

Planning for climate change – Design (Consultation on limited revisions to Technical Advice Note 12: Design)

Consultation response by Planning Aid Wales to the Welsh Assembly Government, 8th August 2008

1.1 Planning Aid Wales is an independent charity funded by the Welsh Assembly Government and Royal Town Planning Institute Cymru. We work towards our vision of a fairer, more transparent planning system which is responsive to community needs and preferences. We do this by informing, advising and supporting a wide range of people to enable them to participate more effectively in planning issues. We also work with local planning authorities and the Welsh Assembly Government to encourage more and better participation in the planning process.

1.2 In responding to national planning policy consultations, Planning Aid Wales aims to identify potential policy barriers to meaningful public involvement. We work from the principle that improving public understanding of the planning process and encouraging community involvement from the outset of any planning activity inevitably leads to better planning. Properly managed public involvement improves confidence in the planning system, reduces conflict and improves outcomes.

General comments on TAN 12 revisions

The need for more community involvement in the design process

2.1 Planning reforms encourage better public engagement and involvement in the preparation of development plans. Planning authorities are urged to work with their communities to develop a 'broad-brush' consensus about the types of development which will be appropriate in different areas.

2.2 In order to validate and support planning reforms, Planning Aid Wales believes that the principle of community engagement should also infuse the technical guidance used by local planning authorities to inform plan preparation. We know from our work that most people relate much more readily to a concrete development proposal in their locality than they do to a fifteen year strategic plan covering a wide area. This makes incorporation of community engagement in design guidance particularly relevant.

2.3 Development proposals at whatever scale are capable of generating significant public interest. However, because the majority of people do not understand the basics of the planning system and therefore feel excluded from the development planning process, this interest all too often turns to opposition. We believe that public interest and civic energies can most effectively be harnessed by inviting local people to participate in a managed process of community participation during the early stages of site planning.

2.4 Notwithstanding early references in the consultation draft TAN (see paras. 2.1 and 2.4) to the importance of social inclusion in good design, we consider that the proposed revisions to design guidance could and should go much further in this respect. The guidance should set out a design process which incorporates constructive involvement by local communities from the very earliest stages of site planning for a proposed development.

2.5 Suggestions are given below for amending specific sections of draft TAN 12 aim to achieve an acceptable level of community involvement in the development design process.

The need for accessible, user-friendly guidance

2.6 Para. 3.5 of the consultation guidance refers to the role of the planning system in proactively raising public awareness of design issues: 3.6 stresses the importance of local authorities being responsive to local concerns, and also the need for meaningful participation in local policy formulation: 3.9 talks about the importance of educating all sectors of the community through design briefs and guidance.

2.7 As well as providing guidance for professional planners and habitual users of the planning system, TAN 12 should also be an important source of information for the general public, giving people an opportunity to educate themselves about the role of design in the local planning process. Better public understanding of the design process will allow more informed and constructive comments to be made on emerging development proposals, resulting in better design solutions.

2.8 We consider that the guidance in its current form is a technical document clearly aimed at informing a professional audience. It is likely to be inaccessible to the lay public and is therefore unlikely to achieve its potential to inform and educate.

2.9 In order to inform the general public about this key area of planning, we consider that the Welsh Assembly Government should prepare parallel guidance to explain the key issue areas in an accessible and user-friendly format. Parallel

guidance should give a context for, and information about the design process, aiming to provide sufficient understanding of the site design and planning process to enable local communities to participate fully in this important activity should they wish to do so.

Over-restrictive definition of sustainable development

2.10 The definition of sustainable development used throughout the consultation document, with its emphasis on the physical / environmental aspects of sustainability, is unnecessarily restrictive. There are precious few references to the social and community aspects of sustainable development, namely the need to give local communities a role in helping shape future change in their localities.

2.11 We consider that the emphasis on the environmental impacts and performance of new development is out of step with the key principle of **integrated** sustainable development, and also runs counter to the main thrust of planning reforms. In addition, it does not align with the statutory requirement for Sustainability Appraisal of development plans, a process intended to improve the overall sustainability performance of the planning system by combining consideration of environmental, community, economic and resource issues.

2.12 Suggestions are given below for amending specific sections of draft TAN 12 with the aim of improving integration in the design process between the environmental and community aspects of sustainable development.

Specific comments and responses to consultation questions

[*Note: Suggested insertions shown underlined, deletions as ~~strikethrough~~*]

Defining design

Para 2.1: ‘... provides for flexibility in use, and provides public buildings and environments that are convenient and enjoyable to use for everyone.’

Para 2.2: ‘the social, community and cultural environment;’

Question 1: The definition of design has been amended in accordance with revised paragraph 2.9.1 of Planning Policy Wales. Do you consider that changes to this section of the TAN on defining design fail to include or reference anything of significance?

Question 1 response: The definition of design could be improved - see suggested amendments to draft TAN paras. 2.1 and 2.2 above.

The design process - principles

Para. 3.1: 'Sustainable development' should be defined with reference to integration between consideration of environmental and community impacts / benefits (see our paras. 2.10 and 2.11 above).

Para. 3.4: '... An understanding of the long-term implications of design decisions, including effects on and synergies with the local community environment, is essential from the outset.'

Para. 3.7: 'Pre-application discussions and advice on design and access statements are strongly recommended as they will create clarity for applicants - and also allow local information and preferences to be incorporated into design proposals from an early stage.

Objectives of good design

Para. 3.11: The list of objectives of 'good quality' design should include reference to design which has been influenced through a process of local community engagement and which enjoys local support.

Designing in context

Para. 3.13: 'These policies and their justification or background evidence should outline ... where there are important conservation or community objectives.'

Para. 3.15: 'Appraisal of an area's natural resources is a prerequisite to identifying environmentally sustainable design solutions.'

