

DESIGN AND QUALITY ASPECTS OF THE WHITE PAPER

Introduction and Key Issues

1. The White Paper suggests that planning decisions are largely of a discretionary nature, that is to say, subject to 'policy interpretation' rather than 'rules based'. Comparisons are made with Continental and American systems that are more prescriptive in their requirements, reflecting on how sites are physically developed. Land use zone ordinances and plot ratios are often used whereby the level of development on sites or the layout is set out by way of prescribed standards, for example, the height of buildings or the proportion of building on a site relative to its overall area. In the case of the present system, when considering planning applications, the National Policy Planning Framework, Planning Practice Guidance and Local Plans rely on an interpretation as to the meaning of policy, which is where the term 'discretionary' derives. In the case of local plans, policies relating to the criteria applicable to the development of sites might stipulate the development should be 'appropriate, in scale, character and have high quality landscape' for example. These policies require interpretation and discretion.
2. More recent national reports including the 'Building Better Building Beautiful Commission', the 'National Urban Design Guide' and 'Building for Healthy Lives' provide guidance and identify design principles that can act as a prompt for achieving high quality design. The National Design Guide, for example, lists 10 characteristics or principles that should be considered in various design scenarios and includes illustrative examples. The Guide should be used by planning authorities and developers to help inform development approaches to sites.
3. In Fylde, there is a long history of the Council seeking to achieve the highest quality of development possible by applying various design principles and seeking to negotiate good outcomes with developers and their agents. Relative success often depends on the intentions of the developer and their approaches to design in general. The very best schemes have often been achieved where the developer is supported by a good design team and is prepared to work collaboratively with council planning staff, who can pool their expertise. There are a number of notable examples of this way of working, but also situations where the outcome has been less than what might have been achieved. Developers are often reluctant to change standard approaches to design since to do so would not allow them to apply their standard format.
4. In response to the National Urban Design Guide, a Fylde Guide is in the process of being developed. This will reference the national guidance but is also seeking to produce a methodology or process for approaching design. This will provide a framework as a means of identifying key issues for sites, promoting informed discussion and dialogue with developers and their designers. In many ways it looks to establish a method of 'design coding', that forms part of the Government's proposals, and will be discussed later in this report.
5. The general view, as set out in the White Paper, is that there are some very good examples of successful urban design. Examples are shown by way of illustration. Equally there are many recent professional reports that have analysed typical design schemes – largely green field housing sites – that conclude, following rigorous analysis, that the design outcomes have been poor. The Government agree with this form of analysis and suggest that poor 'soulless' development can result in the public being hostile to development proposals as they come forward. Some of the examples that are illustrated in these documents are of a form of development that would not find favour in Fylde, although the overall quality achieved throughout the Borough does vary.

6. A key objective of creating high quality places is based around creating designs that are grounded in distinctive character, and have open spaces, ecological benefits and a healthy format including their layouts. To meet these objectives, a key aspect of achieving high quality development will be for local authorities to engage with the local community, to determine the values considered to be important and appropriate to an area. This occurs to some extent at the present time through the planning application process and in discussions with developers. Quality of design, where it occurs, is generally achieved through negotiation and agreement. Guidance is available to assist the process and other policies e.g. those contained within Neighbourhood Plans e.g. St. Anne's, also contains guidance material on design considered appropriate to the town.
7. 'Pillar 2' of the White Paper discusses at length the objectives of creating 'Beautiful Places', ensuring the location for development is appropriate, it includes sufficient open space, ecology, layout, development mix, landscaping, building form and characterful buildings. To achieve these outcomes, it is suggested that the local plan system would be the vehicle for setting out clear design expectations for sites and localities in a prescriptive 'rules based' format, by specifying the requirements for including master plans and design coding.
8. This would suggest that local authorities (and the communities they serve) should set out clear design expectations for their area and this would necessarily need to include new development sites as well as existing urban areas. Where sites have set out clear design requirements and these are quantified, then it is anticipated in the White Paper, that planning applications associated with the development of these sites would be 'fast tracked'.
9. In the case of Fylde, officers are engaged with the potential development of a range of sites and subsequent planning applications, where design principles can be or are set out early in the process. However, this form of engagement can result from an approach by a developer without any prior knowledge that a development proposal might be forthcoming. In other cases engagement takes place at a very early stage in the process which is, of course, the preferred method. Where development sites are known about or likely to come forward. 'design briefs' or design parameters are often set out along with the developer where precise design requirements are understood from the start of the process. Examples include St Anne's Aldi scheme, Booths at Heyhouses and Danbro of Lytham. The design parameters or codes/ are usually set by officers following a thorough study of the site and its surroundings.
10. In the case of green field sites, in some cases, applications have been fronted by developers who present a draft plan for discussion at the start of the process. The potential problem here is that the layouts and designs often presented are deemed by the developer to comply with policy e.g. open space, affordable housing, highway or ecology issues. However, the general layout is designed to a standard pattern, standard spacing, standard house types, car parking poorly located, form and elevation resulting in a mediocre design solution. Rarely have these schemes demonstrated a thorough understanding of the local context or the public expectations as regards the character of the development. It is therefore more difficult to achieve wholesale change once the initial designed layouts are presented, although this is sought where appropriate. Given the agenda of national government, to achieve significant levels of house building, there is often a lack of certainty that the refusal of schemes that present mediocre designs would be supported on appeal. The idea of master planning and design coding would provide assurances that high quality, locally distinctive design would be supported and would have to be implemented once adopted in local plans.
11. In previous circumstances, where allocations had been brought forward, though the local planning process, without planning applications being presented ahead of the plan being adopted – design briefs have been produced for sites. These in effect were a form of design

code that stipulated key parameters for the development of the site in question. The Briefs varied in scope ranging from those at a 'high-level' which stipulated generalised layout and open space requirement considerations through to much more detailed specifications, for example elevational requirements for buildings, landscaping or material selection. Historic examples include. St Georges Park, Cypress Point, Ribby Hall and Queen Mary School.

