

**National Planning Policy Framework and National Model Design Code –
Consultation Response for South Oxfordshire
and Vale of White Horse District Councils**

Council responses are in blue.

Chapter 2: Achieving sustainable development

The revised text reflects the government’s response to the Building Better Building Beautiful Commission, and makes a small number of other minor changes:

The wording in paragraph 7 has been amended to incorporate the 17 Global Goals for Sustainable Development which are a widely-recognised statement of sustainable development objectives, to which the UK has subscribed.

Paragraph 8(b) has been amended in response to the Building Better Building Beautiful Commission recommendations to emphasise the importance of well-designed, beautiful and safe places in achieving social objectives of sustainable development.

The wording in paragraph 8(c) has been strengthened to emphasise the role of planning in protecting and enhancing our natural, built and historic environment.

The wording of the presumption in favour of sustainable development (paragraph 11(a)) has been amended to broaden the high-level objective for plans to make express reference to the importance of both infrastructure and climate change.

The final sentence in footnote 8 (referred to in paragraph 11(d)) has been removed as the transitional arrangements for the Housing Delivery Test no longer apply.

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

Overall, yes - we support the addition and incorporation of the Global Goals for Sustainable Development, as well as developing ways to achieve sustainable development. The inclusion of the Global Goals provides the potential for some ground-breaking future Local Plans.

In paragraph 8b the social objectives of development must include the promotion of health and wellbeing – we suggest the following addition (shown in bold) to the proposed amendment: ‘Needs to emphasise the importance of well-designed, beautiful, **healthy** and safe places in achieving the social objectives of sustainable development.’

We welcome the addition in paragraph 8c that sustainable development should now 'protect and enhance' the natural, built and historic environment, and the inclusion of improving biodiversity as an environmental objective.

We note that the term 'beautiful' has been added to the definition of sustainable development in national policy for the first time. This is welcomed, although it is essential that the subjective term 'beautiful' is defined further, at least what is expected in design terms. Whilst we welcome the stronger focus on well-designed places, using the word *beautiful*, unless clearly defined, can lead to confusion. There is no consensus as to what 'beauty' actually means and the perception of beauty can change over time. Focusing on high-quality design, defining the design expectations and rewarding high quality design would be more appropriate as these terms are more readily definable.

We support the 'presumption in favour of sustainable development' amendments (although they could go further) and welcome the strengthened requirement for sustainable development that contributes to core sustainability objectives as an important feature of the proposed updates to the NPPF.

We particularly support the importance of addressing climate change and welcome the addition of 'mitigate climate change' in paragraph 11, though feel that this should come earlier in the paragraph's list, for increased significance. We also recommend the changes to paragraph 11a regarding 'mitigation' are replicated elsewhere in the NPPF, for example within paragraph 11c-d on 'decision taking' so that decisions on planning applications also reflect latest thinking on the climate, especially where local plans are behind the curve. Perhaps more clarity could also be provided regarding what is meant by 'mitigate'.

Since paragraph 11a is in effect defining what a presumption in favour of sustainable development is for plan-making, we are surprised that it does not mention zero carbon. The focus appears to be on patterns of development (i.e. location) rather than either quantum of growth, or raising the standards required of developments so that all growth is zero carbon.

We therefore recommend the inclusion of a reference to 'zero carbon development' in paragraph 11, as well as adding a reference to 'net biodiversity gain' here. We would recommend that the phrase 'improve the environment' is amended to 'improve the **natural and built** environment'. Alternatively, replacing the term 'built environment' with 'places' would be welcomed, because the term 'built environment', as distinguished from the natural environment, does not only cover buildings, but also the spaces between buildings including the infrastructure that supports human activity such as transportation networks, utilities, etc.

