



# WOKINGHAM BOROUGH COUNCIL

A Meeting of an **INDIVIDUAL EXECUTIVE MEMBER DECISION** will be held virtually on **TUESDAY 23 MARCH 2021 AT 4.00 PM**

A handwritten signature in black ink, appearing to read 'Susan Parsonage', written in a cursive style.

Susan Parsonage  
Chief Executive  
Published on 15 March 2021

This meeting may be filmed for inclusion on the Council's website.

Note: The Council has made arrangements under the Coronavirus Act 2020 to hold this meeting virtually via Microsoft Teams. The meeting can be watched live using the following link: <https://youtu.be/ylgKtEMJwos>

Please note that other people may film, record, tweet or blog from this meeting. The use of these images or recordings is not under the Council's control.



# WOKINGHAM BOROUGH COUNCIL

## Our Vision

***A great place to live, learn, work and grow and a great place to do business***

### Enriching Lives

- Champion outstanding education and enable our children and young people to achieve their full potential, regardless of their background.
- Support our residents to lead happy, healthy lives and provide access to good leisure facilities to complement an active lifestyle.
- Engage and involve our communities through arts and culture and create a sense of identity which people feel part of.
- Support growth in our local economy and help to build business.

### Safe, Strong, Communities

- Protect and safeguard our children, young and vulnerable people.
- Offer quality care and support, at the right time, to prevent the need for long term care.
- Nurture communities and help them to thrive.
- Ensure our borough and communities remain safe for all.

### A Clean and Green Borough

- Do all we can to become carbon neutral and sustainable for the future.
- Protect our borough, keep it clean and enhance our green areas.
- Reduce our waste, improve biodiversity and increase recycling.
- Connect our parks and open spaces with green cycleways.

### Right Homes, Right Places

- Offer quality, affordable, sustainable homes fit for the future.
- Build our fair share of housing with the right infrastructure to support and enable our borough to grow.
- Protect our unique places and preserve our natural environment.
- Help with your housing needs and support people to live independently in their own homes.

### Keeping the Borough Moving

- Maintain and improve our roads, footpaths and cycleways.
- Tackle traffic congestion, minimise delays and disruptions.
- Enable safe and sustainable travel around the borough with good transport infrastructure.
- Promote healthy alternative travel options and support our partners to offer affordable, accessible public transport with good network links.

### Changing the Way We Work for You

- Be relentlessly customer focussed.
- Work with our partners to provide efficient, effective, joined up services which are focussed around you.
- Communicate better with you, owning issues, updating on progress and responding appropriately as well as promoting what is happening in our Borough.
- Drive innovative digital ways of working that will connect our communities, businesses and customers to our services in a way that suits their needs.

**For consideration by**

**Wayne Smith, Executive Member for Planning and Enforcement**

**Officers Present**

**Ian Bellinger, Category Manager for Growth and Delivery**

**Callum Wernham, Democratic & Electoral Services Specialist**

<b>IMD NO.</b>	<b>WARD</b>	<b>SUBJECT</b>	
IMD 2021/11	None Specific	<b>NATIONAL PLANNING POLICY FRAMEWORK AND NATIONAL MODEL DESIGN CODE: CONSULTATION PROPOSALS</b>	<b>5 - 14</b>

**CONTACT OFFICER**

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# Agenda Item IMD11

## INDIVIDUAL EXECUTIVE MEMBER DECISION

REFERENCE IMD: IMD 2021/11

<b>TITLE</b>	National Planning Policy Framework and National Model Design Code: Consultation Proposals
<b>DECISION TO BE MADE BY</b>	Executive Member for Planning and Enforcement - Wayne Smith
<b>DATE, MEETING ROOM and TIME</b>	23 March 2021 Virtually at 4pm
<b>WARD</b>	None Specific;
<b>DIRECTOR / KEY OFFICER</b>	Director, Place and Growth - Chris Trail

### **PURPOSE OF REPORT (Inc Strategic Outcomes)**

To consider the councils response to the government consultation 'National Planning Policy Framework and National Model Design Code: consultation proposals' (MHCLG, January 2021).

