critical part of ensuring that emerging proposals are being developed in a design led way. Design Reviews are a critical tool in enabling quality at these stages. Where we have measured participant response to Design Review, we have found that:

- 9 in 10 said the scheme had improved as a direct result of the design review.
- 94% said that their designs have changed to some extent following design review, and 1 in 5 had changed significantly in light of the design review.
- 83% of design teams, 79% of local planning authorities and 73% of planning consultants agreed that the design review had inspired higher quality design.

The planning application itself, and other accompanying tools such as planning application stage Design Reviews, form a crucial role in providing certainty for the Local Authority and other stakeholders that what is being proposed is providing the appropriate design quality. While we think the idea of a more proactive approach to new development is in theory positive, these safeguards in the system will remain critical if we are to ensure that bad development does not squeeze through the gaps.

Under a new Design Quality Unit, local providers can provide a valuable role in supporting a renewed focus on the design and pre-application stages of new development as well as at the initial visioning stage, through Design Workshops, Design Review and forms of design advice and support.

The White Paper also envisages that a masterplan and site-specific code are agreed as a condition of the permission in principle in Growth areas, with these developed in advance of the detailed proposals as part of the plan and then further detail by the site promoter.

We think that this approach can reap benefits in ensuring that visions and masterplans for new development are based on the most appropriate boundaries for new places and neighbourhoods and not by arbitrary land ownership boundaries, which is a frequent challenge seen in current strategic development.

The National Model Design Code or other additional guidance could introduce greater clarity as to the timing, purpose and intended content of design codes at each stage of the development process to provide greater clarity for local authorities who will need to lead on this process and minimise risk of duplication. Worked examples would enable local authorities to ensure that they are providing a level of detail that both illustrates the vision for place and the proactive side of design codes alongside one which allows quality to be maintained.

This should also seek to put safeguards in place to ensure that in a situation in which a detailed design code is being developed by an applicant, then the Local Authority has the power to determine whether the code is appropriate and allows for the best quality of design. In practice, developing and then assessing codes in this way often takes the same amount of resource for an applicant as it would a full, detailed application.

We also recognise and are concerned by the government's proposals to widen and change the nature of permitted development, particularly in the case of the change of use permitted development rights which has been demonstrated to result in sub-standard quality of accommodation, particularly in relation to space standards; mix of units; adequacy of light; access to amenity space and immediate location in comparison to schemes delivered through the planning application process. We would not support any further extension to this policy and the consequent negative impact that these types of schemes have been demonstrated to have on quality of life and health.

The White Paper proposals as regards permitted development raise the possibility to use prior approval as a means of approving proposals for the redevelopment of existing residential buildings. The description in the White Paper relates primarily to form-based development types and issues regarding local character, aesthetics and materials. However, these should not be the primary considerations in regulating design quality, a view strengthened by the findings of the UCL study which demonstrates that the greatest gaps in design quality come in internal space standards and local amenities.

This is supported by the findings from our recent report, which was developed alongside members of the public from across England. A Public Vision for the Home of 2030 shows that while there are 20 principles that people regard as important attributes of their future homes, these are not being met in their current homes – with the most significant gap being in those basic housing needs: homes which get the basics of good ventilation, heating, space and storage right; homes that are affordable to live in; and homes where people don't need to worry about everything working as it should. In this study, meanwhile, the appearance and identity of homes appeared as a much lower priority for members of the public.

These factors are critical determinants of health in new housing and the built environment and we feel should be prioritised.

In our view these are issues which form-based codes are not well-placed to tackle. However, a far better tool to ensure that development is appropriate would be to adopt a set of principles that can safeguard any permitted development by ensuring it adheres to a set of clearly defined standards.

One tool and set of principles that could help to do this can be found in the TCPA's Healthy Homes Act, which Design Council is a signatory to and which proposes a series of basic principles for healthy homes and neighbourhoods that will in turn require minimum standards for future homes.

