

Committee: Planning Policy Working Group

Date:

Title: MHCLG Design Guidance

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Summary

1. On 1 October the government published a new National Design Guide ('the Guide').

Recommendations

2. To note the publication of the Guide and its implications for the Council's future work programme and for determining planning applications.

Financial Implications

3. None at this time. The Guide states that local planning authorities will be expected to develop their own design codes or guides, taking into consideration the as yet unpublished National Model Design Code. This report considers the options for doing this, and recommends waiting for the publication of the National Model Design Code before making a final decision. After the National Model Design Code is published the Council can consider again at that time the options available. The option chosen will be constrained by the resources available to the Council.

Background Papers

4. None.

Impact

- 5.

Communication/Consultation	The Guide supports the NPPF, which the government has consulted upon. Planning applications are subject to public consultation. Similarly and design guidance will be subject to appropriate consultation.
Community Safety	N/a
Equalities	N/a
Health and Safety	N/a

Human Rights/Legal Implications	The Guide supports the NPPF, which the government develops in line with consideration of human rights and the law.
Sustainability	The Guide supports the NPPF. Sustainable development is the key aim of the NPPF.
Ward-specific impacts	All
Workforce/Workplace	Unknown

Situation

6. On 1 October the government published a new [National Design Guide](#), with the subtitle the 'planning practice guidance for beautiful, enduring and successful places'. The Guide is appended to this report.
7. This document recognises the importance of well-designed developments, how it effects our quality of life, experience of place, security, health and wellbeing and belonging. The National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. The Guide illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools. The Guide is intended to support Council's decision making and policy development, as well as applicants design teams and communities and their representatives.
8. The Guide supports paragraph 130 of the National Planning Policy Framework which states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
9. The Guide covers a number of components of design: layout; form; scale; appearance; landscape; materials; and detailing. All developments are made up of these components put together in a particular way. The choices made in the design process contribute towards achieving the ten characteristics and shape the character of a place. The ten characteristic frame part 2 of the newly published Guide, these characteristics are:
 - a. Context;
 - b. Identity;
 - c. Built form;
 - d. Movement;
 - e. Nature;

- f. Public Spaces;
- g. Uses;
- h. Homes & buildings;
- i. Resources; and
- j. Lifespan

10. Part 3 of the Guide includes reference to a forthcoming 'National Model Design Code', this is still to be published and the government anticipates its publication in early 2020 and will be subject to consultation. This is intended to set a baseline standard of quality and practice across England which Uttlesford will be expected to take into account when developing local design codes and guides and when determining planning applications.
11. The guide also states that local planning authorities will be expected to develop their own design codes or guides, taking into consideration the forthcoming National Model Design Code.
12. For the proposed Garden Communities the emerging Local Plan already requires design codes to be submitted with any reserved matters planning applications for approval by the Council. These will be developed by the site promoters in consultation with the existing local community and other stakeholders.
13. There are a number of options open to the Council when Uttlesford considers how to develop our own design codes or guides for elsewhere in the district. Below are officers initial thoughts in advance of the National Model Design Code:
 - a. Option 1: do not develop our own design codes or guides. In this case the Council would have to rely on the National Design Guide and National Model Design Code. This would be the least resource intensive option, but would mean the opportunity to provide more local design guidance would not be taken up. This could be revisited in the future.
 - b. Option 2: adopt elements of the Essex Design Guide as the local expression of the Council's design guidance. This would require discussion with Place Services and some further work, depending on the content of the National Model Design Code. Likely to require limited resources.
 - c. Option 3: develop an Uttlesford-wide design guide and / or design code. Potentially could take elements from the Essex Design Guide. There is also a risk that an Uttlesford-wide guide / code is not able to satisfactorily pick up on the individuality of the varied settlements of the district. It is likely to involve a significant amount of work, including consultation with communities. The planning policy team does not have

the necessary capacity to take on this work at this time, and an outside resource would potentially need to be brought in.

- d. Option 4: develop design guides and / or design codes on a settlement-by-settlement basis. This approach would have the advantage of being able to pick up on the individuality of the varied settlements of the district. This approach would have an advantage of being able to focus efforts on settlements where larger amounts of new development are expected. This option is also likely to involve substantial amount of work, significantly more than option 3 if district wide coverage is sought. The planning policy team does not have the necessary capacity to take on this work at this time, and an outside resource would potentially need to be brought in. However, a settlement-by-settlement approach would potentially allow the work to be undertaken by Parish Councils, who may be better placed to create 'Village Design Style' documents.

14. It is possible that a hybrid approach is taken, for example a combination of option 2 and 4.

15. Officers are recommending awaiting the publication of the National Model Design Code, as this will have to be taken into account. This report is being brought before members to allow discussion at a member level to commence.

Risk Analysis

16.

Risk	Likelihood	Impact	Mitigating actions
The district is not supported by appropriate local-level design guidance.	1 – While, depending on the route taken, there are potential resource implications in developing local design guidance, in its absence national guidance can be relied upon.	3 – Without appropriate guidance poorly designed schemes may be developed, negatively impacting on communities.	This report explores the options open to the Council. In the absence of local design guidance, national guidance can be relied upon.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.