### **RECOMMENDATION**

That the Executive Member for Planning and Enforcement agrees that Wokingham Borough Council submit the comments contained in Enclosure 1 as this Council's response to the government consultation 'National Planning Policy Framework and National Model Design Code: consultation proposals' (MHCLG, January 2021).

### **SUMMARY OF REPORT**

The Government has published proposed revisions to the National Planning Policy Framework (NPPF) and published a National Model Design Code. The consultation runs to 27 March 2021 and the documents available to download here.

The proposed revisions to the NPPF mostly relate to policy on the quality of design of new development and form the intended response to the recommendations of the Building Better, Building Beautiful Commission. There are however a number of additional revisions that respond to legal cases, with the revisions intended to provide clarity. Some time expired text is also proposed to be deleted.

The National Model Design Code provides detailed guidance on the production of design codes, guides and policies to promote successful design. It is intended to be used as a toolkit to guide local planning authorities on the design parameters and issues that need to be considered and tailored to their own context.

The recommended response to the questions set out in the consultation document is provided in Enclosure 1 to this report. In summary, it is recommended that we welcome and support the consultation proposals. It is recommended however that concerns are raised as to how the government's expansion of permitted development rights pulls in a different direction to providing clarity about design expectations and quality.

Some areas of clarification and amendment are also requested.

## Background

The government has published proposed revisions to the National Planning Policy Framework (NPPF) and published a National Model Design Code.

The consultation runs to 27 March 2021. The consultation documents are available to download [here](#).

## Business Case (including Analysis of Issues)

The proposed revisions to the NPPF mostly relate to policy on the quality of design of new development and form the intended response to the recommendations of the Building Better, Building Beautiful Commission. There are however a number of additional revisions that respond to legal cases, with the revisions intended to provide clarity. Some time expired text is also proposed to be deleted.

A design code is a set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area. Their purpose is to provide clarity about design expectations at an early stage in the development process.

The purpose of the National Model Design Code is to provide detailed guidance on the production of design codes, guides and policies to promote successful design. It is intended to be used as a toolkit to guide local planning authorities on the design parameters and issues that need to be considered and tailored to their own context when producing design codes and guides, as well as methods to capture and reflect the views of the local community from the outset, and at each stage in the process.

The process of preparing a design code follows a three stage or seven step process of:

- Analysis
  - Scoping
  - Baseline
- Vision
  - Design vision
  - Coding plan
  - Masterplanning
- Code
  - Area type guidance
  - Design code wide guidance

The recommended response to the questions sets out in the consultation document is provided in Enclosure 1 to this report.

In summary, it is recommended that the proposed changes to NPPF and the National Model Design Code are welcomed and supported. The proposed revisions to the NPPF provide useful clarity whereas the National Model Design Code is a useful resource to assist local authorities.

It is recommended however that concerns are raised as to how the government's expansion of permitted development rights pulls in a different direction to providing clarity about design expectations and quality. It is also recommended that mechanisms such as the five year housing land supply should be reviewed to ensure the laudable aim of improving design quality is not undermined. The recommended response is to

strongly urge the government to abandon the expansion of the permitted development regime as unnecessary and to advocate any regime that remained to link to local design codes.

Some areas of clarification and amendment are also highlighted within the recommended response.

**FINANCIAL IMPLICATIONS OF THE RECOMMENDATION**

***The Council faces severe funding pressures, particularly in the face of the COVID-19 crisis. It is therefore imperative that Council resources are focused on the vulnerable and on its highest priorities.***

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	Nil.	Not relevant.	Not relevant.
Next Financial Year (Year 2)	Nil.	Not relevant.	Not relevant.
Following Financial Year (Year 3)	Nil.	Not relevant.	Not relevant.

<b>Other financial information relevant to the Recommendation/Decision</b>
No financial implications arise directly as a result of this consultation exercise.

<b>Cross-Council Implications</b>
Whilst national planning policy and guidance strongly influence the council’s statutory planning function and other services which involve changes to the use of land or buildings, the focus of these specific proposals have limited impact on the principal use of land or buildings.

