

## **Design and Placemaking Planning Practice Guidance**

### **Home Builders Federation Response**

The Home Builders Federation (HBF) is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing.

HBF welcomes the proposal to consolidate design guidance into one document. This makes it easier to navigate for developers and leaves fewer opportunities for conflicting guidance. However, HBF is concerned that the guidance attempts to apply a one size fits all approach and does not reflect the extensive differences in respect of scale, location and character of developments.

It is particularly disappointing that the examples and case studies used within the draft document have a heavy regional bias toward the south with only four case studies detailing developments in the north of England. Moreover, of those taken from the north, three are city centre regeneration schemes and one was funded by partly by Homes England. It is not a true representation of home building in England and leads us to question whether the objectives of the PPG are achievable within mainstream, low rise housebuilding developments. HBF recommends that the selection of case studies is reviewed and enhanced to give confidence to the homebuilding industry that the guidance can be applied no matter the region or nature of the development.

#### **Question 6: Do you agree that the usability and effectiveness of the draft Design and Placemaking PPG has improved?**

HBF welcomes the aim of reducing the amount of guidance around design. However, given the length of the document and the relevance of Part 2 and 3 to the home building industry it would be clearer to split the document into two parts, with Parts 2 and 3 being guidance predominantly for Plan making and Decision making authorities.

The document is easy to interpret with diagrams and case studies (noting comments above about the selection of case studies).

Moreover, not only does the document not include developments from significant parts of the Country, it also appears to suggest that it should be applied to all developments, no matter what size. Not only is that impractical, taking into Local Authority resource, it would also result in an unnecessary financial and time burden on developers of smaller schemes. Creating site level design codes for non-strategic sites and those that are subject to a full planning application creates an additional layer of bureaucracy which ultimately slows down the planning process and the delivery of new homes.

In addition, it is not clear where certain design criteria need not apply. Again, is it necessary to assess a medium sized proposal against all the 'liveability' objectives. If so, that would suggest even developments of that size would need to include local services, commercial uses and other facilities, which is simple not deliverable. Further clarity needs to be provided as to how the design criteria should be applied to avoid it being used as a tool to refuse planning applications rather than enhance the design quality of schemes.

#### **Question 7: Are there any aspects where clarity, accessibility, or practical application could be improved to better support design and placemaking outcomes?**

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Notwithstanding the foregoing, there are several parts of the document that require clarity and review in order to remove conflict with the draft National Planning Policy Framework and HBF suggest that the documents, in their final version are published simultaneously and a thorough review of the final versions is undertaken prior to publication. It is vital that the documents are consistent to avoid misinterpretation and delay when new policy and guidance is being applied.

In addition, it should be made that the planning system and processes do not operate in a vacuum and there are sometimes competing demands from other authorities that impact on the design of development. The weight given to those other operating frameworks, for example highway adoptions, needs to set out in this document to avoid unnecessarily refusals of planning permission or amendments to proposals after planning permission has been granted.

## Liveability

The increased focus on ‘liveability’ within the draft PPG and NPPF presents challenges. Sustainable development is a key tenet of the planning system but to expect all development to fulfil all criteria in para 24 is unrealistic and will lead to development only in town centre locations or whole new settlements. It is necessary to have development in lower order settlements to ensure those settlements prosper and housing need is provided for but naturally those settlements do not always have a ‘variety of services and cultural facilities’ or ‘community facilities’.

Furthermore, it is not always possible or appropriate to have homes integrated with other facilities because in some instances those facilities would then compete with existing services or facilities to the detriment of the existing settlement. Nor is it always appropriate to have a mix of tenure or specialist forms of housing on one site. There are deliverability and viability issues around achieving this on all sites. Whilst paragraph 39 recognises that the correct mix of tenures and housetypes depends on socio economic context, this should be made clearer in paragraph 24.

Guidance needs to be provided as to what type and size of development needs to include some or all of the criteria within paragraph 24 and it is not necessary for development proposals to comply with all criteria in a tick box manner.

## Climate Change

HBF supports the desire to address the challenge posed by climate change and reduce the impact housebuilding has on climate change. However, the draft PPG presents a conflict with the draft NPPF in how it proposes developments should address this. The draft NPPF is clear in Policy PM6 that “*local policies should not duplicate, substantively restate or modify the content of national decision-making policies*”, moreover Policy PM13 restricts Local Authorities imposing additional quantitative standards (except in on certain topics) and as such the PPG should not be encouraging Local Authorities to set local design policies that address climate change.