Our BEEs found consensus on this topic:

> *"I think that 'design' in the White Paper is focused on beauty, and there is little acknowledgement that design can and should have a major part to play in addressing health and health inequalities. Places affect us from the air that we breathe to our ultimate sense of purpose and wellbeing. This is a question of social justice too."*

There is also a critical need to take into consideration all of the stages of a design and construction process which have an impact on design quality which already are outside the

typical scope of the planning system, and which risk being eroded further under a fast-track consent system.

In particular, this includes the process of value engineering which substitutes materials and processes in the scheme following planning approval and which frequently results in the undermining of design quality which may have been indicated at planning stage. Maintenance and management are also critical in determining design quality.

> *"Will value engineering, an activity of many projects erode quality after a fast track consent?"*

Design Council worked with the BBBBC to deliver a workshop on how beauty gets lost during the lifecycle of procurement. This directly relates to the term 'value engineering', which in itself should not erode quality – but design better processes during the build. However, the term has been used to suggest cash savings and erosion of design quality. Key recommendations in the report, highlighted the need to review procurement frameworks and to strengthen the ability of planners and clients to challenge developers who erode design intent through cash savings.

Prototyping the proposals in the White Paper
We support the idea of a pilot programme to test the concept of the various proposals under the fast-track proposal and support adopting this approach to test and design the proposals within the White Paper.

Pilots and prototypes of policy proposals can be an extremely effective way of testing new and innovative approaches to policy. Design Council incorporates prototyping and iterating as a core part of our work and approach, as seen in our work with the London Borough of Barking and Dagenham in prototyping solutions to debt on BBC 4's The Fix, and our Design in the Public Sector programme, run in partnership with the LGA. We have been supporting public sector staff to create more user-centred services for the last seven years and have supported over 70 councils to engage with residents, re-design and prototype services that have improved outcomes for citizens and increased the design skills and confidence of staff.

Finally, as one BEE commented:
> *"The biggest issue that is not sufficiently addressed by the White Paper is its deliverability by planners themselves… How do we improve deliverability? The White Paper must give Local Authority planners:*
>   i. *more power for development control during the planning application process, including the ability to demand adequate amenity space that passes design codes for high quality public realm*
>   ii. *more training for planners in development cost analysis. Planners often can't answer when developers claim loss of profit as a reason for low quality finishes, for example, because they don't understand cost analysis.*
>   iii. *mandatory open book accounting during development cost analysis, to allow planners to see the net profits of large applications when negotiating s106 agreements. Developers currently hide profits or use smoke and mirror tactics to reduce the costs of public space.*
>   iv. *government subsidies to call in Design Council BEEs made available to Local Authority planners for handling large applications."*

22(a). Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold?

22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?

22(c). Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities?

22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?

Both Section 106 agreements and the Community Infrastructure Levy (CIL) are critical tools that capture planning gain and consequently ensure that we can fund and deliver the infrastructure which creates genuine places and not just new housing.

As an overall principle, it is critical to ensure that an effective system of capturing development value exists so that local authorities can effectively provide critical infrastructure required by new development. It is these elements – green infrastructure and open spaces, highways and street improvements, affordable housing, and social infrastructure such as health, schools and community spaces – which will be the long-term determinants of success and are critical to ensuring inclusive, equitable places.

Within the technical debate on the appropriate mechanisms for capturing development value, we should not lose sight of this end goal and its contribution to creating successful places.

We recognise the complexity of this debate and that others will be well placed to discuss the detailed experience and the implications of reform to the current system, both from an academic point of view (see the work of Christine Whitehead and Tony Crook) and from local authorities involved in negotiations and the collection and expenditure of planning gain.

Overall, we think that a consolidated infrastructure levy with set thresholds may lack the flexibility that is often required by local authorities and developers involved in the negotiation of planning gain. On balance, we would recommend retaining the current system and exploring reform to improve its efficiency in practice, rather than replacing the system with a single consolidated infrastructure levy.

