Department for Levelling Up,
Housing & Communities

Design Codes and the Levelling Up and Regeneration Bill

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Overview

1. **Background on design policy and guidance (3 mins)**
2. **Design codes and the LURB (7 mins & 5 mins for Q&A)**
3. **NMDC Testing Programme (2 mins) and Design Code Pathfinders (5 mins)**
4. **Next steps for design coding (3 & 5 mins for Q&A)**

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Background on design policy and guidance

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Design Quality

- 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 announced the creation of an **Office for Place**, which will pioneer design and beauty within the planning system.

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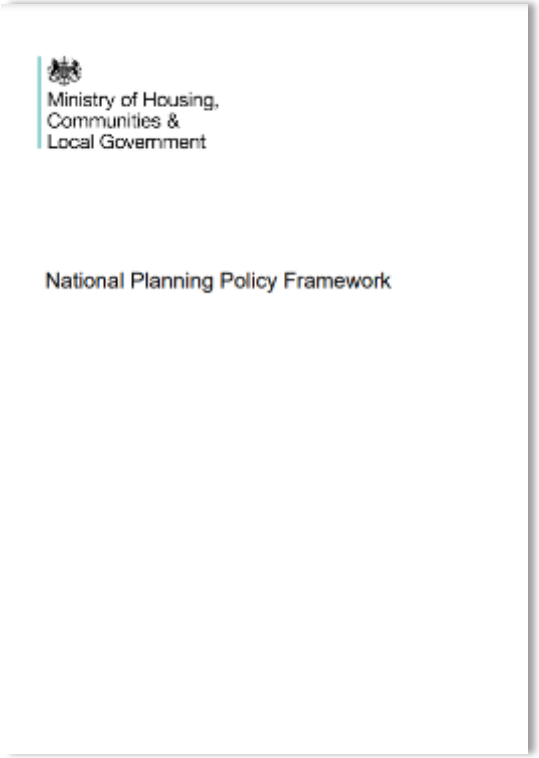
National Policy context

- Updates to the **National Planning Policy Framework (NPPF)** which sets out the Government's planning policies for England and how these should be applied.
- Updates to the NPPF **provide greater emphasis on granting permission for well-designed development and refusing it for poor quality schemes**.
- Chapter 12 focuses on *Achieving well-designed places.*
- Other updates to the NPPF reflect design quality and beauty, for example making beauty and placemaking a strategic objective of the planning system and **an expectation that local authorities will produce design codes or guides**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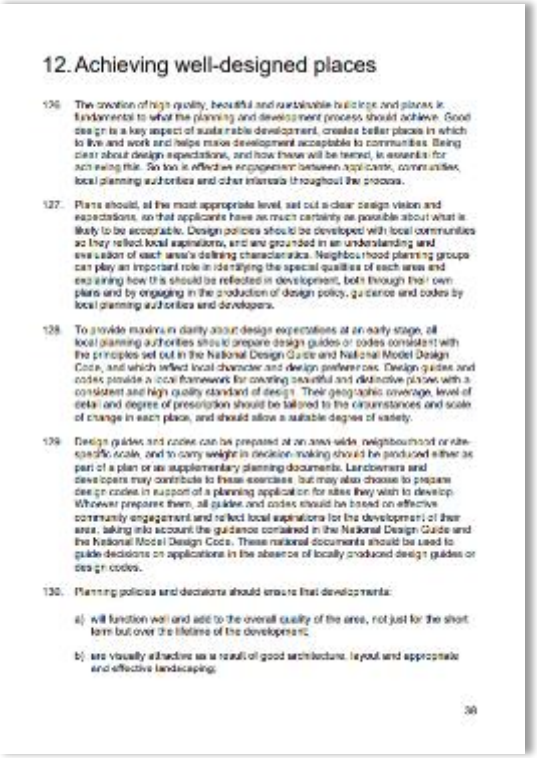
Communities &
Local Government

National Planning Policy Framework


12. Achieving well-designed places

126. The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

127. Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.

128. To provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences. Design guides and codes provide a local framework for creating beautiful and distinctive places with a consistent and high quality standard of design. Their geographic coverage, level of detail and degree of prescription should be tailored to the circumstances and scale of change in each place, and should allow a suitable degree of variety.

129. Design guides and codes can be prepared at an area wide, neighbourhood or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents. Landowners and developers may contribute to these exercises, but may also choose to prepare design codes in support of a planning application for sites they wish to develop. Wherever prepared, all guides and codes should be based on effective community engagement and reflect local aspirations for the development of their area, taking into account the guidance contained in the National Design Guide and the National Model Design Code. These national documents should be used to guide decisions on applications in the absence of locally produced design guides or design codes.

130. Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

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Planning Practice Guidance

The National Design Guide

- Sets out 10 characteristics of well-designed places (right)

- **Well-designed places** have individual **characteristics which work together to create its physical Character.** The **ten characteristics help to nurture and sustain a sense of Community.** They **work to positively address environmental issues** affecting Climate. They all contribute towards the cross-cutting themes for good design set out in the National Planning Policy Framework.

