

# **APPENDIX 1 – National Planning Policy Framework and National Model Design Code: consultation proposals**

## **1. Cambridge City Council and South Cambridgeshire District Council response to proposed NPPF changes**

### **1.1. General Comments**

Overall, Cambridge City Council and South Cambridgeshire District Council (the Councils) agree with the government that the planning system could be improved and should have more emphasis on design. This view echoes Greater Cambridge's response to the Planning White Paper last year where proposals that simplify processes and take advantage of more digital approaches to provide more certainty, design quality, and an emphasis on sustainability were welcomed.

However, there are significant concerns that some of the proposed changes may undermine its stated objectives of achieving good design. This concern is centred on proposed changes to Article 4 directions and the resources to deliver the design codes in a coherent manner.

### **1.2. Chapter 2: Achieving sustainable development**

#### **Proposed change:**

Presumption in favour of sustainable development changed so that Plans to make express reference to the importance of both infrastructure and climate change

#### **Q1. Do you agree with the changes proposed in Chapter 2?**

#### **Response**

- Cambridge City Council and South Cambridgeshire District Council (the Councils) welcome the proposed changes to broaden of the definition of

'sustainable development', the section that includes a presumption in favour of sustainable development (paras. 7 and 11), and the strengthened wording for turning down poor development (para. 133).

- The Councils are in favour of the integration of design codes (para. 109), and the proposals in respect of development in protected landscapes (para. 175).
- The Councils also support the inclusion of the UK having signed up to the UN's 17 Global Goals for Sustainable Development in the period to 2030 – for social progress, economic wellbeing and environmental protection

### **1.3. Chapter 3: Planmaking**

#### **Proposed change**

Changes to timeframes for the vision for new settlement to be a 30+ year period, instead of current typical 15-year Local Plan timescale (Chapter 3: Plan-making)

#### **Q2. Do you agree with the changes proposed in Chapter 3?**

#### **Response**

The Councils supported the additional flexibility proposed for planmaking and agree that longer timelines can help provide more perspective as necessary for effective planning and delivery of new settlements

### **1.4. Chapter 4: Decision making**

#### **Proposed change**

Change proposed to restrict the use of Article 4 directions affecting COU from commercial use to residential use

### **Q3. Do you agree with the changes proposed in Chapter 4?**

#### **Response**

Cambridge City Council and South Cambridgeshire District Council object to this proposal, and are significantly concerned about the restrictions that are proposed for the use of Article 4 Directions (para. 53).

- The proposals limit the planning authority's scope to intervene in changes of use to residential could give councils less flexibility to protect economic assets or to respond to the local circumstances of their town centres
- This change could impact the retention of local amenities and social infrastructures across Greater Cambridge's neighbourhoods and villages, thereby undermining the sustainability and resilience of the city as a whole.
- The proposed changes go against the recommendations in the Building Better, Building Beautiful Commission's 2020 report, which expressed significant concern around the current deployment permitted development and called for greater regulation of these developments.
- Both options for amended wording are concerning, but setting the bar at 'national significance' and thereby removing any consideration of even regional significance, would be particularly damaging.

### **1.5. Chapter 5: Delivering a wide choice of high quality homes**

#### **Proposed change**

Amending wording to clarify that 10% of the total number of homes on major scheme to be available for affordable home ownership, that neighbourhood plans can include proposals for major developments, and sustainable travel considerations are more robustly sought when considering major developments

### **Q4. Do you agree with the changes proposed in Chapter 5?**

## **Response**

The Councils support the proposed changes.