<b>Public Sector Equality Duty</b>
<p>This report relates to proposed changes to the planning system promoted and consulted on by government, and does not directly relate to actions of the council. As such an equality assessment has not been undertaken.</p> <p>An equality assessment will be undertaken by government and views have been specifically invited as part of the consultation process on potential impacts of the proposals in this regard.</p>

<b>SUMMARY OF CONSULTATION RESPONSES</b>	
<b>Director – Resources and Assets</b>	None received.
<b>Monitoring Officer</b>	None received.
<b>Leader of the Council</b>	None received.

<b>List of Background Papers</b>
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| <ol style="list-style-type: none"><li>1. National Planning Policy Framework and National Model Design Code; consultation proposals (MHCLG, January 2021).</li><li>2. Draft National Planning Policy Framework (MHCLG, January 2021)</li><li>3. Draft National Model Design Code (MHCLG, January 2021)</li><li>4. Guidance note for design codes (MHCLG, January 2021).</li><li>5. National Design Guide (MHCLG, January 2021).</li></ol> |
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## Enclosure 1

### National Planning Policy Framework

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

Yes.

Wokingham Borough Council supports the proposed revisions which include reference to the 17 Global Goals for Sustainable Development and the change of reference to sustainable patterns of development and places.

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

Yes.

Wokingham Borough Council welcomes the inclusion that policies for large scale development should be set within a long term vision.

Whilst supporting the revision, we strongly request the government consider further changes to ensure that national planning policy understands and reflects the delivery profile from large scale development. In places such as Wokingham Borough, strategic scale allocations will be necessary to deliver high quality development which provide the opportunity for residents and workers to access local services and facilities. Simply put, non-strategic options are often not accessible to services and facilities, nor do they capable of supporting necessary infrastructure interventions.

The government should make it expressly clear that the setting of a housing requirement and requirements for other uses can reasonably reflect a realistic delivery profile, without mechanisms such as the Local Housing Need and the five year housing land supply requirements creating unrealistic expectations and pressure to allow less sustainable development.

Q3. Do you agree with the changes proposed in Chapter 4? Which option relating to change of use to residential do you prefer and why?

Wokingham Borough Council supports Option 1 in the most part but requests the removal of the term “wholly” as unnecessary and an obvious area for challenge which is at odds with other parts of the NPPF.

It is essential that local authorities remain able to utilise Article 4 Directions to avoid unacceptable impacts based on local circumstances. The suggested alternative option which references the protecting an interest of national significance is inappropriate and flawed. It is accepted that rights should be removed from the smallest geographical area practical to address the identified issue.

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

Yes.

Wokingham Borough Council supports the proposed revisions. The clarification of infrastructure including a genuine choice of transport modes is welcomed. Masterplanning forms part of our core approach to planning for managing development, having been utilised in the creation of the adopted Core Strategy local plan and in the emerging Local Plan Update.

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

Yes.

Wokingham Borough Council supports the proposed revisions.

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

Yes.

Wokingham Borough Council supports the proposed revisions.

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

Yes.

Wokingham Borough Council supports the proposed revisions. Masterplanning forms part of our core approach to planning for managing development, having been utilised in the creation of the adopted Core Strategy local plan and in the emerging Local Plan Update.

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

No.

Whilst Wokingham Borough Council supports most of the proposed revisions, however, we are concerned that existing guidance produced by prior to the National Design Guide and National Model Design Code may be argued as carrying less weight, and that references to street trees require expansion to cover their continued health.

Our strategic development locations are supported by adopted Supplementary Planning Documents which provide design parameters. In addition, we have an adopted Borough Design Guide. It is essential that the role of these documents in achieving quality outcomes are not undermined. We request that the text is altered to clarify that the continuing relevance of existing design guidance and codes. If this is unachievable within the NPPF, clarity should be provided through an amendment to the supporting Planning Practice Guide.

