

Number: **WG23161**



Llywodraeth Cymru  
Welsh Government

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Welsh Government

## Consultation Responses – Part 1

# Design in the Planning Process

Date of issue: **June 2015**

## CONSULTATION RESPONSE FORM

**Design in the Planning Process (Consultation)****Date: 6 October 2014 - 16 January 2015**

<b>Name</b>	Bob Dewey	
<b>Organisation</b>	Bobdeweyplanning	
<b>Address</b>	The Gables Llanfynydd Wrexham, Flintshire	
<b>E-mail address</b>	bobdeweyplanning@gmail.com	
<b>Telephone</b>		
<b>Type</b> (please select one from the following)	Business	x <input type="checkbox"/>
	Local Planning Authority	<input type="checkbox"/>
	Government Agency / Other Public Sector	<input type="checkbox"/>
	Professional Body / Interest Group	<input type="checkbox"/>
	Voluntary sector (community groups, volunteers, self-help groups, co-operatives, enterprises, religious, not for profit organisations)	<input type="checkbox"/>
	Other (other groups not listed above)	<input type="checkbox"/>

<b>Q1</b>	<b>Design Quality</b>	<b>x</b>
Is the planning system effectively delivering the five key objectives of good design? Give reasons for your answer.		
Yes		
Neither Yes nor No		
No		<b>x</b>

<b>Q1</b>	<b>Further Comments</b>
Neither planning staff, nor applicants, nor committee know what is good design. It is too easy to confuse "what I like" with good design and "what I don't" with poor design.	

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

<b>Q2</b>	<b>Further Comments</b>
It too difficult to put into words what is good design	

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

<b>Q3</b>	<b>Further Comments</b>

<b>Q4</b>	<b>Supplementary Planning Guidance</b>	x
	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?	
	Yes	x
	Neither Yes nor No	
	No	

<b>Q4</b>	<b>Further Comments</b>

<b>Q5</b>	<b>Front Loading / Pre-applications</b>	
	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?	
<p><b>Outlawing fees for pre-enquiries – or making the fee deductible from the planning application fee.</b></p> <p><b>Training planning professionals about design</b></p>		

<b>Q6</b>	<b>Planning Applications</b>	
<p>Other than further training or additional practice guidance what additional tools would assist you in assessing the quality of design in planning proposals?</p>		
<p><b>Promote t.v. series showing how good design can be evolved. Outlaw “Grand Designs” which more often than not shows how not to design a project and replace it with “Good Designs”</b></p>		

<b>Q7</b>	<b>Access</b>	<b>x</b>
<p>Do you agree that the amendments to the 1APP form will ensure inclusive access issues are considered in development proposals?</p>		
Yes		
Neither Yes nor No		
No		<b>x</b>

<b>Q7</b>	<b>Further Comments</b>	
<p><b>A form is just that; filling it in is the last part of the process by which time to chance to amend has long gone</b></p>		

Q8

### Access

What information or other measure would assist local planning authorities assess planning proposals in terms of inclusive access?

**Unless you have been in a wheelchair (or have tried to navigate through a development blindfolded) you have no concept how difficult it is. Practical training (such as that organised by Wrexham Access Group a few years ago is an “eye opener” (pun intended!)**

Q9

### Design Commission for Wales and Planning Advisory and Improvement Service

How can the PAIS and DCfW mainstream good design and inclusive access in the planning process?

**Produce a programme of short localised training sessions for staff and agents. (free or for a very small charge)**

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?

As Q9

<b>Q11</b>	<b>Design Skills and Good Practice</b>	<b>x</b>
	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?	
	Yes	
	Neither Yes nor No	
	No	<b>x</b>

<b>Q11</b>	<b>Further Comments</b>
	<p><b>Design issues are localised – often even varying from town to town.</b></p> <p><b>Peer review groups might work but who has time/resources to operate these?</b></p>

<b>Q12</b>	<b>Design Skills and Good Practice</b>	
	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?	