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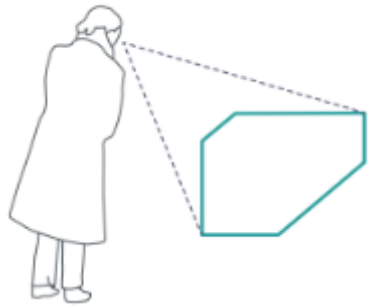
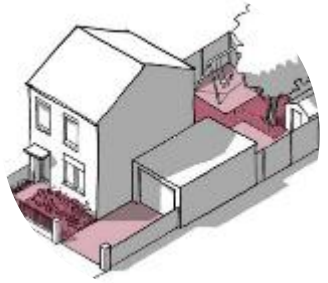
Planning Practice Guidance

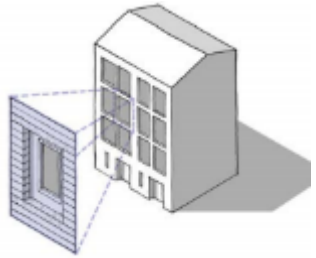
National Model Design Code

- 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.

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Design Codes and the Levelling Up and Regeneration Bill

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Creating beautiful places
Levelling up and Regeneration Bill

- The Levelling up and Regeneration Bill seeks to:
  - **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).
  - allow local planning authorities to set design requirements at other scales either as part of their local plan, supplementary plan (15C and 15CC in schedule 7), or as a neighbourhood plan (clause 88).
  - Include a requirement for local planning authorities to prepare a Local Plan Timetable (15B in schedule 7), which includes how the authority proposes to comply with the requirement for authority wide codes.

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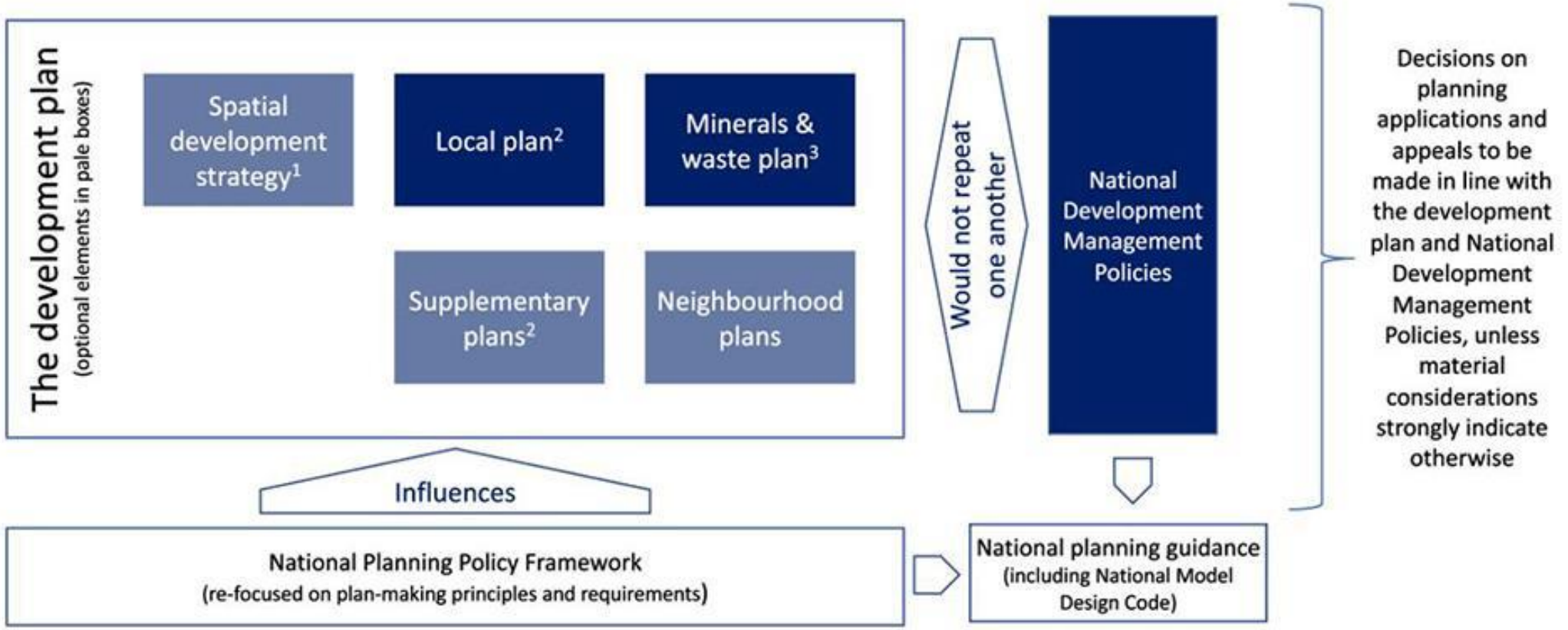
The role of plans and national policy in the reformed system

(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.

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- During the Bill's passage, we will continue work on the detail of regulations, policy, and guidance.
- The consultation on reforms to national planning policy was published on 22 December 2022, to seek views on:
  - our proposed approach to updating to the National Planning Policy Framework
  - our proposed approach to preparing National Development Management Policies,
  - how we might develop policy to support levelling up,
  - how national planning policy is currently accessed by users.
- The consultation runs until 2 March 2023.
- Once the Bill has received Royal Assent, government will run a full consultation on a draft NPPF.

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Creating beautiful places
Beyond the Levelling up and Regeneration Bill

- 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 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.

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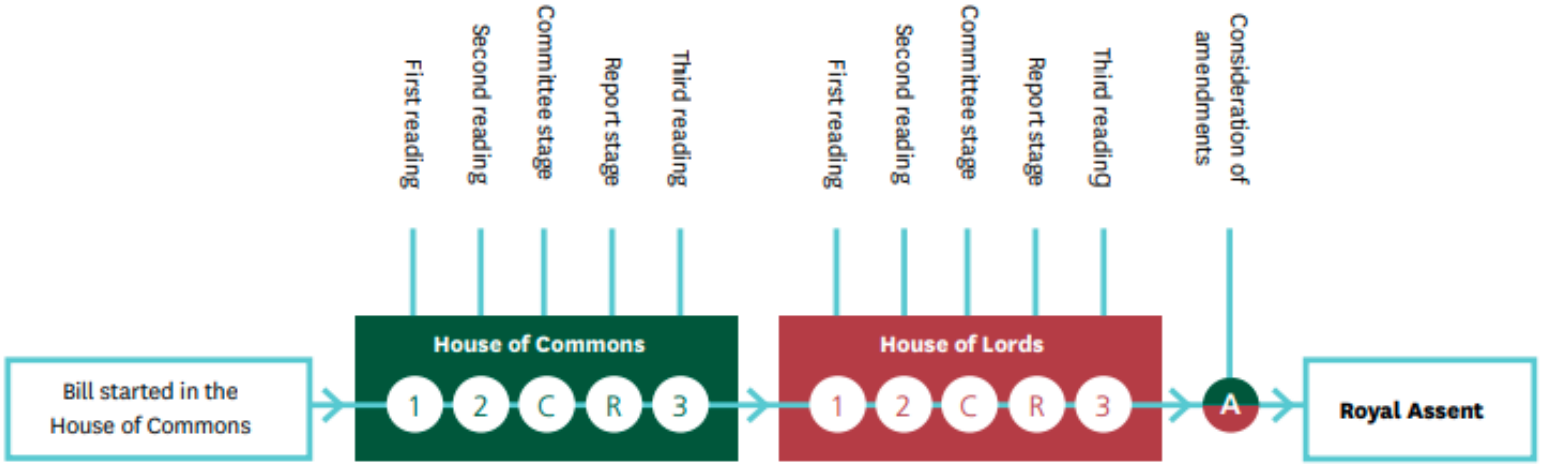
The Bill was introduced on 11 May 2022

The Third reading in the House of Commons was undertaken on 13 December 2022

The Second reading in the House of Lords was undertaken on 17 January 2023

It is anticipated the Bill will complete its parliamentary passage in Spring 2023



UK Parliament

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Q&A - design codes and the LURB

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NMDC Testing Programme and Design Code Pathfinders

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Lessons identified by NMDC testing pilot teams

- Sending a clear message about design quality (and design coding) expectations
- It takes time, skills and resources, particularly if engagement is required
- Some places are more challenging and complex, but setting ambition is key
- Understanding viability (at the start of the process)
- Balancing creativity with certainty, must-haves with nice-to-haves
- Giving codes status
- Don’t reinvent the wheel
- Clear local leadership, bringing stakeholders together
- Community knowledge is valuable but has its limits
- Different approaches needed to code at different scales

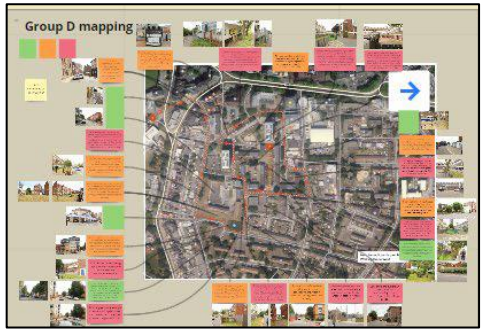
Herefordshire: guidance for NP codes

Rural authority-wide

Hyndburn: coding for garden village

Large sites and extensions

Portsmouth: Toolkit for estate renewal



Town centres and neighbourhoods

Southwark: Coding for opportunity area

City centre regeneration

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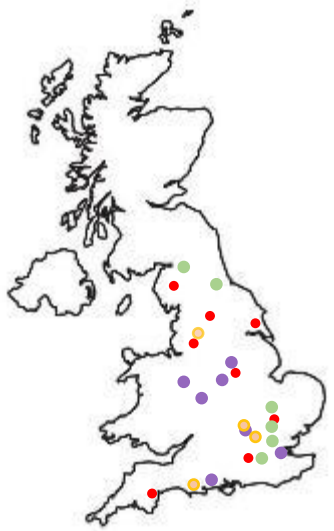
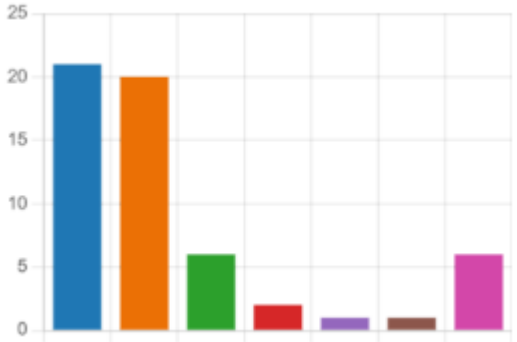
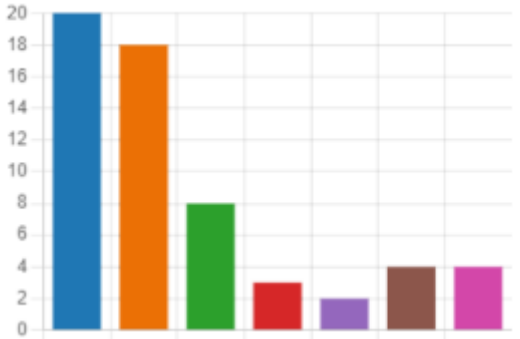
Which of the seven steps of the Coding Process described in the National Model Design Code has your Pathfinder engaged with over the last month:



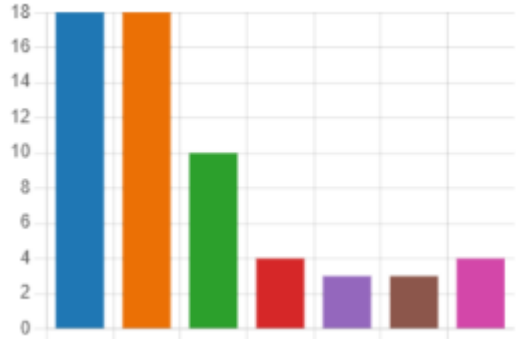
21 LPAs
4 NPGs



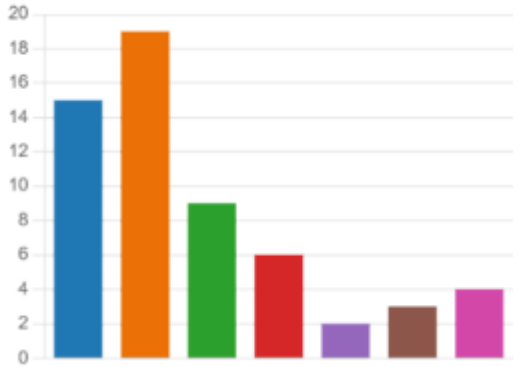
May



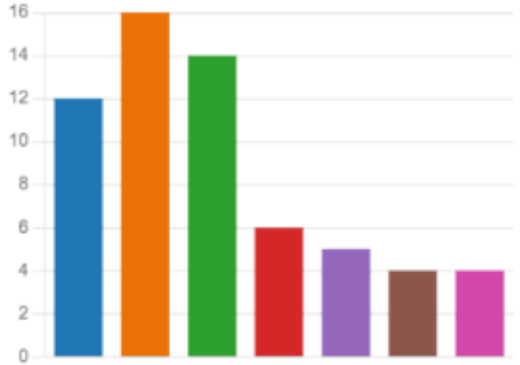
June



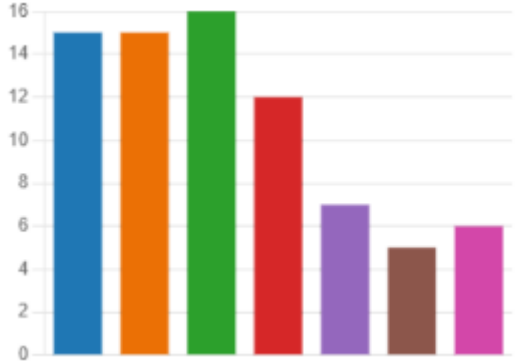
July



August



September



October

- Scoping
- Baseline
- Design Vision
- Coding Plan
- Masterplanning
- Guidance for Area Types
- General Guidance

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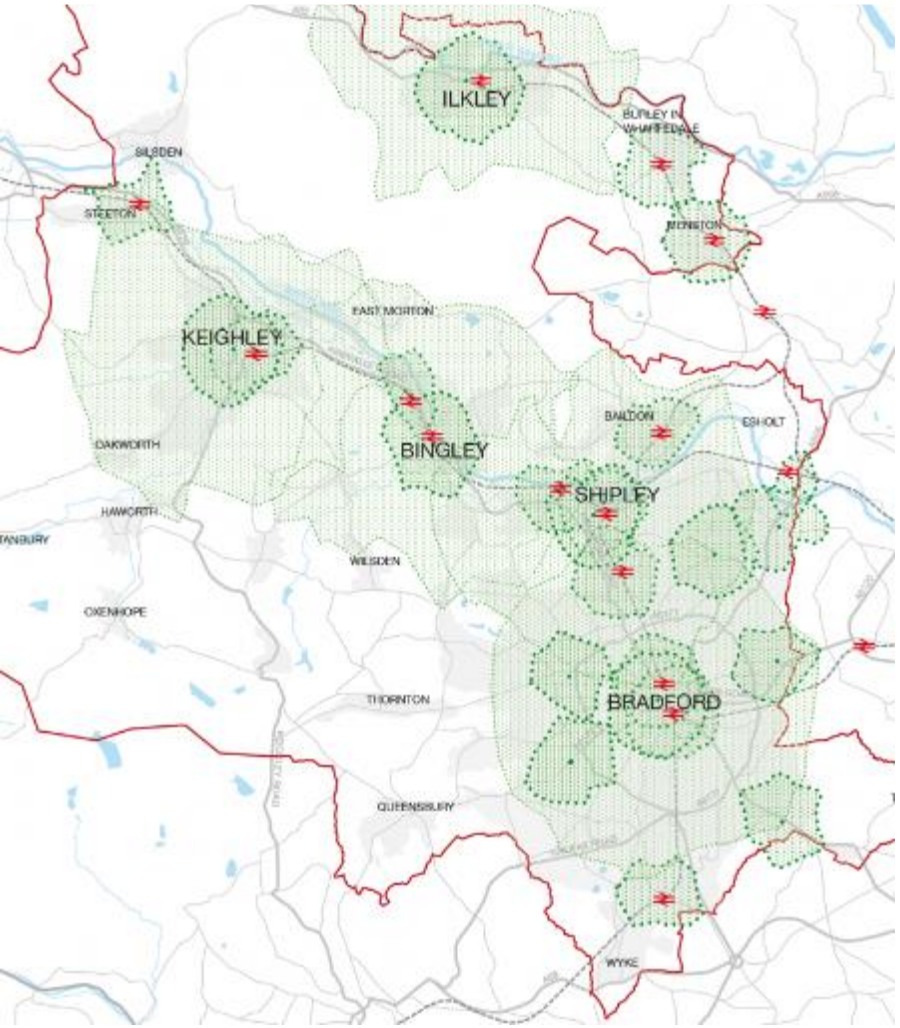
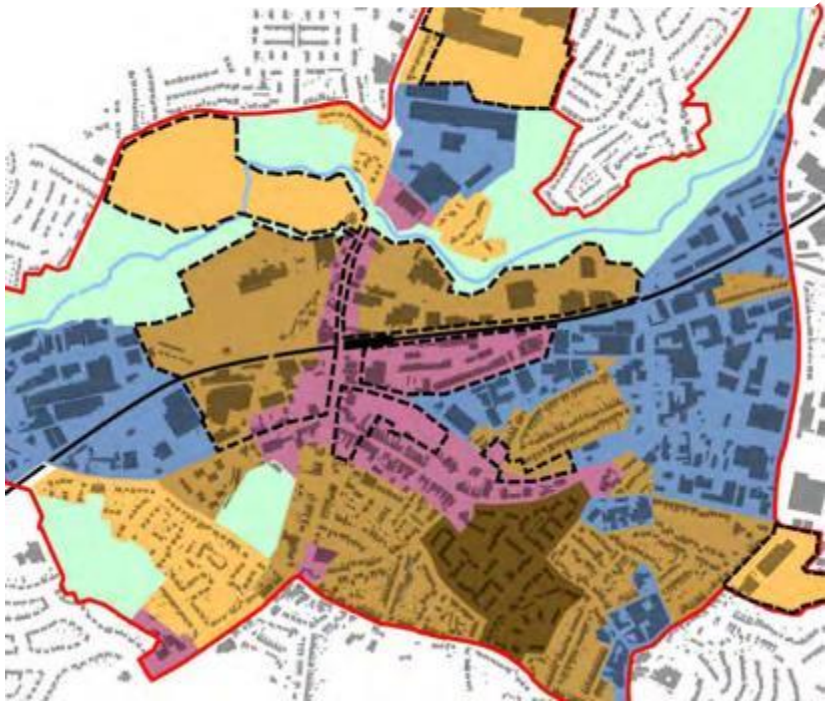
Local character and identifying area types

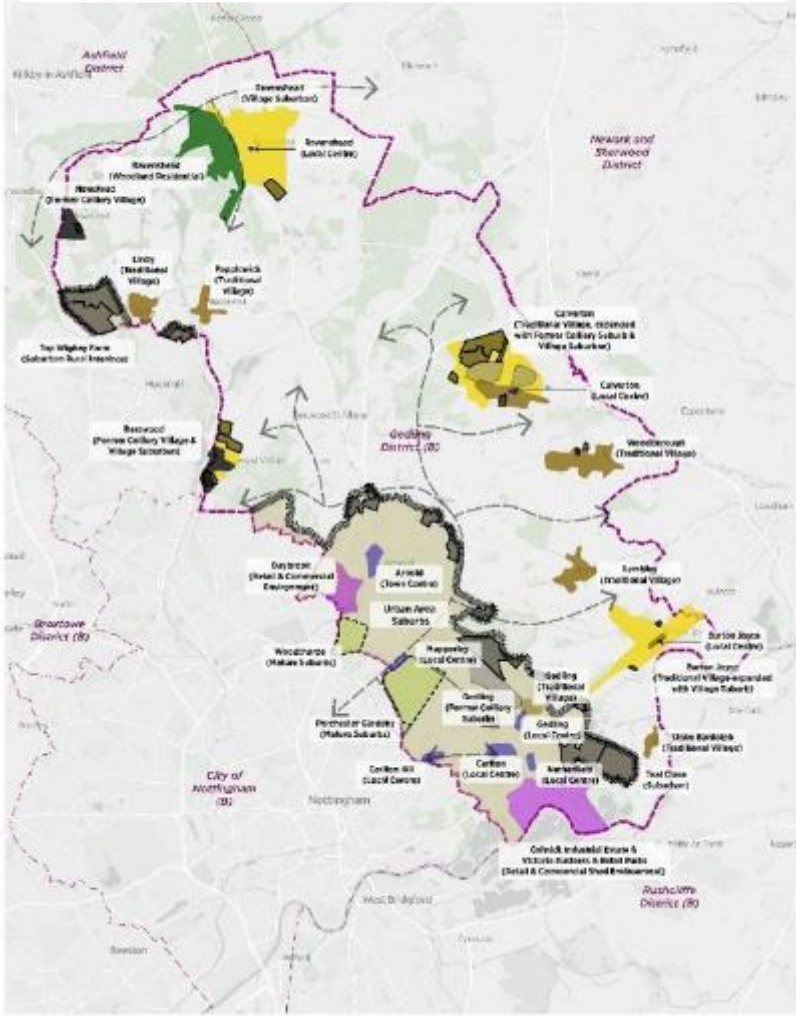
15min walking and cycling



Former industrial town



Settlement area types



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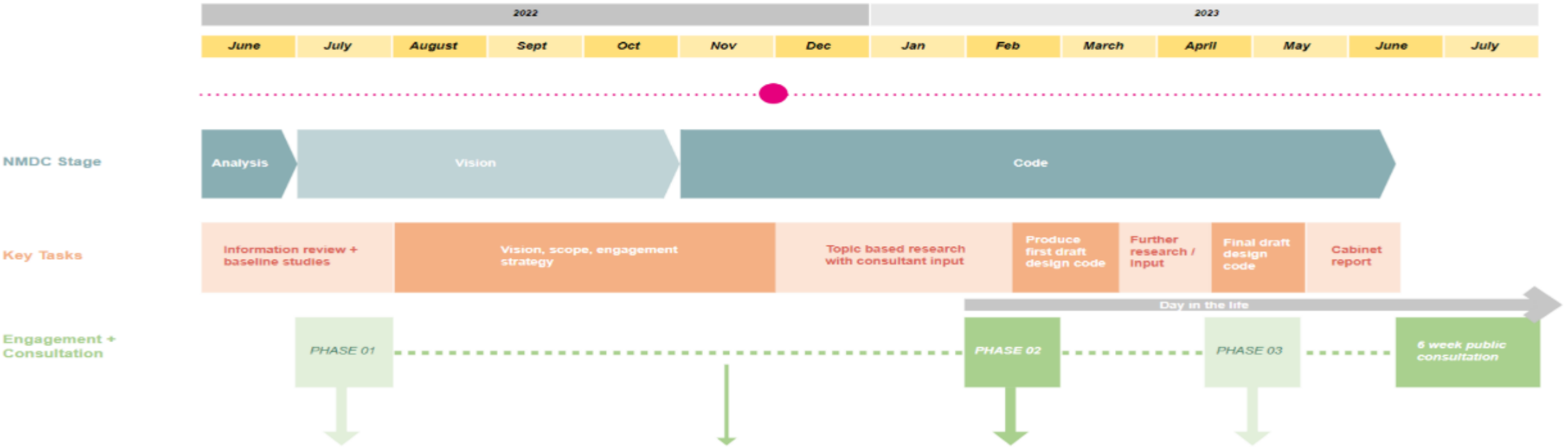
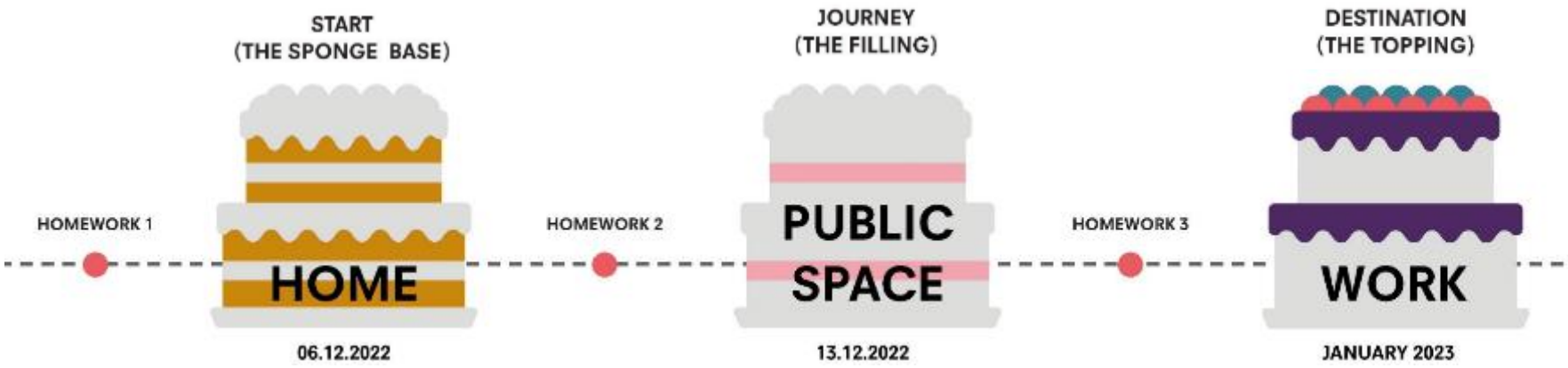
Engagement throughout design code process





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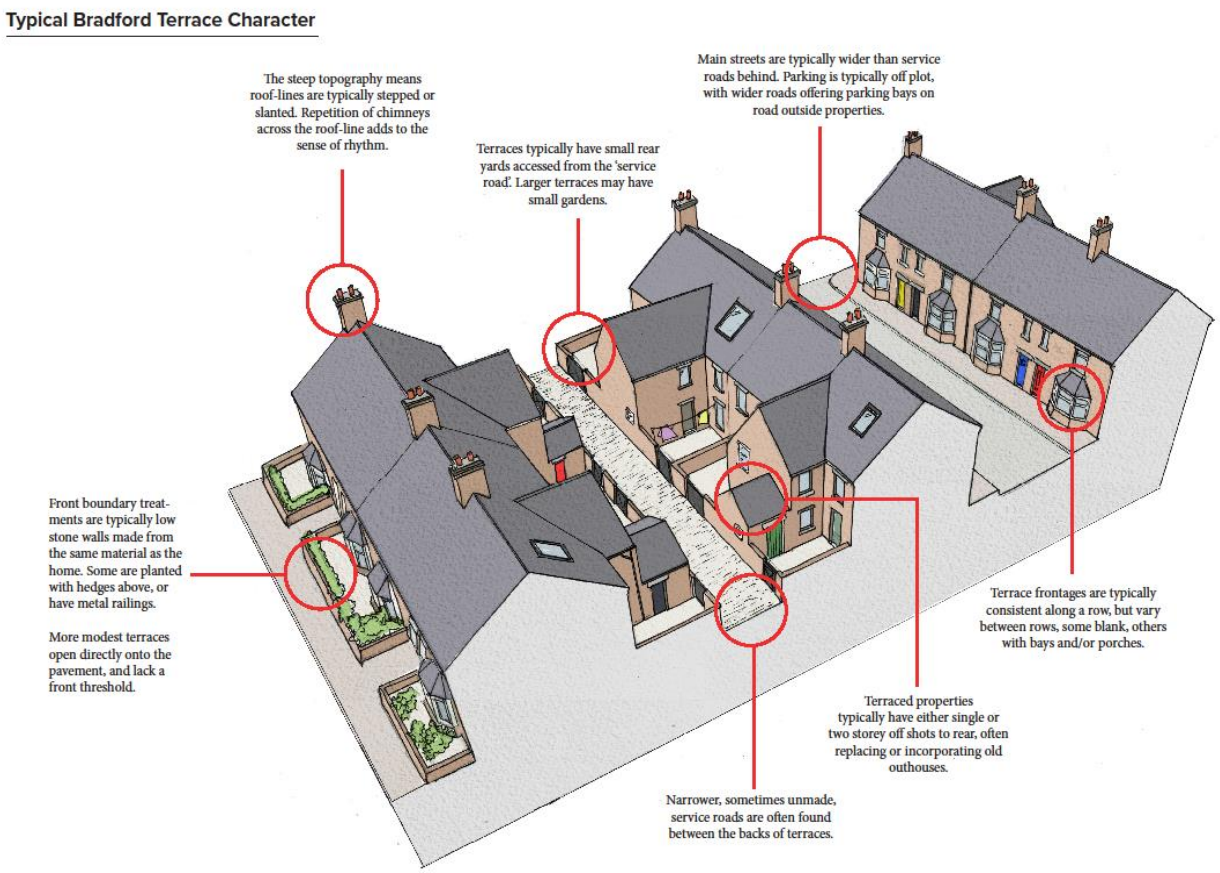
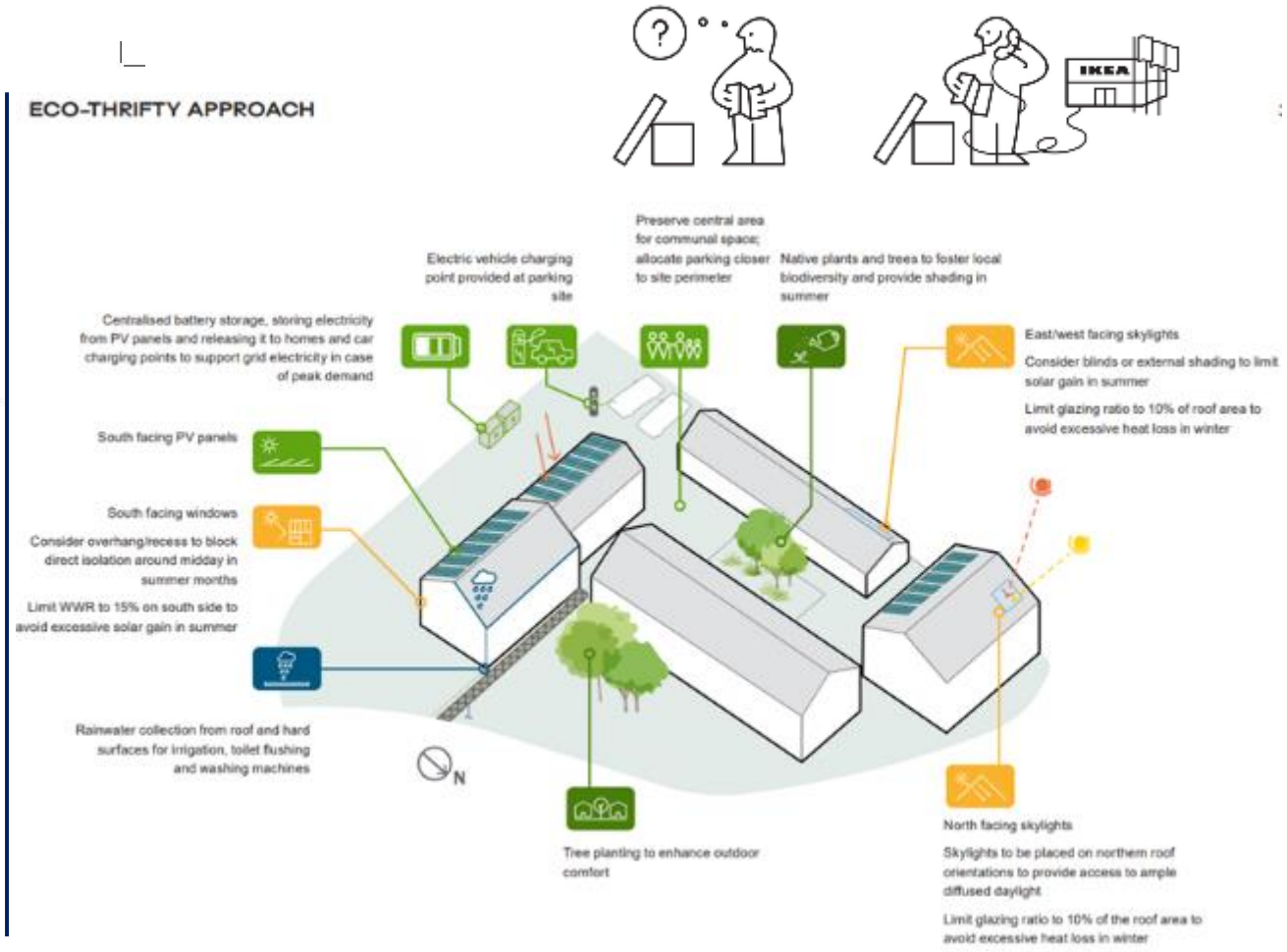
Reflecting local built form





Inner urban

Rural

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Q&A - design coding