Achieving design solutions

Para. 3.25: Insert new section entitled 'Community sustainability' (to follow 'environmental sustainability' section and preceding 'movement' section). The following sub-headings are suggested:

- Local context (demography and trends, distinctiveness, etc);
- Engagement (participatory design approach, setting parameters of engagement, identification of local preferences and needs, etc);
- Local support (participatory design process, responsive to local distinctiveness, helping meet local needs and preferences, future management, etc).

Para. 3.25: (final bullet point under 'Movement' heading) '... the way in which the development can adapt to varying contexts, changing needs of local communities and requirements of inclusiveness over time.'

Para. 3.25: (penultimate bullet point under 'Appearance and character' heading) '... how the external area contributes towards the development and is used to make the development a more sustainable development which contributes positively to its local environment and community setting.

Question 2: Please state your preferred option.

Option 1 – Design statements to have the same exemptions as access statements

Option 2 – Design statements to have the same exemptions as the access statements, but that a design and access statement should also accompany householder applications in designated areas (such as national parks and conservation areas)?

Question 2 response: If Option 2 is selected, it will be important to specify precisely in which nationally designated areas (eg. SSSI, SPA, SAC, AONB, NNR, etc) an access and design statement will be required to support householder applications.

Question 3: Do you agree with the proposed categories (which will be included in secondary legislation) for a design and access statement, i.e. Environmental Sustainability; Movement (including access and inclusive design); Appearance and Character and Public Safety? (relates to para 3.25)

Question 3 response: No. We consider that an additional category, Community Sustainability, is necessary (see response to para. 3.25 above).

Question 4: Do you consider that it is appropriate to include the access/inclusive element of a design and access statement under the “Movement” category, or should it be a separate category?

Question 4 response: No. Issues of public access and inclusivity should be considered under a new Community Sustainability category (see question 3 response).

Question 5: Do you have any specific comments on the changes made to the objectives? (relates to para. 3.10)

Question 5 response: Para. 3.11 should be augmented to include reference to ‘good quality’ design incorporating consideration of local community sustainability (see response to 3.11 above).

[NOTE: This question refers to changes made to paragraph 3.10 which is not shown as having changed since the previous consultation version.]

Question 6: Do you have any specific comments on the changes made to the diagram at figure 1? Do you consider that the original figure 2 (page 10 of the 2002 TAN) should be retained?

Question 6 response:

1) Figure 1 of the consultation guidance (like its predecessor in the 2002 TAN) can be expected to be impenetrable for the lay reader. The diagram seeks to do too much, thereby obscuring even for the professional reader the

relationships between different process elements and the sequence of the anticipated process.

2) We consider that the box element currently entitled 'consultation' (though an improvement on the previous 'stakeholder consultation') should be entitled 'Community involvement' to reflect a clear and genuine intention to involve local people in the early stages of the site design and planning process.

3) There is no explicit reference in the consultation document to mechanisms or approaches for encouraging community input during the pre-application design stage, as indicated by the linking arrow in Figure 1. This reinforces our view that a new Community Sustainability category is needed for proposed design and access statements (see response to question 3 above).

Development Plans

Para. 4.2: 'Local planning authorities should include clear robust policies on design in their development plans which should address local issues and community preferences identified during plan preparation and be based on evidence.'

Para. 4.5: 'Design policies in LDPs ~~also may need to~~ should be considered against any objectives in the LDP Sustainability Appraisal, including the need to reduce ~~ing~~ carbon emissions and ~~or~~ achieve social / accessibility goals for the plan.'

Supplementary Planning Guidance

Para. 4.6: (final bullet point under 'site specific' sub-heading,) 'Inspire a high quality of design and take account of community involvement activities ~~consultation~~ undertaken.' (to conform with Figure 1 process diagram heading)

Development Control

Para. 4.11: 'For large complex proposals, a pre-application design and access statement should ~~could~~ be presented to the local planning authority, ~~and~~ stakeholders and local community representatives for consideration.

Para. 4.12: '... which may include... energy specialists, environmental and community sustainability specialists, ... The objective should be to raise skills and design capacity amongst officers and also to raise design awareness of elected members, local community groups and the general public.

Inclusive Design

Para. 5.4: ‘Design should be informed by an understanding of its wider social context, and should be developed in accordance with the needs and preferences of people.’ In every area of development...

Transport and movement

Para. 5.9: ‘... a wider choice of more sustainable travel modes. Engaging with local communities during the early stages of site planning and design can reveal valuable information about how this can best be achieved in the local context.’

Landscape

Para. 5.19: ‘... They are often an integral part of the historic, cultural and community character of the town. ... The landscape qualities of the settlement including... its historic, cultural and community character need to be taken into consideration early in the design process.’

Housing design and layout

Para. 5.61: ‘The design of housing layouts and built form should reflect local context, ... The standard pattern book approach needs to evolve to accommodate vernacular elements and reinforce local community distinctiveness.’

Appendix 1 – Guidance on the Design and Access Statement

A1.5: ‘A DAS must cover... Environmental Sustainability, Community Sustainability, Appearance and Character, Public Safety’ (as per response to para. 3.25 above)

Table 1: Insert ‘Community Sustainability’ (as per para. 3.25 response).

A3.10: ‘A submitted DAS... should avoid specialist terminology; (insert as new third bullet point).

Table 2 – Broad contents of the design and access statement

Insert new 'Community Sustainability' category (as per para. 3.25 response), including relevant policy links, aspects to be covered, and examples of considerations.

Contacts

Add Planning Aid Wales as a useful contact:

Web: www.planningaidwales.org.uk

Helpline: 02920 485 765

Address: Suite 1, Bay Chambers, West Bute Street, Cardiff Bay, CF10 5BB