We additionally propose the inclusion of a new NPPF paragraph inserted after the current paragraph 9, as follows: *Climate change is the greatest long-term challenge facing the world today. Addressing climate change is therefore the Government's principal concern for sustainable development. For the avoidance of doubt, achieving sustainable development includes securing the mitigation of, and adaptation to, climate change. All planning strategies, and the decisions taken in support of them, must reflect the Government's ambition to help business and communities build a*

zero carbon future and prepare for the impacts of climate change. Accordingly, planning policies and all planning decisions must be in line with the objectives and provisions of Climate Change Act 2008, including the 2050 net zero carbon target.

Chapter 3: Plan-making

The revised text reflects the government's response to the Building Better Building Beautiful Commission, and recent legal cases:

In response to the Building Better Building Beautiful Commission recommendations, paragraph 20 has been amended to require strategic policies to set out an overall strategy for the pattern, scale and design quality of places.

Paragraph 22 has also been amended in response to the Building Better Building Beautiful Commission recommendations to clarify that councils who wish to plan for new settlements and major urban extensions will need to look over a longer time frame, of at least 30 years, to take into account the likely timescale for delivery.

Paragraph 35(d) has been amended to highlight that local plans and spatial development strategies are 'sound' if they are consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the Framework, and other statements of national planning policy where relevant. This ensures that the most up to date national policies (for example, Written Ministerial Statements) can be taken into account.

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

Thinking about placemaking as a whole and emphasizing design quality is welcomed. As suggested in our response to paragraph 8(b), new references to healthy places and wellbeing would bring further improvements.

Regarding paragraph 22, the current local plan system will find it challenging to deal with timeframes of 30 years. For example, in demonstrating deliverability through local plans, data, evidence and trends will change over time. Clarity about proportionality when evidencing such long term visions is needed. More detail is required here about the type of plans being referred to, for example, joint strategic spatial plans or regional spatial frameworks.

Chapter 4: Decision making

The revised text aims to clarify the policy intention for Article 4 directions:

In order to ensure Article 4 directions can only be used to remove national permitted development rights allowing changes of use to residential where they are targeted and fully justified, we propose amending Paragraph 53, and ask for views on two different options.

We also propose clarifying our policy that Article 4 directions should be restricted to the smallest geographical area possible. Together these amendments would encourage the appropriate and proportionate use of Article 4 directions.

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?

This decision-making chapter requires further changes to be consistent with improving the environment and mitigating climate change.

Health and wellbeing needs to be referenced in paragraph 41, as since the pandemic the role of the built environment in creating healthy places has been made much clearer. See addition in bold: *'The more issues that can be resolved at pre-app stage, including the need to deliver improvements in infrastructure and affordable housing **and to promote health and wellbeing**, the greater the benefits'*.

In paragraph 43, the reference to formal assessments needs to include reference to Health Impact Assessments.

We do not support the changes in paragraph 53, because local planning authorities should retain the ability to propose removing permitted development rights where there is a strong case. In areas with a strong housing market like ours, permitted development rights incentivise changes which lose the jobs, shops and facilities which are essential to 15/20 minute neighbourhoods. In market towns it is vital to retain vibrancy and a mixture of uses so that settlements have a degree of self-containment to meet local needs, consistent with creating sustainable patterns of development (as required by paragraph 11a). With an Article 4 Direction these changes can be considered through a planning application, not a prior approval process. We prefer the first option 'where they relate to change of use to residential, be limited to situations where this is essential to avoid wholly unacceptable adverse impacts' although we suggest deleting 'wholly'. Applying to 'the smallest geographical area possible' is too restrictive and not likely to ensure mixed uses are protected effectively.

Chapter 5: Delivering a wide choice of high quality homes

The revised text aims to clarify the existing policy and reflects the government's response to the Building Better Building Beautiful Commission and recent legal cases:

Paragraph 65 has been amended to clarify that, where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership. This is to address confusion as to whether the 10% requirement applies to all units or the affordable housing contribution.

Paragraph 70 has been amended to remove any suggestion that neighbourhood plans can only allocate small or medium sites. This was not the policy intention, so the wording has therefore been amended to clarify that neighbourhood planning groups should also give particular consideration to the opportunities for allocating small and medium-sized sites (of a size consistent with new paragraph 69a) suitable for housing in their area.