- Clarifying the affordable home ownership provision adds clarity to establishing a reasonable minimum level of provision for a segment of affordable housing tenure that is needed in Greater Cambridge
- The proposals for neighbourhood plans to include major schemes is also welcomed as this may provide greater opportunity for schemes to transparently come through the planning system to meet local communities' need
- The inclusion of a genuine choice of transport modes is strongly supported to help deliver developments that can contribute to lower energy and active lifestyles that can help respond to the climate emergency

### **1.6. Chapter 8: Promoting healthy and safe communities**

#### **Proposed change**

To emphasise importance of access to a network of high-quality open spaces and opportunities for sport and physical activity, recognising the role of these for the health and wellbeing of communities and to help address climate change

#### **Q5. Do you agree with the changes proposed in Chapter 8?**

## **Response**

The Councils fully support the proposed changes.

- The Councils welcome open spaces that encourage access active travel and enhance leisure opportunities support health and wellbeing, especially in light of the Covid-19 pandemic has underlined how access to good quality open spaces is key to enhancing mental health
- The reference could be improved by including considerations on a continuity of good quality open spaces to ensure that these are not delivered in isolation

## **1.7. Chapter 9: Promoting sustainable transport**

### **Proposed change**

To include the Building Better, Building Beautiful commission's findings on encouraging walking and cycling paragraph ensuring that the design of schemes and standards applied reflects current national guidance.

### **Q6. Do you agree with the changes proposed in Chapter 9?**

### **Response**

The Councils support the proposed changes to include an emphasis on active travel.

## **1.8. Chapter 11: Making effective use of land**

### **Change**

To identify the value of character assessments, codes and masterplans in the efficient use of land for housing

### **Q7. Do you agree with the changes proposed in Chapter 11?**

### **Response**

The Councils support these changes that seek to create context specific responses to the built and natural environment, provided there is a level of flexibility that does not inhibit the good design that deviates from expectations. In this the Councils expect the design code to provide a clear definition of design that includes and emphasis on process as well as outcome.

## **1.9. Chapter 12: Achieving well-designed places**

### **Proposed change**

Changes proposed to require all planning authorities to prepare design codes and to make clear that development that is not well designed should be refused.

## **Q8. Do you agree with the changes proposed in Chapter 12?**

### **Response**

The Councils support the proposal to place greater emphasis on design in the planning system, but have concerns about the ability of planning authorities to deliver these ambitions.

- The Councils are concerned about the resource implications of these proposals. Will government support be offered to upskill existing planning the Councils in design considerations.
- The Councils are in support of a focus on retaining trees and enhancing tree planting as these complement other proposed changes in terms of greater links with sustainability and open space design
- The Councils welcome the ability to refuse poorly designed developments, provided that what constitutes good design is clearly established in the accompanying design codes to enhance clarity, transparency and certainty.
- The Councils believe that good design considerations should be expanded to include more robust recommendations on designing in response to the climate emergency

## **1.10. Chapter 13: Protecting the Green Belt**

### **Proposed change**

New paragraph 149(f) has been amended slightly to set out that development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order, is not inappropriate in the Green Belt provided it preserves its openness and does not conflict with the purposes of including land within it.

## **Q9. Do you agree with the changes proposed in Chapter 13?**

### **Response**

The Councils support this change as this maintains a balance between the needs of nature, green space and the climate, and the potential to meet housing need in appropriate circumstances.

## **1.11. Chapter 14: Meeting the challenge of climate change, flooding and coastal change**

### **Proposed change**

A strengthening environmental policies, including clarifying some aspects of policy concerning planning and flood risk, clarify that plans should manage any residual flood risk by using opportunities provided by new development and improvements in green and other infrastructure, and a new definition of “resilient”.

## **Q10. Do you agree with the changes proposed in Chapter 14?**

### **Response**

The Councils support these changes, as these will help deliver development that responds to the climate emergency in a robust way.

- The additional wording around using developments and green infrastructure improvements to address the causes of flooding will help deliver homes that can mitigate climate impacts, not just adapt to them.
- The new definition of ‘resilient’ is helpful in providing criteria for this term to be scrutinised in planning submissions.