The Chapter needs to be reframed to refer to the NPPF and established standards, such as the Future Homes Standards. The NPPF is clear that Local Authorities should not be imposing policies which go beyond building regulations, however, paragraph 73 reference MHVR which is only necessary under part O in certain circumstances but results in significant additional cost. HBF would not want to see this encouraged in all cases and should only be used where justified. The Clime Change chapter should be amended to remove reference to this. The current focus of the chapter risks undermining the objectives of the NPPF and risks encouraging policy creep which the NPPF specially seeks to avoid.

Section C2 encourages the use of Whole Life Carbon Assessments (WLCA) but without a national standard there is little value in carrying out an assessment. The Future Homes Hub has a timetable for the production of a development standard and has reached the benchmarking stage of this. However, to encourage WLCA

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before a national standard has been published risks Local Authorities setting their own standard which will result in policy creep and may not be deliverable.

Paragraph 69 refers to rainwater harvesting. Further guidance is required as to what extent this is required as it cannot be used in a domestic setting. The housebuilding industry would benefit from additional guidance around its use and available technologies (and costs) for utilising this.

## Nature

Emphasis is placed on the provision of trees in the public realm, however, this is sometimes at odds with the adoption requirements of Highways authorities. It is not always possible to get trees within verges adopted and some authorities have specific species requirements which can be at odds with the landscape vision or biodiversity requirements for a development.

The interaction between design and adoption requirements needs to be understood at application stage to avoid unnecessary amendments to proposals following the grant of consent or issues getting developments adopted upon completion. The PPG needs to recognise this potential conflict.

## Movement

The draft PPG references Manual for Streets but this was last updated in 2010 and is arguably outdated, referring to cycle guidance that has been superseded for example. Government should publish an update to Manual for Streets before referring to it in the Design and Placemaking PPG.

Reference to distance from train stations at paragraph 113 should recognise that people are willing to cycle further than walk to get to a station and sites can be considered sustainable on that basis.

Paragraph 120 encourages tree planting and integrating green infrastructure with parking. This is a welcome design aspiration but can pose challenges with adoption as referenced above and the potential conflict needs to be addressed in the PPG.

Paragraph 122 addresses the issue of street clutter and whilst it is acknowledged that street clutter can impact on the quality of a place, it is not always possible to know the extent of the requirements of utility providers above ground until after permission has been granted. This is another tension between design pre and post completion which should be acknowledged in the PPG.

## Built form

There is little recognition of local context in the Built Form chapter. Emphasis is placed on compact forms of development but that isn't always going to be appropriate or welcomed at a local level in areas that are currently of a low density. The draft PPG needs to include reference to local context and further guidance as to how developments of differing scales, locations and tenure mix should apply the guidance.

Paragraph 131 conflicts with Policy L3 of the draft NPPF. HBF does not support the proposed approach in the NPPF of setting top down density requirements and welcomes the approach in paragraph 131 which acknowledges that there are other measures to ensure design quality and to “*determine the appropriateness of a development in an existing neighbourhood*”. The draft NPPF should be amended to reflect this.

Section B3 requires development proposals to support home working. This is not always possible or required in developments, for example in apartment led schemes, where it would lead to oversized dwellings which would be less affordable. Paragraph 137 should be amended as follows: “*Development proposals should support home working where it is possible and desirable to do so*”.

Paragraph 137 also conflicts with the NPPF by stating that “*Local Plans may adopt...those for...water efficiency*”. Policy PM13 of the NPPF is clear that water efficiency standards should not go beyond

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Building Regulations unless “in areas of serious water stress”. Reference to water efficiency should be removed from paragraph 137.

## Public Space

The Public Space chapter encourages a significant reliance on the use of ‘Secure by Design’. However, a heavy reliance on this can undermine the design quality of a scheme and whilst ensuring spaces and homes are secure is a key element of successful places, it needs to be considered in the round.

## Identity

HBF welcomes reference in paragraph 163 that identity is improved where new development “*draws on the positive features of the existing built environment*” but this is at odds with the NPPF which states in Policy L3 that “existing character should be taken into account...but not preclude development which makes the most of an areas potential”.