- For example, standardised CIL rate may not meet the infrastructure requirements that a major project may often require in terms of transport infrastructure or other social infrastructure. *"On some larger projects the CIL levy may not meet the infrastructure implications of the development. The CIL/S106 system enables the operation of a twin track approach. A consolidated infrastructure levy runs the risk of spreading the higher levy cost across development even if the development has not placed a specifically high burden upon the local infrastructure. This may make some forms of development unviable."*

- A consolidated levy may also risk nudging projects into unviability, particularly in different locations around the country where land values will affect the thresholds substantially.

Where an infrastructure levy does exist, we recommend that it is set locally to be able to flex to local land values given that there are such extreme variations in property values throughout the UK that no single rate would be fair and reasonable.

However, it still remains the case that local fluctuations in land values suggest that retaining a negotiable option through Section 106 would be preferable.

> *"The paper recommends simplification of the current CIL and Section 106 provisions. However, the proposal is written with an assumption of high growth areas, with little recognition of areas where viability is an issue. Clearly, there is little scope for raising monies in areas where development is marginal or unviable."*

> *"For me, you can be very sceptical about Section 106 for a whole range of I think, perfectly reasonable reasons. But the reality is that it is however cumbersome, a mechanism which is a negotiation between the Local Authority as it perceives its needs, and a developer and their viability plans and what they can afford. I believe on balance, the idea that there is a singular process in the same way that we're trying to introduce CIL rather than Section 106. My view is that the flexibility of the 106 and the negotiation at the local level for a particular job to meet particular needs, has some value."*

Borrowing against the infrastructure levy would be a sensible way of allowing local authorities to use their assets wisely to enable broader strategic investment and more proactive local decision-making and planning. This all forms part of local authorities being given the trust, powers and financial tools to be able to shape growth to meet their needs.

> *"Local Authorities should be able to facilitate and lead development rather than acting as a passive planning approval mechanism. Local Authorities, like housing associations, are sitting on billions of pounds of assets which can act as security for borrowing and thus enable them to be proactive in both approving, participating in and benefitting from development."*

We do not propose any specific comment or proposals on the questions related to an in-kind delivery approach. However, as regards the quality of affordable housing, we think that there are a number of steps that should be considered in a holistic way in terms of how to ensure the quality of affordable housing.
- Some of the challenges with much new build housing is well-documented, and Design Council has undertaken extensive work on providing guidance and standards on what good housing looks like, including Building for Life, the National Housing Design Audit and our work on a Public Vision for the Home of 2030. The Town and Country Planning Act's Healthy Homes Act also outlines some of the key principles to good housing quality.
- We think that these all act as reference points for what constitutes good housing, whether affordable or not, and we recommend that the approach taken to ensure the best quality of housing through policy, standards and guidance, independent scrutiny and review is established robustly within the planning system so that all housing

which goes through the system, including any potential in-kind affordable housing contribution, meets the standards expected of all housing.

- However, we also note that there are additional tools that can be brought in to ensure the quality of affordable homes where these are directly delivered by public organisations such as Homes England or by other housing associations or organisations. Our work with the Building Better Building Beautiful Commission on identifying the opportunities for beauty in procurement identified the key stages in procurement which go beyond the planning system to ensure quality is maintained.
- Our work with Housing Associations including Hastoe, Orbit and Clarion has also resulted in guidance and standards that can be embedded in all stages of the procurement process – from setting the business case; writing the brief all the way through to management and maintenance – ensuring quality throughout.

26. Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?

MHCLG has a duty under the Equality Act and the Public Sector Equality Duty to ensure that it considers how it can positively contribute to a fairer society, and the creation of inclusive environments should be a priority for all those involved in commissioning, designing and constructing our built environment.

Design Council believes that the overall objectives of the planning system should be to enable inclusive environments that secure an equitable society. We should be seeking to create environments that do not create barriers for people, regardless of their race, gender, disability, other protected characteristics, or their socio-economic status, but allow everyone to participate equally in society.