## **1.12. Chapter 15: Conserving and enhancing the natural environment**

### **Proposed change**

Changes including that National Parks and Areas of Outstanding Natural Beauty should be sensitively located and designed so as to avoid adverse impacts on the designated landscapes, and that development primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around other developments should be pursued especially where this can secure measurable net gains for biodiversity and enhance public access to nature,

### **Q11. Do you agree with the changes proposed in Chapter 15?**

### **Response**

The Councils fully support these changes, as these will help deliver development that respond to the nature crisis and the climate emergency in a way that can provide benefits to both the public and important local landscapes.

- Supporting development that provides biodiversity enhancement and increases public accessibility to nature is particularly welcomed.

## **1.13. Chapter 16: Conserving and enhancing the historic environment**

### **Proposed change**

New paragraph 197 has been added to clarify that authorities should have regard to the need to retain historic statues, plaques or memorials, with a focus on explaining their historic and social context rather than removal, where appropriate.

### **Q12. Do you agree with the changes proposed in Chapter 16?**

### **Response**

The Councils support the need to contextualise historic statues, plaques and memorials and review their existence where appropriate.

### **3.14. Chapter 17: Facilitating the sustainable use of minerals**

#### **Proposed change**

New paragraph 209(c) has been amended to refer to Mineral Consultation Areas in order to clarify that this is an important mechanism to safeguard minerals particularly in two tier areas, and to reflect better in policy what is already defined in Planning Practice Guidance.

#### **Q13. Do you agree with the changes proposed in Chapter 17?**

#### **Response**

The councils support mechanisms that safeguard minerals.

### **1. Cambridge City Council and South Cambridgeshire District Council comments to the proposed National Model Design Code**

#### **Proposed change**

Changes proposed both to NPPF policies and to introduce the new national model design code with the express aim of promoting / ensuring high quality / beautiful development

#### **Response**

Comments on the National Model Design Code are provided below

#### **Role of sustainability**

- The Councils are concerned that the current document appears to have it separated from other urban design issues (layout, built form etc.).

#### **Narrow focus on 'visual preference studies' could stifle innovative / good design**

- The Councils are concerned that if visual preference studies are limited to exercises of elevations of different types of existing homes are shown to the community and they say which 'style' they prefer, this may favour

conservatism over innovation, limiting public conversation around design to a discussion about subjective aesthetics. The codes could be an opportunity to educate communities about design beyond aesthetics to a process.

#### References to Modern Methods of Construction missing

- The Councils feel that there is a potential for including Modern Methods of Construction to enhance thinking about economies of scale and sustainability.

#### Who owns the code?

- The Councils are concerned that codes can be produced by developers, landowners, local authorities or neighbourhood planning groups this might lead to competing codes.
- The Councils believe this needs greater definition - who pays in what context and where does the funding come from, i.e. will developers pay local authorities for pre-apps and design review to review codes as they are developed? Or would collaboration work on a design charrette basis? how will conflicts of interest be managed?

#### Overlapping codes could lead to less certainty, not more

- The Councils feel that if there are different levels of detail codes that can be applied to different areas eg. whole village vs specific development site, there might be overlap of different codes (by different stakeholders) that overlap in the same area.

#### Renewing codes

- The Councils feel the process for the review and update of the codes remains unclear, and requires some elaboration.

#### Training + skills of local planning authority officers

- The Councils are concerned that there is not enough emphasis on need for in-house expertise at Local Authorities and a good design team. Innovative or exceptional design will only occur if it is pushed by developer and local authority. i.e. Code breaking should not be status quo, but being able to

understand where code is broken may result in higher quality outcome, is something that would require upskilling of staff.

#### Link to digital planning

- The Councils feel there is a strong link to the opportunities of digital planning that could be made clearer.

#### Engaging stakeholders

- The Councils are concerned that the community engagement process unclear, focus is on consultation without necessarily providing more decision-making to communities. Could social analyses be part of the baseline analysis akin to physical and environmental contexts.

#### Politics of 'provably popular' principle

- The Councils are concerned about the how provably popular principle sits with process for good design.