The proposed new paragraph 130 refers to measures to secure the long term maintenance of trees. We feel it is essential that this paragraph is amended to refer in addition to providing sufficient

space to allow trees to grow and thrive, including the maintaining adequate root protection areas and limiting excessive shading to residential properties.

Lastly, proposed new paragraph 133 requires clarification to ensure that the significant weight given to design is not interpreted as outweighing other adverse impacts such as an unsustainable location or other environmental or social impacts.

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

Yes.

Wokingham Borough Council supports the proposed revisions.

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

Yes.

Wokingham Borough Council supports the proposed revisions.

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

Yes.

Wokingham Borough Council supports the proposed revisions.

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

Yes.

Wokingham Borough Council supports the proposed revisions.

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

Yes.

Wokingham Borough Council supports the proposed revisions.

Q14. Do you have any comments on the changes to the glossary?

Yes.

Wokingham Borough Council supports the proposed revisions.

National Model Design Code

- Q15. We would be grateful for your views on the National Model Design Code, in terms of
- a) the content of the guidance
  - b) the application and use of the guidance
  - c) the approach to community engagement

Wokingham Borough Council have the following comments on design and the design codes.

Moves to improve the tools available to improve design outcomes are welcomed. Design guides and codes can be very useful, and the principle of wider use of them is reasonable and to be supported. However, the increased use of local design guides and codes is highly dependent on sufficient resources in terms of time, money and skills being available. This will need to be addressed within the resourcing strategy mentioned in the White Paper, and an assumption that resources currently directed to development management can be reallocated to design guides will not be sufficient.

Quality is strongly influenced by the permission regime through which the scheme is scrutinised. It is certainly worth stating and openly recognising that some of the poorest development that has taken place has come through the permitted development route, including offices changing to residential.

The permitted development regime and its continued expansion by government, undermines this objective by removing the role of the local planning authority as assessor for many types of development. We would strongly urge the government to abandon the expansion of the permitted development regime as unnecessary. In addition we would strongly advocate any regime that remained to link to local design codes.

It is unlikely that the government's noble ambition to achieve beauty could derive from a list of rules and guidance alone. The success of design codes will also depend on how the development industry react to the definition of greater standards and the governments defence. In the case of the Sherford urban extension, a grouping of Bovis Homes and Linden Homes (now combined as Vistry) and Taylor Wimpey publicly fell out with the council and the Prince's Foundation which had drawn up a design code with the community. The group indicated they would go slow, undermining the council's ability to demonstrate a five year supply of deliverable sites. The outcome was that the council was forced to water down the design code, contrary to the community's wishes.

It is vital that good design is supported holistically across national planning policy and its interpretation and implantation by the Planning Inspectorate. It would be wholly wrong for good design to be outweighed by a wish to build houses or other developments. We would strongly urge the government to review wider mechanisms in the National Planning Policy Framework such as the five year housing land supply to ensure the laudable aims of increasing design quality are not undermined.

Wokingham Borough Council have the following comments on the National Model Design Code.

The National Model Design Code provides a good balance between text and images, and avoids the traps of being overly long or complex.

Accessibility could be improved by including a matrix at the end setting out the key design points and referring back to the relevant pages of the document for further details.

An explanation of enclosure ratio is required within the public spaces text section (page 24). We read this as building heights and front to front separation distances but is not clear to users.

The enclosure ratio for suburban primary streets seems overly flexible with a suggested range of 28m-35m. This may give the expectations of significantly lower density development. Having a defined primary route through a suburban street helps with wayfinding and placemaking and generally we have looked to define these areas through taller buildings and higher density housing. For such sites within Wokingham Borough we have used widths up to around 25m. Incorporating storey heights also gives the impression that these streets will be fronted by two storey buildings.

The description of local streets within the public spaces section as not being through routes for cars may encourage cul-de-sac forms of development. In our opinion, moving through an area on local roads should not be ruled out if designed well. We suggest local streets should be connected streets with vehicle speeds managed through the design process.

Q16. We would be grateful for your comments on any potential impacts under the Public Sector Equality Duty.

Wokingham Borough Council have no comments relating to impacts under the Public Sector Equality Duty.

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