Paragraph 73 has been amended to reflect Chapter 9: “Promoting sustainable transport” in ensuring that larger scale developments are supported by the necessary infrastructure and facilities including a genuine choice of transport modes. Paragraph 73(c) has also been amended in response to the Building Better Building Beautiful Commission’s recommendations to clarify that when planning for larger scale development, strategic policy making authorities should set clear expectations for the quality of the places to be created and how this can be maintained (such as by following Garden City principles) and ensure that masterplans and codes are used to secure a variety of well-designed and beautiful homes to meet the needs of different groups in the community.

Footnote 40 (referred to in new paragraph 74(c)) has been updated to reflect that the Housing Delivery Test has now come into effect.

New paragraph 80 (d) has been amended in response to legal cases in order to clarify that the curtilage does not fall within the scope of this policy.

New paragraph 80 (e) has been amended in response to the Building Better, Building Beautiful Commission’s policy proposition 1 e) that it opens a loophole for designs that are not outstanding, but that are in some way innovative, and that the words ‘or innovative’ should be removed. This change is not proposed to rule out innovative homes, rather that it will ensure that outstanding quality can always be demanded, even if an innovative approach is taken.

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

We suggest that the NPPF references consideration of local affordability issues to ensure that the requirements of people in need of affordable homes are appropriately met.

We welcome the amendments to paragraph 70 regarding Neighbourhood Plans. Many of our neighbourhood development plan groups are doing this successfully, including identifying with their local knowledge suitable infill and brownfield sites.

We also welcome the amendments to paragraph 73 to promote sustainable transport, and its emphasis on the use and need of appropriate tools such as masterplans and design codes to secure high quality development proposals.

Paragraph 73c states place making is not just about creating beautiful homes - we need to create beautiful neighbourhoods, as reflected in the national model design code. We propose an addition in bold: ‘...*a variety of well-designed and beautiful homes **and neighbourhoods** to meet the needs of different groups in the community*’.

Chapter 8: Promoting healthy and safe communities

The revised text seeks to clarify existing policy:

New paragraph 92 (b) includes minor changes to help to clarify Government's expectations for attractive pedestrian and cycle routes. This supports the Building Better Building Beautiful Commission's recommendations on supporting walkable neighbourhoods.

New paragraph 97 has been amended to emphasise that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities and can deliver wider benefits for nature and efforts to address climate change.

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

Yes – we support the proposed changes to paragraph 92 on attractive pedestrian and cycle routes, and to paragraph 97 which recognise the benefits of high quality open spaces for nature and climate change.

Chapter 9: Promoting sustainable transport

The revised text reflects the government's response to the Building Better Building Beautiful Commission:

New paragraph 105 (d) has been amended to support the Building Better, Building Beautiful Commission's recommendations on encouraging walking and cycling.

New paragraph 109 (c) and supporting footnote 45 has been amended to prevent continuing reliance by some authorities on outdated highways guidance. Our amended wording states that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that the design of schemes and standards applied reflects current national guidance, including the National Design Guide and National Model Design Code.

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

Yes – we agree with the encouragement of walking and cycling and links to addressing climate change. Looking at paragraph 105d, to promote cycling and walking it is important to identify the connections with other sustainable transport modes, to promote an active 'first mile, last mile' approach – *'provide for high quality, well-designed walking and cycling networks and with supporting facilities such as*

*secure cycle parking and **providing access to multi-modal hubs** (drawing on *Local Cycling and Walking Infrastructure Plans*)’.*

The inclusion of a specific requirement that Councils should not consider highways design against the outdated principles in Design Bulletin 32 and instead should assess this against the National Design Guide and Model Design Code is welcomed - this will help facilitate a move away from over engineered, car-dominant and dependant developments.

Chapter 11: Making effective use of land

The revised text reflects the government’s response to the Building Better Building Beautiful Commission:

New paragraph 124 has been amended to include an emphasis on the role that area-based character assessments, codes and masterplans can play in helping to ensure that land is used efficiently while also creating beautiful and sustainable places.

