



Department for Levelling Up,
Housing & Communities

PAS

Rising Stars

Conference

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Design Codes, skills and the LURB



Department for Levelling Up,
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Overview: the changes we are making to improve planning and support regeneration

The Government introduced plans in the Levelling-Up and Regeneration Bill on 11 May 2022 to transform struggling towns and cities by strengthening powers for local regeneration, ending the blight of empty shops on high streets and delivering the quality homes that communities need.

This includes improving the planning process so that it gives local communities control over what is built, where it is built, and what it looks like, and so creates an incentive to welcome development provided it meets the standards which are set.

The Bill introduces powers to support our approach to achieving this, which is by reforming planning to:

- **Deliver high quality design and beautiful places, and protect our heritage;**
- **Enable the right infrastructure to come forward where it is needed;**
- **Enhance local democracy and engagement;**
- **Foster better environmental outcomes; and**
- **Allow neighbourhoods to shape their surroundings, as this is where the impact of planning is most immediately felt.**

The Bill also makes a number of changes to the way that planning works, including improving digitisation of the system and improving processes.





The changes to planning and regeneration that we wish to see will not be delivered by the Bill alone. Changes to **regulations, national policy, guidance** and **wider support for councils, communities and applicants** will be just as important in achieving success.

The following slides outline our planning reforms and related regeneration measures more fully, including the actions which we are taking beyond the Bill.

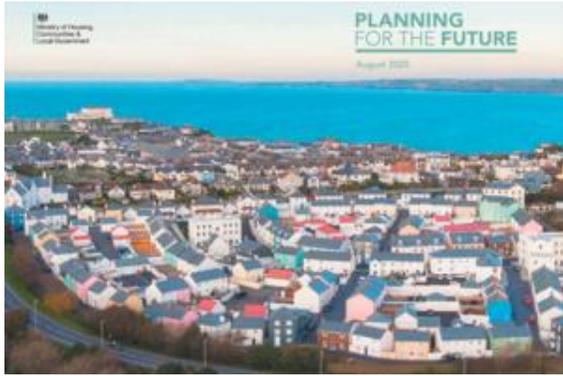


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Our legislative journey



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Levelling-up and Regeneration Bill

[AS INTRODUCED]

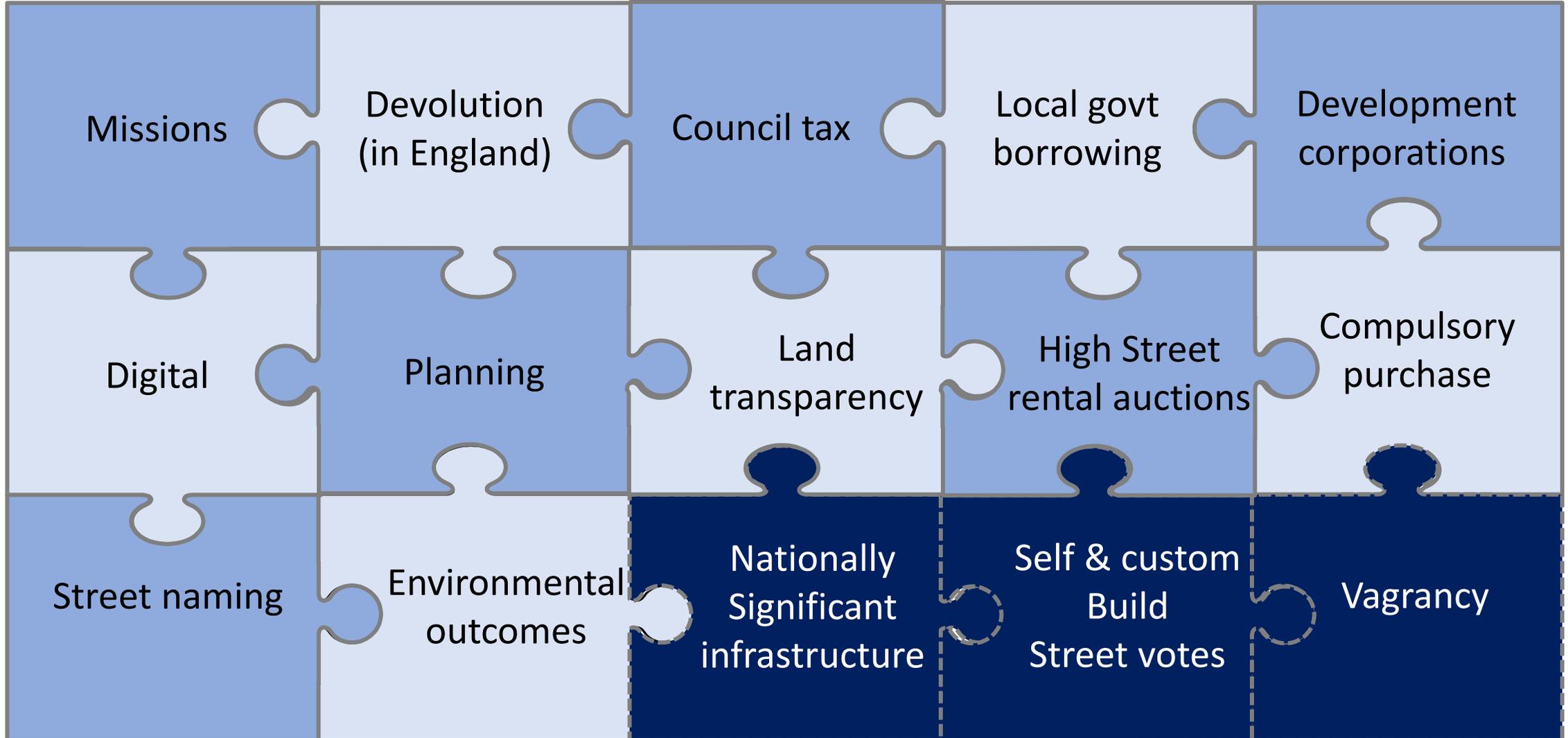
A
BILL
TO

Make provision for the setting of levelling-up missions and reporting on progress in delivering them; about local democracy; about town and country planning; about Community Infrastructure Levy; about the imposition of Infrastructure Levy; about environmental outcome reports for certain consents and plans; about regeneration; about the compulsory purchase of land; about information and records relating to land, the environment or heritage; for the provision for pavement licences to be permanent; about governance of the Royal Institution of Chartered Surveyors; about vagrancy and begging; and for connected purposes.





Scope of the Bill (areas by amendment in dark blue)





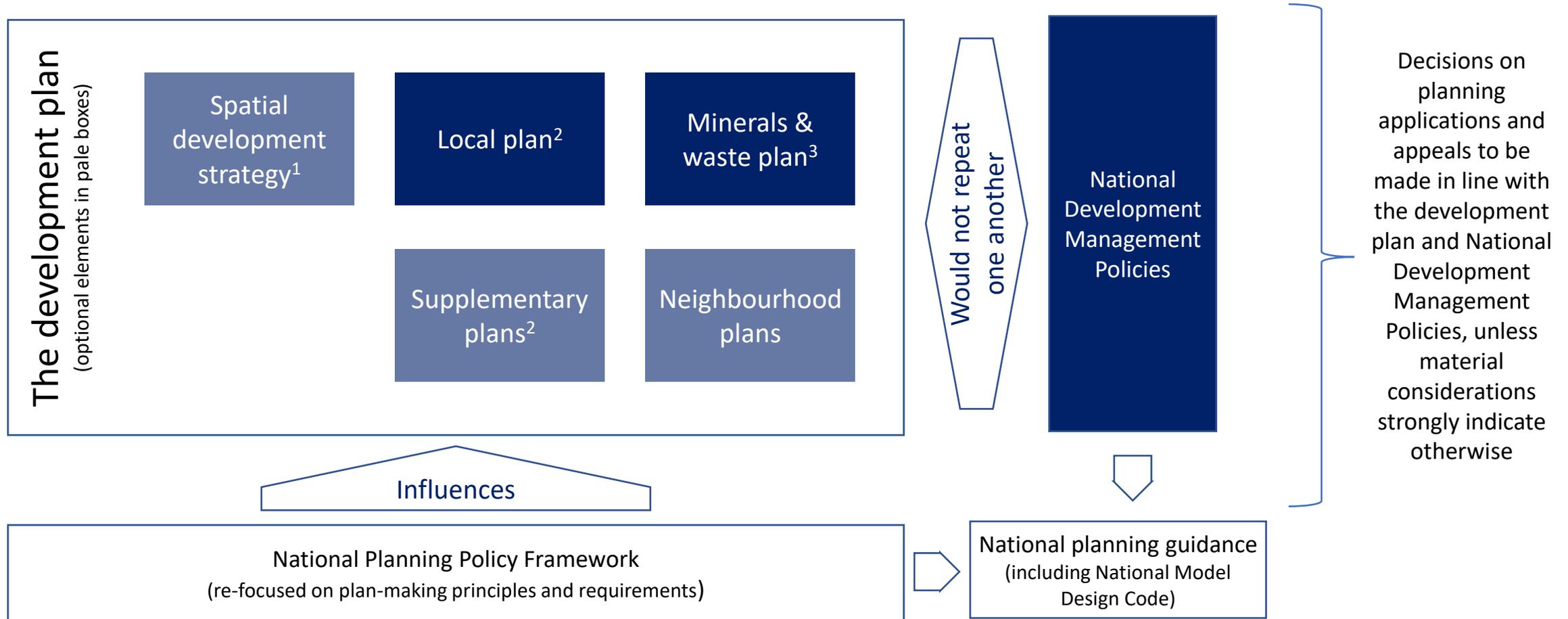
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Policy context



The role of plans and national policy in the reformed system

(elements with full statutory weight in decisions on applications shown in blue)



- 1 Mandatory where SDS powers have been conferred on Mayoral/combined authorities; voluntary elsewhere.
- 2 A **district-wide design code** must form part of the local plan, or else be contained in a supplementary plan. The local plan will also be informed by an **Infrastructure Delivery Strategy**, to be produced by the local planning authority, and by any **Neighbourhood Priorities Statements** produced by neighbourhood planning groups in the area.
- 3 Minerals and waste can be covered in separate documents, and can be combined with the local plan where an authority has powers over both.



Creating beautiful places and improving environmental outcomes

- The Bill would require **every local planning authority to produce a design code for its area**. These codes will have full weight in making decision on development, either through forming part of local plans or being prepared as a supplementary plan (15F in schedule 7).
- The Bill would **give important categories of designated heritage assets**, including registered parks and gardens, World Heritage Sites, protected wreck sites and registered battlefields, the same statutory protection as listed buildings & conservation areas (Chapter 3, clause 92).
- We will put **Historic Environment Records on a statutory basis**, placing a new duty on councils to maintain one for their area (clause 185).
- The **enforcement powers** available to protect historic buildings would be enhanced
- **‘Environmental Outcome Reports’** will replace the existing systems of Strategic Environmental Assessment and Environmental Impact Assessment with a clearer process (Part 5).
- This means plans and major projects (including Nationally Significant Infrastructure Projects) would be **assessed against tangible environmental outcomes** set by government, so there is a clear focus on pursuing positive environmental improvements.

Beyond the Bill, we will continue the work to establish the **‘Office for Place’**, which will support local planning authorities and communities on design coding.

We will also continue to support **design code pathfinders**, offering support and funding to 25 local authorities to produce local design codes, serving as examples to other areas.

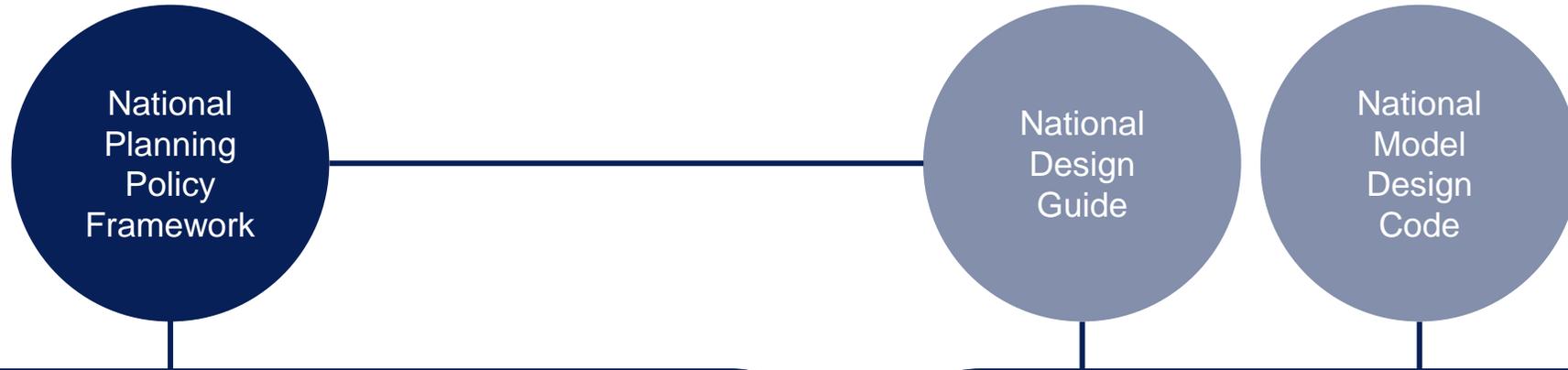
We will also consult on a number of changes to the **National Planning Policy Framework** to improve environmental outcomes.



- The importance of **quality**, as well as the **quantity** of homes was set out in the Housing White Paper in 2017.
- Design quality has been strengthened in the **National Planning Policy Framework** and associated guidance, including the **National Design Guide** and recently published **National Model Design Code**.
- The Secretary of State convened the **Building Better, Building Beautiful Commission** in 2019 and has announced the creation of an **Office for Place**, which will pioneer design and beauty within the planning system.



National Policy and Guidance context



POLICY –

- The National Planning Policy Framework **sets out** the Government’s **planning policies** for England and how these should be applied
- Sets out **how planning policies** and decisions should **contribute to and enhance the natural environment**
- Provides **a framework** within which locally-prepared plans can be produced and proposes that local plans should take strategic approaches **to maintaining and enhancing networks of habitats and green infrastructure**

GUIDANCE –

- Provides **detailed guidance** on the production of design codes and guides with emphasis on setting detailed parameters **for the physical development of a site including the integration of nature**
- **Emphasises the benefits that nature provides** in terms of health and wellbeing, biodiversity, climate and flood mitigation
- **Illustrates how well-designed places** that are beautiful, healthy, greener, enduring and successful **can be achieved** in practice



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Design Coding Guidance and Pilots



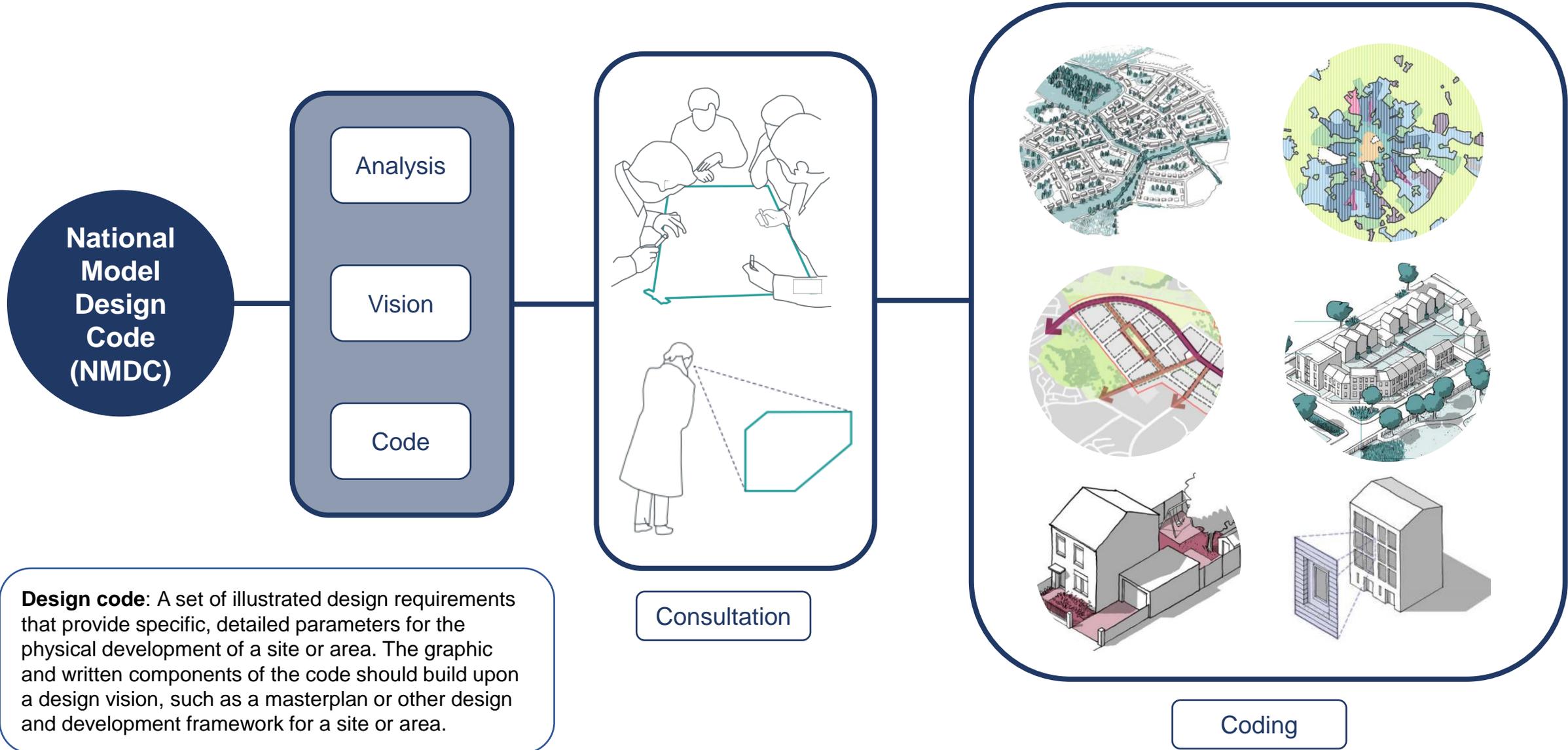
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- **10 characteristics** of well-designed places.
- **Process for developing local design codes** that set the rules for the design of new development which reflect local context and community preferences.
- Toolkit for **local councils to develop their own design codes**, to shape and deliver beautiful places for communities.
- Based on **genuine community involvement**.





National Model Design Code (NMDC)

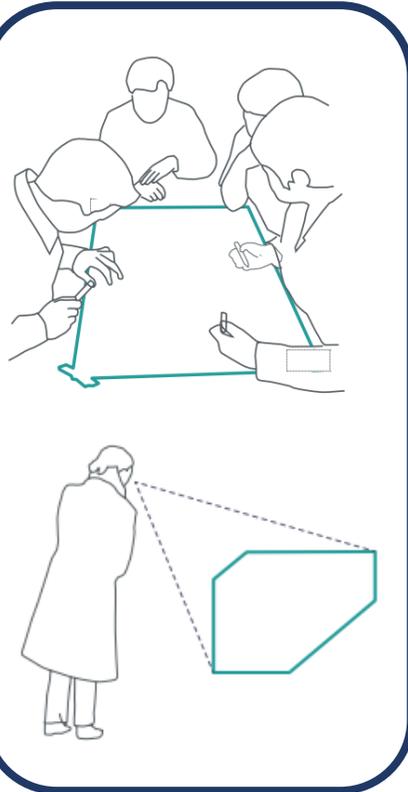


National Model Design Code (NMDC)

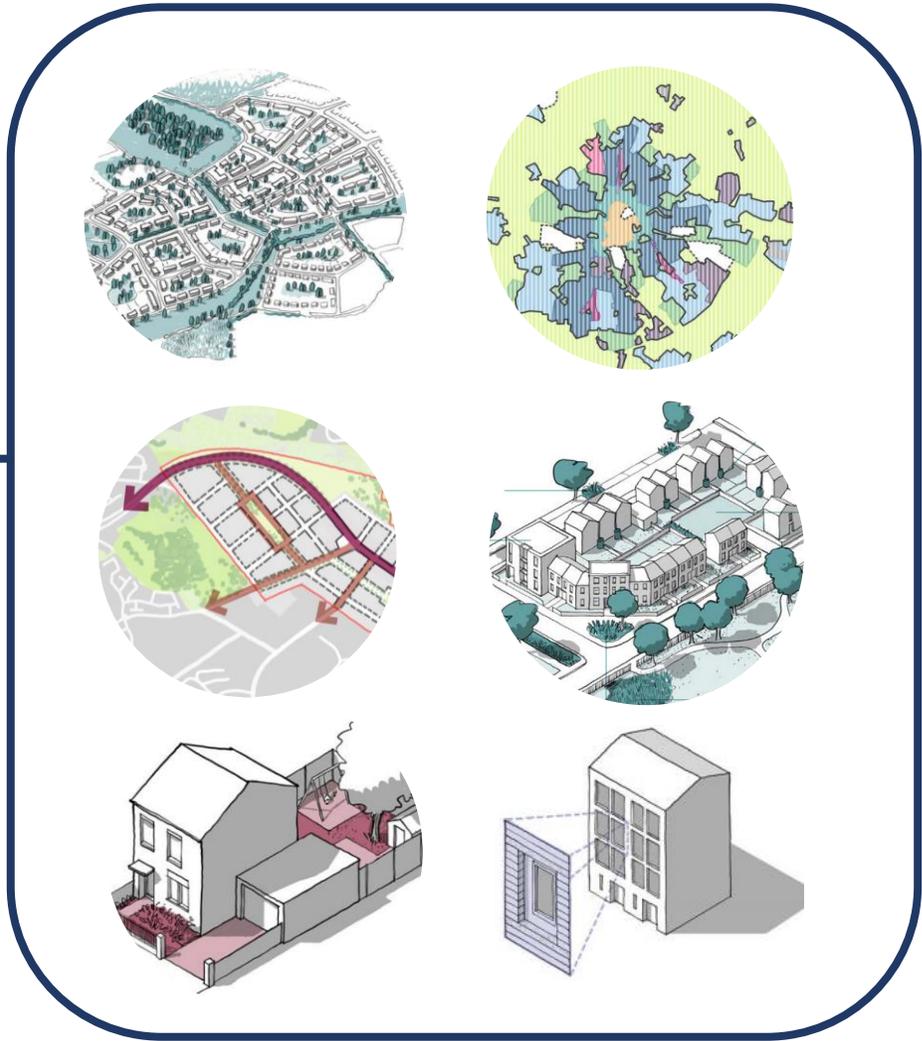
Analysis

Vision

Code



Consultation



Coding

Design code: A set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area. The graphic and written components of the code should build upon a design vision, such as a masterplan or other design and development framework for a site or area.



- The Testing Programme was designed to test aspects of the process and content of the draft NMDC in a range of contexts
- Over 70 EOIs were submitted to test the application of the NMDC in practice in local areas
- The Secretary of State selected 14 local authority teams due to quality of proposals and range of contexts being tested across the nine English regions
- Scale ranged from authority-wide to specific site testing

NMDC Testing Programme

- Buckinghamshire Council
- Colchester Borough Council
- Dacorum Borough Council
- Guildford Borough Council
- Herefordshire Council,
- Hyndburn Borough Council
- Leeds City Council
- Mid Devon District Council
- Newcastle City Council
- North West Leicestershire District Council
- Nuneaton and Bedworth Borough Council
- Portsmouth City Council
- Sefton Metropolitan Borough Council
- Southwark Council





Early findings: Using the NMDC in practice

- Defined structure with clear themes, easily understandable with flexible approach that can apply to local circumstances
- Useful to structure to NDG's 10 characteristics of well-designed places
- Engagement section provides useful overview of methods and techniques
- Illustrations and diagrams are helpful communicating principles in the text
- Further guidance on using area types and terminology definitions would be useful
- Example templates and design codes would be welcomed





Early findings: Testing process, skills and resources

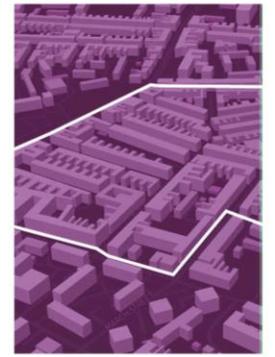
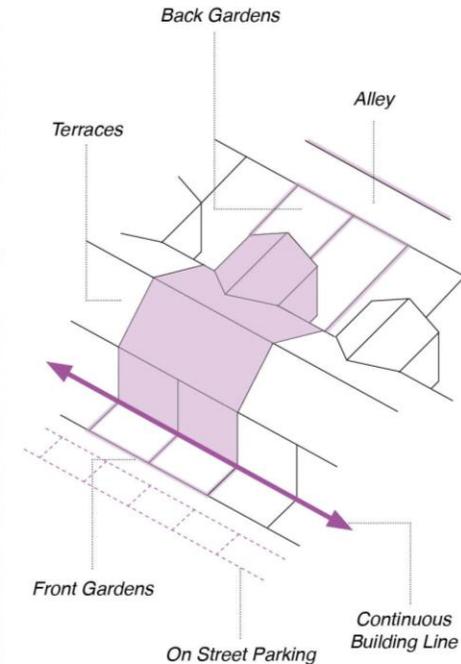
- Some teams have undertaken the testing fully in-house, however most have brought in at least some consultant skills due to identified gaps in skills and/ or resources
- Teams stated having in-house design skills assisted with engaging and guiding consultants
- It has taken many teams more time than they expected to bring consultants on board, fully define the testing area and scope, develop methodologies or obtain internal sign offs
- Teams found initial programmes often required more time and resource for aspects of the testing process (ie coding plans) or for internal engagement or coordination (although internal communication and updates are very useful)



Avg Block **W** 56m **L** 143m



Architectural Features/
Materials



Max Height

14m

Density Index
(building volume m3/
land area m2)

2.0
(low-medium)



Early findings: Engagement & using codes

- Community and/ or stakeholder engagement formed part of the testing for all teams
- Local political buy-in is important including for facilitating wider community engagement
- Considerable time and resources were needed for engagement – planning and delivery of events
- More guidance needed on the relationship between design codes and existing policy and role in refusing poor quality proposals





Source: Housing design audit for England; Place Alliance, 2019



What are we already doing?

This map identifies where a Local Authority has taken part in a pilot linked to planning reform. This map includes pilots which have concluded – Design Code Phase 1 and Digital Local Plans. Both the Design Code and PropTech Fund pilots have run two phases so far.

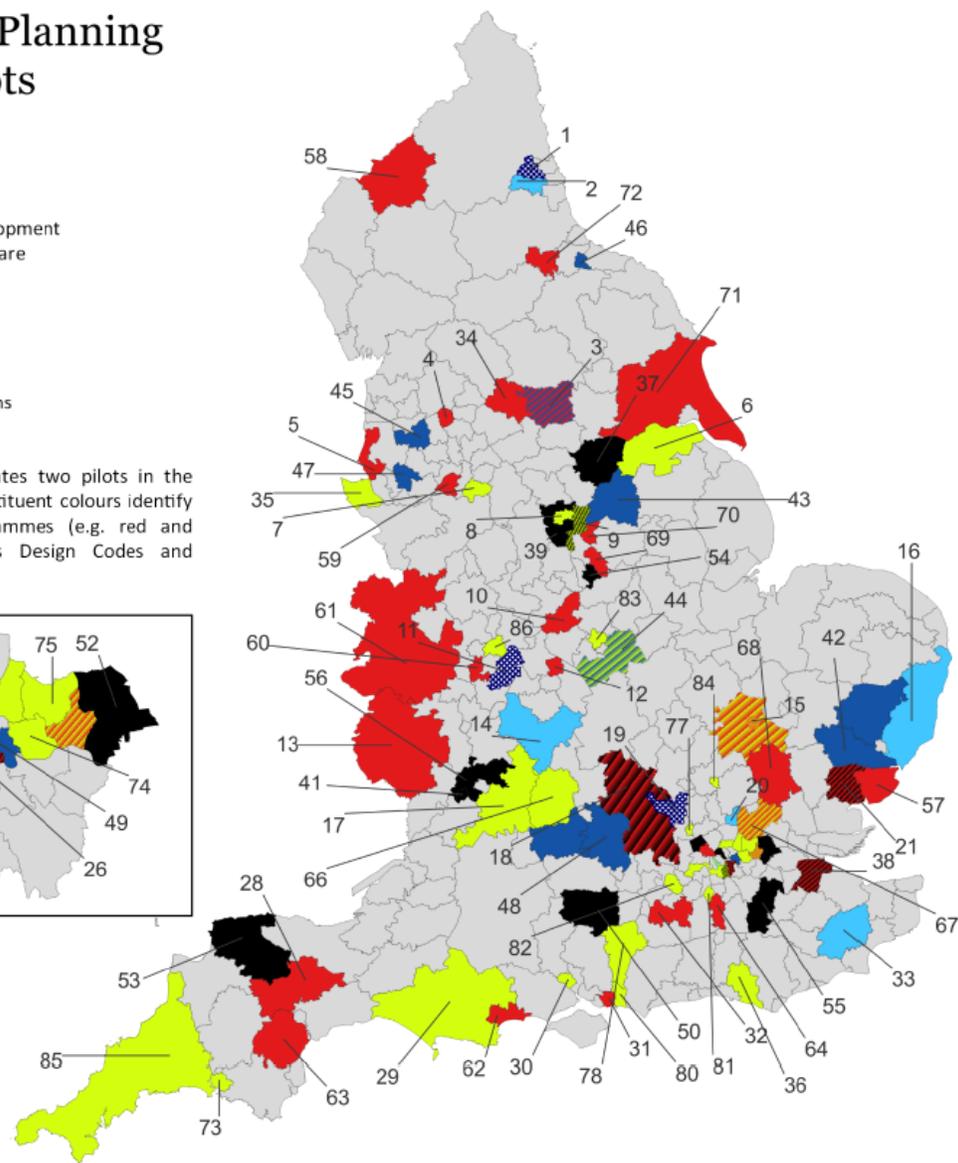
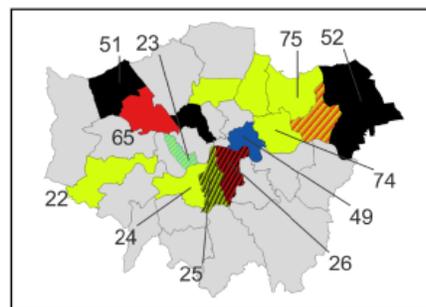
1	Newcastle	23	Kensington and Chelsea	45	Chorley	67	Epping Forest
2	Gateshead	24	Wandsworth	46	Middlesbrough	68	Uttersford
3	Leeds	25	Lambeth	47	St. Helens	69	Gedling
4	Hyndburn	26	Southwark	48	South Oxfordshire	70	Mansfield
5	Sefton	27	Barking and Dagenham	49	Tower Hamlets	71	East Riding of Yorkshire
6	North Lincolnshire	28	Mid Devon	50	Basingstoke & Deane	72	Darlington
7	Stockport	29	Dorset	51	Harrow	73	Plymouth
8	Chesterfield	30	Southampton	52	Havering	74	Newham
9	Bolsover	31	Portsmouth	53	North Devon	75	Redbridge
10	North West Leicestershire	32	Guildford	54	Nottingham	76	Haringey
11	Birmingham	33	Ashford	55	Sevenoaks	77	Watford
12	Nuneaton and Bedworth	34	Bradford	56	Tewkesbury	78	East Hampshire
13	Herefordshire	35	Wirral	57	Tendring	79	Waltham Forest
14	Stratford-on-Avon	36	Lewes	58	Carlisle	80	Havant
15	Greater Cambridgeshire	37	Doncaster	59	Trafford	81	Epsom and Ewell
16	East Suffolk	38	Medway	60	Dudley	82	Runnymede
17	Cotswold	39	North East Derbyshire	61	Shropshire	83	Leicester
18	Buckinghamshire	40	Camden	62	Bournemouth, Christchurch & Poole	84	Stevenage
19	Dacorum	41	Gloucester	63	Teignbridge	85	Cornwall
20	Broxbourne	42	Babergh & Mid Suffolk	64	Reigate and Banstead	86	Walsall
21	Colchester	43	Bassetlaw	65	Brent		
22	Hounslow	44	Harborough	66	West Oxfordshire		

Source: Office for National Statistics licensed under the Open Government Licence v.3.0
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Figure 1: Local Authorities involved in Planning Reform Pilots



Hashed symbology indicates two pilots in the same authority. The constituent colours identify the specific pilot programmes (e.g. red and yellow hashed indicates Design Codes and PropTech Fund).





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Skills and Capacity



Recruitment, pipeline and retention

Education and training

Delivering support to local authorities

Change management / ways of working

We have set up a Working Group to consider the solutions



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Next steps

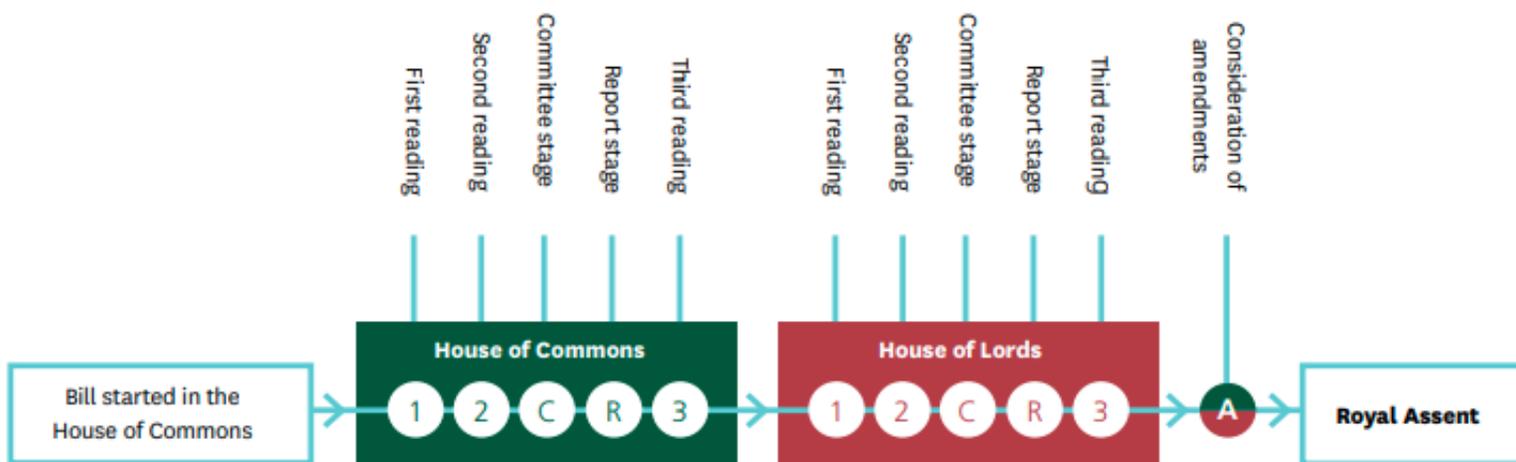


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The Bill was introduced on 11 May

Second reading (in the Commons) and at least part of the Committee stage should happen before summer recess

We hope the Bill will complete its Parliamentary passage within a year





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- During the Bill's passage, we will continue work on the detail of regulations, policy, and guidance. This will include an announcement on our vision for the new **National Planning Policy Framework (NPPF)** and indicating, in broad terms, the types of National Development Management Policy that will feature in it.
- There is also much that requires further consultation to inform detailed policy development. The government will launch two major consultations promptly in the Bill's passage. These are a **technical consultation on the detail of the Infrastructure Levy**; and a **call for evidence on environmental outcomes** that the Integrated Assessment will deliver for.
- The government will also consult and engage on other elements of the programme, including **community engagement, planning fees**, aspects of the changes to **compulsory purchase compensation** and the quality standards that **Nationally Significant Infrastructure Projects will be required to meet** to be considered for fast-track consenting.
- Once the Bill has received Royal Assent, government will run a full consultation on a draft NPPF.