<b>Q13</b>	<b>Design and Access Statements</b>	<b>x</b>
	Are there any benefits in retaining the requirement for Design and Access Statements for particular applications?	
	Yes	

Neither Yes nor No	
No	x

#### Q13 Further Comments

DAS ought to be a help to all involved but in practice are often cobbled together at the very last opportunity before submission.

In the ideal world, applicants should be required to submit DAS s written at the outset of their project and at the end to demonstrate how it brought value the process.

#### Q14 Design and Access Statements

Should the mandatory requirement for Design and Access Statements be removed from secondary legislation? Give reasons for your answer.

Yes	
Neither Yes nor No	x
No	

#### Q14 Further Comments

#### 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.



**Local Authorities are not equipped to make good design judgments and the old architect/planner professional has disappeared.**

**RTPI should be encouraged to make design a key element in competencies for Chartered Planners.**

### How to respond

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

E-mail	Post
Please complete the consultation form and send it to: <a href="mailto:planconsultations-a@wales.gsi.gov.uk">planconsultations-a@wales.gsi.gov.uk</a> / <a href="mailto:planconsultations-a@cymru.gsi.gov.uk">planconsultations-a@cymru.gsi.gov.uk</a> [Please include ' <b>Design in the Planning Process Consultation</b> ' in the subject line]	Please complete the consultation form and send it to: Design Consultation Planning Policy Branch Planning Division Welsh Government Cathays Park Cardiff CF10 3NQ

### Additional information

If you have any queries about this consultation, please:

E-mail [max.hampton@wales.gsi.gov.uk](mailto:max.hampton@wales.gsi.gov.uk)

Telephone: Max Hampton on 02920 82 6166

**From:** [Kristina Martinsson](#)  
**To:** [Planconsultations-a](#)  
**Subject:** National development plan, short answer  
**Date:** 10 October 2014 17:31:37

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Local development plans good for design

This is a consumer right question, consumer right in eu, problems perhaps, changes recently, not liked when eu was founded

National development plan good, federal protection, grass roots organizations , like green peace quarrel, not good for whole country

Good practice, government and people work together, guidelines and work like this, not Good with meeting in community halls, risk for violence attack

Kristina Martinsson

## FFURFLEN YMATEB I YMGYNGHORIAD

## Dylunio yn y Broses Gynllunio (Ymgynghoriad)

Dyddiad: 6 Hydref 2014 - 16 Ionawr 2015

Enw	Gruffydd Price	
	Pensaer Siartredig	
Cyfeiriad	Gwylfa, LLanbedr, Gwynedd	
Cyfeiriad e-bost	gruffyddprice@hotmail.com	
Rhif ffôn		
Math (dewiswch un o'r rhain)	Busnes	<input type="checkbox"/>
	Awdurdod Cynllunio Lleol	<input type="checkbox"/>
	Un o Asiantaethau'r Llywodraeth / Sefydliad Arall yn y Sector Cyhoeddus	<input type="checkbox"/>
	Corff Proffesiynol / Grŵp Buddiant	<input type="checkbox"/>
	Sector gwirfoddol (grwpiau cymunedol, gwirfoddolwyr, grwpiau hunangymorth, sefydliadau cydweithredol, mentrau, sefydliadau crefyddol, sefydliadau di-elw)	<input type="checkbox"/>
	Arall (grwpiau eraill heb eu rhestru uchod)	X

<b>C1</b>	<b>Ansawdd Dylunio</b>	<b>X</b>
A yw'r system gynllunio'n cyflawni pum amcan allweddol dylunio da mewn modd effeithiol?		
Ydy		
Dim un o'r rhain		
Nac ydy		<b>X</b>