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

Yes, we welcome paragraph 124 highlighting how area-based character assessments, codes and masterplans can be helpful in ensuring the land is used efficiently.

Chapter 12: Achieving well-designed places

The revised text reflects the government’s response to the Building Better Building Beautiful Commission:

New paragraphs 125 and 127 have been amended to include the term “beautiful” in response to the Building Better Building Beautiful Commission’s findings. This supports the Building Better Building Beautiful Commission’s recommendation for an overt focus on beauty in planning policy to ensure the planning system can both encourage beautiful buildings and places and help to prevent ugliness when preparing local plans and taking decisions on planning applications

Paragraph 126 has been amended to clarify the role that neighbourhood planning groups can have in relation to design policies.

Paragraph 127 has been amended to emphasise that all local planning authorities should prepare design guides or codes consistent with the principles set out in the

National Design Guide and National Model Design Code and which reflect local character and design preferences.

A new paragraph 128 has been added in response to the Building Better Building Beautiful Commission's recommendations and our manifesto commitment to give communities greater say in the design standards set for their area. This reflects the Government's proposals for a National Model Design Code, which will include a model community engagement process, and will create a framework for local authorities and communities to develop a more consistent approach which reflects the character of each place and local design preferences. It also clarifies that the National Design Guide and the National Model Design Code should also be used to guide decisions on planning applications in the absence of locally produced guides or codes.

A new paragraph 130 has been added to reflect the findings of the Building Better Building Beautiful Commission and the Government's ambition to ensure that all new streets are tree-lined, and that existing trees are retained wherever possible.

New paragraph 132 and footnote 50 have been updated to refer to Building for a Healthy Life.

New paragraph 133 responds to the Building Better Building Beautiful Commission's recommendations to make clear that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design. In addition, it clarifies that significant weight should be given to development which reflects local design policies and government guidance on design.

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

We have set out our thoughts on the relevant paragraphs in turn:

Paragraph 125 – Please see response to paragraph 8b. There is an opportunity to emphasise the importance of designing in health into developments, with a suggested amendment shown in bold: *'Good design is a key aspect of sustainable development, creates better places in which to live and work, **promotes health and wellbeing**, and helps make development more acceptable'*.

Paragraph 126 – This is welcomed and could be carried out via character toolkits provided by LPAs. Please see the Placecheck example (<https://placecheck.info/en/>).

Paragraph 127 - Please see response to paragraph 8b. The level of detail and degree of prescription should be proportionate to the circumstances and scale of change in each place.

Paragraph 128 suggests design codes should be prepared earlier in the planning process as Supplementary Planning Documents. The document should advocate collaboration between developers and LPAs to ensure the design codes are effective and successful.

We welcome the inclusion that the National Design Guide and National Design Code documents should be used to guide decisions on applications in the absence of locally-produced guides or codes.

Paragraph 130 - The street-tree policy has been long awaited and is welcomed as this will help to soften the built form and substantially transform the quality of new development across the country. We feel it could go further, to mention the role of street trees in green corridors and networks. We welcome the emphasis on the right tree species in the right place and the importance of integration with highways and service ducts/networks. We suggest the inclusion of a requirement for all or at least the majority of the utilities in new developments to be housed in utility ducts (covered with grass or at least vegetation). Such infrastructure planning must be prioritised as early as possible.

Generally, the design and implementation of utilities should be sensitively addressed to ensure their impact on the environment is minimised.

Paragraph 132 and footnote 50 on Building for a Healthy Life – this is a welcome update.

Paragraph 133 – We welcome the strengthening of the weight given to design in decision-making – this adds clarity to the role design plays, particularly reflecting the weight of design guides and codes.

Chapter 13: Protecting the Green Belt

The revised text seeks to clarify existing policy:

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?

Yes – we welcome the clarification of the policy.