In Principle Ideas of the White Paper with respect to Design

The White Paper discusses this issue at length but some of the key messages are:

12 . National Design Coding Guidance will be produced. Some of the suggestions are that:

- Design Coding will be determined locally
- Local Plans should specify design requirements for sites that would be mandatory once adopted
- Other guidance to assist achieve good design will be mandatory e.g. Manual For streets which addresses highway and public realm design, aimed at creating more attractive places
- Community Engagement will be an essential part of the process
- A national body will be created to support the elevated importance of design quality and this could be shared with local authorities.
- To fast track applications that comply with the design code for a site
- Enhanced design skill promotion for some local authorities where this is absent

Design Coding

13. In essence, design codes would set out requirements for sites that are aimed at directing the design outcome. These are suggested to be 'prescriptive' rather than 'discretionary'. The idea follows some of the systems employed in other countries. However, to achieve high quality development that would be 'distinctive, functional and characterful', it would be vital that the specifications within the site code would need to be as detailed as possible to achieve the desired outcome.
14. It follows that some of the codes would need to be operational that is; setting out key aspects of site development including open space, strategic landscaping, the block layout, ecology, road system, spacing standards of buildings etc. These would-be high-level codes. At the other end of the spectrum the form of buildings, influenced by their internal layout may need to be specified to give a certain shape and character. Codes covering specifications of height, roof profile, window openings – and so on – might be required in certain cases. This may sound complex but is exactly what occurs at present to varying degrees, depending on the sensitivity of the site: the only difference being that the parameters might be site specific. It may also be useful to work with developers to adjust standard plans floor plans that could be used over a particular site.
15. The idea of design coding seeks to ensure development is characterful and appropriate to the locality, whether it be urban or rural and may change from place to place. The biggest challenge will potentially be within green field sites.
16. The Design Guide being prepared at the present time for the Borough seeks to address design coding and would include a methodology as to how this might be achieved in the case of green field sites, but also in the context of existing urban areas.
17. This is clearly a potentially difficult area of planning policy and practice but has advantages as well as some drawbacks that might be expected.

Positive Aspects of Design Proposals in the White Paper

- Gives primacy to the local plan process in setting out precise design requirements and expectations for existing urban areas and for new sites
- Provides the opportunity to identify the appropriate development outcome for particular sites following a full consideration of all of the issues – resulting in design briefs and design codes
- Provide certainty for communities and the Council.
- Encourages early engagement with developers and their professional designers
- Relate design quality – and how to achieve it – with other important issues including the requirement for certain sites to achieve particular densities
- Would apply to all types of development
- Would help provide a framework for establishing ‘design areas’ across the existing urban – and rural areas
- Achieve fuller understanding of distinctiveness and how this can be reflected in development character
- Embracing good quality design through the engagement of other influences e.g. highway standards
- Potential fast tracking of applications in view of certainty
- Establish a national body to support the development of design coding including local (regional) support
- Better resourcing for local authorities
- Establish a key officer for design and a design champion within the authority

Potential issues which require further consideration include:

- The local plan process and its potential impact on design could be less effective if ‘hostile’ planning applications are made related to factors such as land supply issues.
- In such a case as that above, it would need to be a requirement that developers engage with local planning authorities to establish what parameters might be appropriate. This could lead to disagreement and so the issue might lead to an adversarial situation with an issue of arbitration being a particular problem
- The potential difficulty with defining the level of prescription and detailing for sites
- Would the design codes for a particular site be subject to challenge and if so, what would be the process?
- The need for developer recognition that standard design solutions may well not be appropriate, and this could affect their incentive to develop in certain locations
- The issue of public engagement is potentially difficult i.e. identifying what level this might take place and what the process might be
- Extensive public engagement could be time consuming and controversial
- The assumption that design code complicit development would be ‘fast tracked’. This could mean that extensive design studies would be required for localities (which can be done and has been trialled in the development of the local listing project) such that requirements for specific sites can be ascribed design coding or design requirements. The Local Design Guide that is currently being prepared would assist with this.
- National Support and resourcing would be a key issue and how this would permeate to a local level
- Ensuring sufficient trained staff are able to take the process forward

The proposals within the White Paper as regards the desire to see more attractive, high quality developments and places is fully endorsed. The idea of design briefs, parameter plans, and design coding are not new. Various schemes throughout the Borough have in effect taken this approach, particularly in the case of sensitive sites in existing urban areas. In general, developers apply elements of design codes to sites, but these are largely 'standards' that are generally deemed to be necessities. Examples would be the spacing of dwellings on sites, highway requirements and car parking. However, the application of these types of parameter do not equate of themselves, with attractive, characterful development.

Despite Government pronouncements through the NPPF, for example, this can be more difficult to achieve.

Much of what has been achieved locally as been the result of high-level negotiation. In principle, the concept of locally derived design specifications – design coding - is to be supported although, as the report concludes, the White Paper and the policy, as it develops, leaves much to be considered in respect of practical application, as outlined.

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