<b>C1</b>	<b>Sylwadau Pellach</b>
<p>Nid yw'r sustem yn effeithiol o ran mynediad anabl (gwell rheoli hyn trwy'r Rheoliadau Adeilad).</p> <p>Ar sail y canlyniadau gweledol hyd at yma, nid yw'r amcan cymeriad yn effeithiol. Mae safon pensaerniaeth datblygiadau cyffredinol yn wael iawn.</p>	

<b>C2</b>	<b>Cynlluniau Datblygu Lleol</b>	<b>X</b>
A ydych yn cytuno y byddai polisi rheoli datblygu cenedlaethol ar ddylunio yn beth buddiol?		
Ydw		
Dim un o'r rhain		
Nac ydw		<b>X</b>

<b>C2</b>	<b>Sylwadau Pellach</b>
<p>Nid yw addysg swyddogion cynllunioar hyn o bryd yn eu galluogi i roi barn ar yr amryw o agweddau o ddylunio adeiladau, &amp;c. Rhaid cael cefndir trylwyr pensaerniol i allu gwneud hyn.</p>	

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<b>C3</b>	<b>Canllawiau Cynllunio Atodol</b>	<b>X</b>
A yw cynlluniau ar gyfer ardaloedd a safleoedd penodol, megis uwchgynlluniau, yn cael eu defnyddio i gynllunio datblygiadau allweddol mewn modd cadarnhaol? A allwch chi roi enghreifftiau o arferion da yn hyn o beth?		
Ydyn		
Dim un o'r rhain		
Nac ydyn		

<b>C3</b>	<b>Sylwadau Pellach</b>

<b>C4</b>	<b>Canllawiau Cynllunio Atodol</b>	<b>X</b>
A ydych yn cytuno y dylai Llywodraeth Cymru baratoi canallwiau ymarferol ar sut i ddadansoddi safleoedd fel y bo modd datblygu cynigion a fydd wedi'u dylunio'n dda?		
Ydw		<b>X</b>
Dim un o'r rhain		
Nac ydw		

<b>C4</b>	<b>Sylwadau Pellach</b>
Syniadgwerth chweil os gall y broblem a ddisgrifir yn C2 gael ei datrys.	

**C5****Rhoi Mwy o Bwyslais ar Waith Rhagarweiniol / Trafodaethau Cyn-ymgeisio**

Sut y gallwn ni sicrhau bod trafodaethau cyn-ymgeisio yn helpu i wella dyluniad datblygiadau ac yn sicrhau mynediad cynhwysol? Allwch chi roi enghreifftiau o arferion da yn hyn o beth?

**Rhaid mabwysiadu safonau uchel o ddylunio yn gyntaf a rhaid i awdurdodau fod yn fwy parod i wrthod ceisiadau cynllunio lle nad yw'r safonau yn ddigonol. Bydd hyn yn annog asiantwyr wedyn i godi safonau yn ogystal a chynnal trafodaethau cyn-ymgeisio.**

**Mae penseiri eisoes yn gorfod sicrhau bod eu cynlluniau yn gymwys ar gyfer Rheoliadau Adeiladu ac unrhyw ofynion statudol eraill er mwyn osgoi gorfod cyflwyno ail gais cynllunio ymhellach ymlaen. Gall Adran M diwygiedig gael ei drin yn yr un modd. Mae'r broses hon yn rhan annatod o ddylunio adeilad. Ni does diben gwastraffu amser yn ystod y cam cynllunio yn egluro sut mae'r adeilad yn cydfynd ac Adran M.**

**C6****Ceisiadau Cynllunio**

Heblaw am ragor o hyfforddiant neu ganllawiau ymarferol pellach, pa bethau eraill fyddai'n eich helpu i asesu ansawdd y dylunio mewn cynigion cynllunio?

**Credaf bod rhai dilyn arferion presennol pan yn cyflwyno ceisiadau LBC- h.y. rhaid ychwanegu mwy o fanylion dylunio gyda'r cais- dyluniad manwl ffenestri, siliau, bondo toeau, &c. