**CONSULTATION RESPONSE FORM**

**Design in the Planning Process**

We want your views on how we can support our national planning policy on design and facilitate the delivery of good design through the planning system.

Please submit your comments by **16** **January 2015**

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| **Data Protection** |
| Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tick the box below. We will then blank them out.Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone’s name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information. |

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| **Confidentiality** |
| Responses to consultations may be made public on the internet or in a report. **If you do not want your name and address to be shown on any documents we produce please indicate here** [ ] **If you do not want your response to be shown in any document we produce please indicate here** [ ]  |

**CONSULTATION RESPONSE FORM**

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| **Design in the Planning Process (Consultation)** |
| **Date: 6 October 2014 - 16 January 2015** |
| **Name**  |      Shea Jones   |
| **Organisation**  | Community Housing Cymru Group |
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| **Type***(please select one from the following)* | Business | [ ]  |
|  | Local Planning Authority | [ ]  |
|  | Government Agency / Other Public Sector | [ ]  |
|  | Professional Body / Interest Group | [ ]  |
|  | Voluntary sector (community groups, volunteers, self-help groups, co-operatives, enterprises, religious, not for profit organisations) | [x]  |
|  | Other (other groups not listed above) | [ ]  |

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| **Q1** | **Design Quality**Is the planning system effectively delivering the five key objectives of good design? Give reasons for your answer. | **x** |
| **Yes** |  |  |
| **Neither Yes nor No** |  |  |
| **No** |  | X |

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| **Q1** | **Further Comments** |
| Elements of the five key objectives are achieved. However, there is sometimes a clash relating to the character objective and this can lead to planning officers applying their own views on a design rather than looking at the design principles that should be applied. Do we understand what is meant by promoting legible development? Promoting sustainable movement and travel has been pushed by many LPA’s. However, the outcome of such policy making requires considerable input from external partners and agencies to ensure the long term sustainability of movement, especially in more rural areas. What is agreed at planning stage may not actually come to fruition in the long run. The 5 key objectives are quite broad and it is down to how the planning officers chose to interpret them, especially around innovation and sustaining local character.CHC does acknowledge however that the objectives have had a positive effect on design standards across Wales since their introduction. As a consequence there are many recent examples throughout Wales of housing schemes which have been developed in a sympathetic manner, respecting the local character and context, and providing desirable places to live, as well as providing for affordable housing opportunities and, in some locations, contributing to regeneration objectives.  |

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| **Q2** | **Local Development Plans**Do you agree that a national development management policy on design would be beneficial?  | **x** |
| **Yes** |  | x |
| **Neither Yes nor No** |  |  |
| **No** |  |  |

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| **Q2** | **Further Comments** |
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| CHC feels that there are advantages to developing a core set of development management policies prepared for consistent application by all local planning authorities, in order to help standardise the approach taken by LPA's in setting out their policies, as creating a consistent approach across Wales will be advantageous to organisations who work across different LA areas and should lead to fewer appeals against planning decisions. In the current system, there is a tendency for each LPA to 'reinvent the wheel' whenever they are required to prepare new development plans. Consequently the target dates for adopting plans are rarely met and in many cases take many more years than anticipated. The effect of this on the development sector is obviously negative. This measure will, therefore, improve efficiency and reduce costs and promote development without necessarily diluting the quality of the policies. A national development management policy on design must provide certainty and consistency in approach amongst LA’s and the way that they deal with design. Its also important that any development management policy on design should not stifle development or innovation and that it should allow for design professionals and developers to demonstrate how they interpret site circumstances to maximise the effectiveness of a proposal.Importantly, there needs to be an understanding by the LPA and policy makers of development costs of any design requirements whether that be in respect of materials or scale of development (i.e. number of storeys)  |

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| **Q3** | **Supplementary Planning Guidance**Are area and site specific plans, such as masterplans, being used to positively plan for key development? Can you highlight areas of good practice?  | **x** |
| **Yes** |  | X |
| **Neither Yes nor No** |  |  |
| **No** |  |  |

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| **Q3** | **Further Comments** |
| Masterplans and area / site specific plans work well where they are developed in conjunction with the development industry and not by LA’s and their own appointed design teams. It is the industry that understands the constraints of development as well as the costs and can help provide excellent space planning and phasing options ensuring the viability of a masterplan. Where masterplans are drawn up with input from stakeholders at an early stage, including the local authority, they are more likely to be successful in delivering appropriate development. Masterplans for several strategic sites in Cardiff have evolved through principles consulted on in early stages of the LDP process. |

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| **Q4** | **Supplementary Planning Guidance**Do you agree that the Welsh Government should produce practice guidance on the process of site analysis to inform the development of well designed proposals? | **x** |
| **Yes** |  | x |
| **Neither Yes nor No** |  |  |
| **No** |  |  |

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| **Q4** | **Further Comments** |
| It must be acknowledged however that local characteristics can not always be captured in a national policy.Further best practice guidance would be useful. A decade or so ago, prior to TAN 12, most local authorities adopted design principles prepared by the Planning Officers Society for Wales. Such guidance should, however, avoid prescriptive elements and allow for innovative design solutions which reflect the character and local vernacular of individual settlements to create a better sense of place. |

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| **Q5** | **Front Loading / Pre-applications**How can we ensure that pre-application discussions assist in the improvement of design quality and inclusive access of development? Can you highlight areas of good practice? |  |
| To enable an applicant to understand the issues that will be relevant to the local authority in terms of design, pre application discussions are key. Early discussion is key in ensuring that key elements are incorporated into proposals at an early stage and are considered early along with other site circumstances and constraints. Pre-application advice is critical to the majority of applications let alone those of National Significance. All too often the planning officers change their minds after the application has been registered and this is a cause for much delay and frustration and can result in a design that is not as effective as initially planned.  |

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| **Q6** | **Planning Applications**Other than further training or additional practice guidance what additional tools would assist you in assessing the quality of design in planning proposals? |  |
| Understanding the quality of materials and how they look after aging, as well as what the impact on design is if it is not well maintained.Presentations by those involved in schemes which have been regarded as exemplar forms of development, outlining the issues considered, and any difficulties experienced, would be useful, through CPD or other mechanisms. |

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| **Q7** | **Access**Do you agree that the amendments to the 1APP form will ensure inclusive access issues are considered in development proposals? | **x** |
| **Yes** |  |  |
| **Neither Yes nor No** |  | X |
| **No** |  |  |

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| **Q7** | **Further Comments** |
| Where will building regulations sit in this? In the absence of a mandatory requirement for design and access statements this may be necessary. However, it will constitute a ‘tick box’ exercise and applicants will state that the issue has been addressed regardless of the degree of thought which has been given to the issue. |

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| **Q8** | **Access**What information or other measure would assist local planning authorities assess planning proposals in terms of inclusive access? |  |
| Understanding how parking arrangements for households support inclusive access. Clashes between policies can adversely impact on this area.Requirements associated with Part M of the Building Regulations aim to secure inclusive access arrangements. Normally a statement is included in design and access statements that these requirements are met. A number of local authorities have also issued Supplementary Planning Guidance on disabled access.  |

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| **Q9** | **Design Commission for Wales and Planning Advisory and Improvement Service**How can thePAIS and DCfW mainstream good design and inclusive access in the planning process?  |  |
| CHC supports the continuation of the Design Commission for Wales with regard to this much needed pursuit of design quality and DCFW's role in encouraging its delivery is important. CHC also particularly supports the role of Constructing Excellence Wales (CEW) and CREW Regeneration Wales (who are part of the CHC group structure) in supporting the built environment. We need to ensure that all these services are well publicized, full understood by potential clients and that PAIS and other bodies play a role in sharing good and bad practice. |

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| **Q10** | **Design Skills and Good Practice**How can we continue to raise the design skills of local authority officers and members and what further specific training is required? |  |
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| The proposed reorganisation of local authorities and potential merging of Local planning authorities, offers the opportunity for the skills of trained individuals officers to be shared more widely. However, if local planning authorities were to be merged to create larger units, it is vital that the establishment of significantly larger LPAs doesn’t give rise to concerns regarding the ability to connect with local communities. Hopefully this will improve consistency, help distribute resources and increase the level of expertise within individual LPA's, although whilst we recognise the advantages of certain geographically linked LPA's merging their resources to deliver more efficiently, LDP's, Minerals and other strategic plans, we do not think this should be extended to Development Control. It may well be important to consider the Williams Commission Report which has been published since the Positive Planning consultation was published. In larger ‘merged’ local authorities it remains to be seen whether officers with design and conservation skills will in turn be merged into larger teams. This will be necessary, particularly as town and community councils may require specialised advice from local planning authorities in producing ‘Place Plans’. Encouraging LPA’s to have a cross section of skills within their departments is key e.g. complementary urban designer, economics, historic buildings. Member training is key. Planning officers are professional and highly trained. Most planning committee members are lay people and a training programme that is standardised for members would be beneficial for the whole system. |

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| **Q11** | **Design Skills and Good Practice**Is there scope for local planning authorities to work differently or more collaboratively on design issues? Do you know of any existing activity in this area?  | **x** |
| **Yes** |  |  |
| **Neither Yes nor No** |  |  |
| **No** |  |  |

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| **Q11** | **Further Comments** |
| Key areas of collaborative working would take place during the proposed changes to pre-planning application procedures and the development of design briefs and masterplans.A key question to ask would be is there a risk that planners would try and impose their own views on design possibly? Architects design and planners ensure the design fits within the policy framework that has been established.  |

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| **Q12** | **Design Skills and Good Practice**Can you highlight areas of good practice, from Wales or elsewhere, relating to any of the above, which promote and/or lead to the achievement of good design and inclusive access? |  |
| The Design Commission for Wales has commended the approach taken by Coastal Housing in the Urban Quarter redevelopment in High Street, Swansea, particularly with regard to the regeneration of the area. The DCfW Report on proposals for the latest phase, confirm the ‘continuation of the successful approach to the urban village streetscape’. Proposals to replicate a demolished historic building, the Bush Hotel were also stated to be commendable. |

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| **Q13** | **Design and Access Statements** Are there any benefits in retaining the requirement for Design and Access Statements for particular applications? | **x** |
| **Yes** |  | x |
| **Neither Yes nor No** |  |  |
| **No** |  |  |

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| **Q13** | **Further Comments** |
| For major developments, housing developments and other sensitive forms of development, a DAS is an effective way for application to summarise their approach to a number of design issues and enables planning officers to efficiently appraise the design and access issues of proposals. Should the requirement for design and access statements be removed, the submission of some form of design statement, possibly included in the supporting planning submission, should continue to be regarded as best practice.  |

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| **Q14** | **Design and Access Statements** Should the mandatory requirement for Design and Access Statements be removed from secondary legislation? Give reasons for your answer.  | **x** |
| **Yes** |  |  |
| **Neither Yes nor No** |  |  |
| **No** |  |  |

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| **Q14** | **Further Comments** |
| Clarity is required on what alternative methods would be adopted to achieve good design. A blanket requirement for Design & Access Statement's (DAS's), such as has existed for the past 7 years is not justified. A DAS should not be necessary in respect of minor householder development, minor amendments to a consented scheme and numerous other forms of development where design and access are not primary considerations. However, for major developments, housing developments and other sensitive forms of development, a DAS is an effective way for application to summarise their approach to a number of design issues and enables planning officers to efficiently appraise the design and access issues of proposals.  |

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| **Q15** | **Any Other Comments** We have asked a number of specific questions. If you have any related issues or ways which design can be improved through the planning system which we have not specifically addressed, please let us know. |  |
| Onerous planning conditions and pre commencement conditions can impact the final look and feel of a design due to timing constraints and costs of materials.An understanding of what imposed materials may look like in future years would be helpful and the lifecycle costs of any building (especially one of significance). The costs of maintenance should not be overlooked.As stated above, design and access statements (DAS’s) have proven to be effective in achieving good design.CHC consider that for certain forms of development , where design matters are the primary concern they should be retained in some form.  |

**How to respond**

Please submit your comments by **16 January 2015** in any of the following ways:

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| **E-mail** | **Post** |
| Please complete the consultation form and send it to: planconsultations-a@wales.gsi.gov.uk / planconsultations-a@cymru.gsi.gov.uk [Please include **‘Design in the Planning Process Consultation’** in the subject line] | Please complete the consultation form and send it to:Design ConsultationPlanning Policy BranchPlanning DivisionWelsh GovernmentCathays ParkCardiff CF10 3NQ |

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| **Additional information** |
| If you have any queries about this consultation, please: E-mail: max.hampton@wales.gsi.gov.ukTelephone: Max Hampton on 02920 82 6166 |