Our established Inclusive Environments programme aims to raise awareness amongst built environment professionals about the importance of designing places that meet the needs of the diversity of people who want to use them. It offers best practice, guidance and training around the five principles of inclusive environments:

1. Placing people at the heart of the design process
2. Acknowledging diversity and difference
3. Offering choice where a single design solution cannot
4. Providing flexibility in use
5. Creating places that we all find convenient and enjoyable to use

We have created accessible online CPD training for all built environment professionals to use, explaining what an inclusive environment is, why it is important, and how built environment professionals at all stages of the process can play a role in ensuring that all spaces and places that we create are welcoming and inclusive to all.

Further bespoke training can be tailored for organisations' specific needs. For example, in 2019 Design Council provided training for 500 Transport for London staff on inclusive environments and how they can create them across the TfL network.

We think that stronger, clearer messaging, the sharing of the tools and resources which already exist in the form of our online training, but also further more detailed guidance on creating inclusive environments should be developed to build on this strong start which aim to provide a better understanding and culture change across built environment professions about what inclusive environments are, why they are important, and how they can be ensured in real life.

Currently, the NPPF provides a critical part of the legislative framework that ensures that inclusive environments can be enabled. This is supported by planning practice guidance. Any revisions to this planning framework should strengthen this approach and put inclusive design at its very core.

New proposals brought about by planning reform should also put people closer to the heart of the planning process from the start – with meaningful engagement that represents diversity and provides people with the tools that they need to have a real say in their communities.

With this in mind and given the other changes to the planning system proposed in the White Paper, we advocate two new areas of planning practice guidance:
- Inclusive design: what it is and why it is important, building on years of work set out in the principles of good design and in the training that Design Council has developed on inclusive design.
- Community engagement – best practice and standard methodology for the sector that provides a proportionate, inclusive engagement from the earliest stages of planning.

Annex: Design Council resources

- Design Council: Reshaping Planning
- Design Council Impact Report: What design is and how to champion its use: Design Council's key achievements over the last 15 years
- Design Perspectives on Health and Wellbeing Priorities for using design to improve health and wellbeing
- Design Perspectives on Sustainable Living The role of design in enabling sustainable living
- Design Council: Home of 2030 Public Vision for Housing Principles developed by people from across England
- Design Council: ThinkStation Report: stakeholder insight into future station design
- Report to the Building Better, Building Beautiful Commission: Our response to the consultation
- Design Council response to the draft National Planning Policy Framework (2018)
- Design Council response to the Housing White Paper (2017)
- Design Council Healthy Places Insight into the relationship of the built environment to health
- Design Council report on Healthy Placemaking Research into the barriers that prevent us from creating healthy places
- Inclusive Environments
- The Housing Design Audit for England with Place Alliance
- Taylor Review 2013 Response Helping local authorities to interpret the National Planning Policy Framework
- Design Review: Principles and Practice Co-authored with Historic England and the Landscape Institute
- CABE: The Use of Design Codes (2003) How design codes can be used effectively to achieve certain outcomes
- CABE: The Role of Design Champions: The role of design champions in local authorities
- Urban Green nation (2010) Urban Green Nation 2010 the evidence base (2010)
- Community green: using local spaces to tackle inequality and improve health (2010)
- Green Space Index, Fields in Trust (2020)
- Revaluing Parks and Green Spaces, Fields in Trust (2018)
- Parks Alliance – Making Parks Count – The Case for Parks (2020)
- Improving access to greenspace: A new review for 2020, Public Health England (2020)
- Friends of the Earth – England's Green Space Gap (2020)
- Design in neighbourhood planning – how we can help you (2013)
- TCPA Healthy Homes Act
- Sound Diplomacy – The Planning for the Future
- ALL PPG – Productive Placemaking
- The Loneliness Lab and Connectedness DCMS task Group
- The Case for a Design Quality Unit for England
- The 100 year-life – Design Council Centre for Ageing Better and the Social Care Institute for Excellence calling for approaches to designing and planning homes to achieve age-friendly communities

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