Chapter 14: Meeting the challenge of climate change, flooding and coastal change

The revised text seeks to strengthen environmental policies, including clarifying some aspects of policy concerning planning and flood risk:

The changes proposed are in part, an initial response to the emergent findings of our joint review with the Department for Environment, Food and Rural Affairs (Defra) of planning policy for flood risk. The government's [Policy Statement on flood and coastal erosion risk management](#) sets out a number of actions to maintain and enhance the existing safeguards concerning flood risk in the planning system. Informed by this, we will consider what further measures may be required in the longer term to strengthen planning policy and guidance for proposed development in areas at risk of flooding from all sources when our review concludes.

On planning and flood risk, new paragraphs 160 and 161 have been amended to clarify that the policy applies to all sources of flood risk.

New paragraph 160(c) has been amended to clarify that plans should manage any residual flood risk by using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management).

The Flood Risk Vulnerability Classification has been moved from planning guidance into national planning policy (set out in Annex 3 and referred to in paragraph 162). It is considered that this classification is a key tool and should be contained in national policy.

New paragraph 163 has been amended to clarify the criteria that need to be demonstrated to pass the exception test.

New paragraph 166(b) has been expanded to define what is meant by "resilient".

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

Yes, the proposed changes bring helpful clarification to the NPPF and the Government's objectives, in particular the need to take into account 'all sources of flood risk' when undertaking the sequential test and improvements in green infrastructure to reduce the causes and impacts of flooding when managing residual risk.

However, with regard to the 'flood risk vulnerability classification' in Annex 3, we disagree with 'outdoor sports and recreation and essential facilities such as changing rooms' being classified as 'water compatible development'. This has the danger of allowing new facilities to be built in flood risk areas, potentially resulting in communities being unable to use them much of the year whilst they are underwater - see for example, paragraph 160(c).

We recommend that a distinction is made between green infrastructure for managing flood risk and green infrastructure (and associated buildings) to support community activities, such as sport and recreation. With regard to Annex 3, we recommend that built facilities and playing fields, parks and recreation facilities should sit separately in the other category (for example, car parks are in a different category).

Chapter 15: Conserving and enhancing the natural environment

The revised text seeks to clarify existing policy and reflects the government's response to the Building Better Building Beautiful Commission:

New paragraph 175 has been amended in response to the [Glover Review of protected landscapes](#), to clarify that the scale and extent of development within the settings of National Parks and Areas of Outstanding Natural Beauty should be sensitively located and designed so as to avoid adverse impacts on the designated landscapes.

New paragraph 176 has been separated from the preceding paragraph to clarify that this policy applies at the development management stage only.

New paragraph 179(d) has been amended to clarify that development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around other developments should be pursued as an integral part of their design, 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?

We support the clarification and strengthening on AONB setting in paragraph 175.

We also support paragraph 179(d)'s emphasis on enhancing public access to nature, which link with our Corporate objectives, and improving biodiversity via design. However, provision of green spaces is not sufficient to enable people to secure their benefits to physical and mental health, they need to be able to access it. We strongly support the proposed amendment (**in bold**) which is very important:

*'...development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate improve biodiversity improvements in and around other developments should be pursued as an integral part of their design encouraged, especially where this can secure measurable net gains for biodiversity and **enhance public access to nature**'.*

We support the reference to access to nature as a feature of good design; and the weight given to design in decision-making being strengthened through requirements for compliance with local and national design guides.

Chapter 16: Conserving and enhancing the historic environment

The revised text seeks to reflect a change made to national planning policy by a Written Ministerial Statement on protecting our nation's heritage dated 18 January 2021:

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?

[Addressing the historic and social context seems appropriate when taking decisions on heritage.](#)

Chapter 17: Facilitating the sustainable use of minerals

Minor changes have been made to clarify existing policy:

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.

New paragraph 210(f) has been amended to reflect that some stone extraction sites will be large and serve distant markets.

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

[We support the changes as they clarify policies.](#)

Annex 1: Implementation

Minor changes have been made to update the position on transitional arrangements, and on the Housing Delivery Test.