HBF does not support paragraph 173 which requires that developers consult local architects. The pre-application process with Local Authorities and Consultees is sufficient and additional consultation places another burden on developers which is unnecessary.

## Design Quality in the Planning Process

### Design Review

Design review panels can be useful in developing proposals. However, guidance needs to be provided as to when Design Review Panels should be undertaken and reference in paragraph 195 to ‘where impact justifies investment’ is insufficient. Given Local Authorities are under resources and often don’t have inhouse design expertise Design Review Panels are regularly insisted upon where it is not necessary imposing additional costs on the applicant.

In addition, in light of the lack of national guidance over Design Review Panels, the quality of this process varies significantly. National guidance should be produced so applicants can be sure of the quality of the advice they are given and MHCLG should monitor Design Review Panels nationally.

In addition, it should be made clear that the design review process is one element of assessing whether a proposal is acceptable and forms part of the overall planning balance.

### Design in Plan Making

It is widely accepted that the planning process is too slow and it takes years to secure planning permission. It is vital that the use of Design Codes and Masterplans does not further slow down this process and as such the PPG should include recognition that the development of Design Codes and Masterplans do not prevent a site coming for development in advance of these being adopted.

### Design Codes

Model Design Codes should be a useful tool for Local Authorities and/or applicants to develop site specific or area codes, however, they should not replace these and this should be made in paragraph 247.

Authority wide design codes are no longer promoted in the draft NPPF and the HBF agree with this approach. The draft PPG should be updated to reflect this.

### Making Decisions about Design

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It is vital that training is given to officers and Councillors making decisions on planning applications and as such HBF welcomes paragraph 261. However, this should be expanded to include that training should happen regularly to ensure that any changes to policy and guidance are captured.

## Design Detail in Planning Applications

HBF does not agree that design codes are useful in Full Planning Applications. All detail of proposals is included in a full planning application rendering a design code unnecessary, these only add additional cost and complexity to the planning application process. HBF strongly recommends that the PPG is amended to expressly say that Design Codes are not required for Full Planning Applications.

It is important that the planning process remains flexible given the length of time planning and development takes. Design Codes need to incorporate flexibility to avoid being amended later in the process. This needs to be reflected in the PPG.

Paragraph 276 needs to be amended to reflect that the exact access point isn't always known at Outline Planning Application stage, as follows: "*even if access is a reserved matter, the **potential** location(s) of access points must be indicated at outline stage.*"

Figure 50 is misleading and suggests that all applications should be subject to Design Codes, which they shouldn't be. In addition, it is difficult to see how parameter plans are relevant for a full permission and why are Design Codes relevant for full planning permissions (as above) and certainly not post permission because full details would already be conditioned. This table needs to be expanded upon for the relevant application types to avoid confusion.

## Setting Effective Design Codes

Developing Design Codes in isolation of other statutory or local consultees will result in them being ineffective and needing to be amended or that development proposals do not comply with them. As such, the PPG needs to make stronger reference to engaging with other consultees at paragraph 289 and the same should be done in relation to the other design criteria, where relevant.

With reference to C1 (page 97) reference to Building Regulations should be expanded to include the Future Homes Standard.

## Glossary

Whilst we support a reduction in the use of design jargon, making the PPG more accessible, it is considered that Net Developable Area should be included as a definition, not just referenced in figure 68. Importantly, figure 68 differs from the definition within the NPPF and it is vital that the two align. HBF considers that the introduction of another definition over and above the RICS definition is unnecessary and will lead to confusion and complexity. The RICS definition should be applied.

Urban Greening Factor should also be included as it is not a commonly known or understood term outside of London.

**Question 8: Do you agree that the principles set out in the draft Design and Placemaking PPG adequately address the needs and requirements of traveller sites?**

N/A.

**Question 9: What additional considerations or clarifications might be necessary to ensure planning practice guidance supports inclusive and culturally appropriate design and placemaking?**

N/A.

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**Question 10: Do you agree that tools, such as model design codes, could speed up the preparation of local design codes?**

Yes, however, it needs to be made clear in the NPPF and PPG that coding is optional. It should not delay development coming forward. A precautionary approach should be taken in order to avoid a tendency for Local Authorities to 'over code' which could lead to delays in the submission of planning applications.

Design Codes add an additional layer to the planning approval process which can add years to gaining a consent. It is crucial that these are prepared swiftly where they are necessary and made clear that they are not necessary in all cases.