Annex 2: Glossary

The definition of “green infrastructure” has been updated to better reflect practice, as already set out in Planning Practice Guidance, published evidence reviews and the new national framework of green infrastructure standards.

The definition of the “Housing Delivery Test” has been amended to reflect the rulebook. This clarifies that the test measures homes delivered in a local authority area against the homes required, using national statistics and local authority data.

The definition of “minerals resources of local and national importance” has been amended to include coal derived fly ash in single use deposits.

Definitions of “mineral consultation area”, “recycled aggregates” and “secondary aggregates” have been added to reflect the changes in chapter 17.

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

We support the changes to the green infrastructure definition. We suggest adding a definition of zero carbon (zero carbon development / zero carbon construction) to the ‘climate change mitigation’ definition

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

a) The content of the guidance

The provision for improved design quality is welcomed and the National Model Design Code will provide a useful high-level framework for assisting officers in determining applications. As the document covers all of England it is understandably setting out design principles, providing parameters principally covering the layout, form and character of buildings and spaces in between. However, it is not clear how the code will assist local authority planners and developers in moving beyond the current prevailing design approaches.

The document places undue emphasis on the aesthetics of design. It should be more balanced to include other design principles which will assist in providing new

quality homes for people whilst addressing the climate change and ecological emergencies, which both SODC and VoWHDC have declared. As rural districts, these emergencies are going to be felt more strongly and new development should go further in mitigating the impact.

There is also a need to address wider issues which fall within the remit of decision in planning decision making, such as designing from the beginning for nature-led sustainable drainage systems, ensuring high quality public transport, incorporating cycle ways, accessible homes and high-quality broadband connections. Other issues such as light pollution and protecting the environment are all matters of design which should be incorporated into the design code.

To secure a more ambitious future for our urban and rural environment, the following changes to the code are required:

- Climate change – as the NPPF seeks to place additional weight on design in decision making, it is important to take a sustainability-led approach. The design code should demonstrate how renewable energy technologies will be incorporated seamlessly into proposals; for example, by setting parameters for the use of carbon-smart materials and ways in which resilience can be seamlessly incorporated into new development. The principles of design for nature do not go far enough in translating written statements into a clear requirement of the code. Little is said on climate change and how design can help mitigate it.
- Innovative design – the design code references the vernacular and use of local materials. We suggest that the code include emphasis on driving up the quality of buildings through using innovative construction methods. Nature based solutions also require a different urban grain which should be incorporated into the design code. These could include 3D printed carbon smart materials and the use of adaptive technologies in the construction of buildings. The code risks reinforcing the standard methods of traditional house builders at the expense of innovation.
- Use of materials – the design code should facilitate the use of new, more sustainable and efficient building materials in seeking to address climate change, overheating and rising energy prices. The current document appears to reinforce traditional methods and aesthetics to the detriment of innovation.
- Ecology and biodiversity – the Environment Bill will introduce an ecology net gain requirement. The design code should place greater emphasis on creating space for such requirements, instead of them being an afterthought in the design process.
- Additional spatial guidance on designing in towns and villages is required. It should provide design coding for creating sympathetic town extensions, infill development and densification which is sympathetic to more rural town and village character. The current document focuses heavily on very urban, city development patterns which appears to reinforce standard volume development approaches and focuses little on rural contexts which is where major housebuilders often struggle to have due regard to established patterns of development.

- More sketch examples of real-life good practice should be provided, including innovative and contemporary approaches. Considering that the Planning White Paper asked local authorities to radically rethink how they produce their local plans and is asking Councils to display policies visually on interactive maps, how does this document achieve this? It is still a very 'wordy' document.
- The draft document's shift towards 'place-making' and designing attractive places, as well as the code setting higher standards for rigorous design quality to be achieved with every proposal are welcomed. However, the word 'beautiful' appears specifically in the code twice and again the expectations of what it means are not clearly specified (see our response under paragraph 8(b)).
- The draft code does not currently make sufficiently clear the link between good design and promotion of health and wellbeing, e.g. In the Vision section, P33 could include a bullet point on the way development can promote health and wellbeing. Two key resources need to be referenced – 1) under Context: NHSE England: Putting Health into Place <https://www.england.nhs.uk/publication/putting-health-into-place-executive-summary/> and 2) under Resources: Homes England: Building for a Healthier Life: a design toolkit for neighbourhoods, streets, homes and public spaces <https://www.designforhomes.org/project/building-for-life/>

There are many positive aspects to the new design code, however, there are also a number of omissions that should be addressed. These are summarised in the following bullet points:

- The document should better articulate the differences between design and access statements and the design codes.
- Successful design is never defined – perhaps because of the reliance on the term 'beauty', without providing any real guidance on what this means in practice.
- There is a danger with a national design code that every development will end up looking the same. The code should go beyond a character assessment and place greater emphasis on the evidence required to successfully create a code.
- How does the viability of a project relate to design? Making elements of the code mandatory would ensure they are taken into consideration at the land acquisition stage and budgeted for satisfactorily.
- The code seems to follow an urban design-led approach, but less so a landscape-led approach. Green Infrastructure (GI) is a key element on how we plan and design and has become more important than ever due to the pandemic. The code should reflect on how GI is being integrated within each proposal, as it helps to not only adapt to climate change, but also helps to reconnect people with the environment. Poor design is interlinked with loss of nature and/ or lack of access to it.

b) The application and use of the guidance

Government emphasis on local delivery of these changes presents a number of challenges. Embedding high quality design through successful application and use of the guidance will be dependent on the following key factors:

- Resource and skills – the document should acknowledge the shortage of urban design skills in some local authorities to help implement the code. Additional funding for design, including design training and skills for planners is required across the sector. It includes support and training for neighbourhoods, local and national government and other bodies such as PINS, Homes England. This should also be extended across the construction industry to assist in delivery. It also requires adequate resources to support whole place design thinking in other service areas such as highways engineering and civils. PINS should be provided with adequate resourcing so that proposals which are of high-quality design envisaged by the National Design Code are approved and others rejected.
- Planning policy and guidance – should be updated at a national level to support the use of design codes which move towards supporting planning for climate change, innovation in design, use of innovative materials and technologies and planning for biodiversity net gain. Policy should provide further clarity on expectations and place great weight on design to assist decision making. Existing policy and the proposed changes should go further.
- There is a risk that the proposed design code approach embeds the current approach to construction of new residential buildings into the system, such that over time it crowds out opportunities for innovation. As residential buildings are one of the big four contributors to emissions, this will hamper government efforts to meet climate change pledges (i.e. to reduce the UK's net emissions of greenhouse gases by 100% percent relative to 1990 levels by 2050 (Climate Act 2008 (2050 Target Amendment) Order 2019) and ii. to reduce emissions by at least 68% by 2030 compared to 1990 levels in accordance with the Nationally Determined Contribution as part of the Paris Agreement (Gov Press Release 3 December 2020).
- There is other guidance that is being refreshed and will have an impact on the requirements of the National Design Code. CIHT (Chartered Institution of Highways & Transportation) was awarded last year a grant by the Department for Transport to develop a revised Manual for Streets. The revised Manual for Streets will bring together the existing Manual for Streets and Manual for Streets 2 and will be key guidance for anyone working in the highways and transportation sector. How will this revision align with the National Design Code?
- There is no guidance on how the contents of the code could be monitored or enforced. Is design enforceable against a code and, if so, how?

c) The approach to community engagement

The suggested approach to embedding community engagement within the design process is to be welcomed and supported. Planning policy should be strengthened to make it a fundamental aspect of the planning application process. We suggest the approach is strengthened so that proposals that have not undertaken extensive

community engagement and sufficiently balanced this against other planning requirements can be resisted. South Oxfordshire and Vale of White Horse District Councils encourage further engagement and welcome the approach to support local design codes being produced by neighbourhood planning groups.

Public Sector Equality Duty

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

No further comments.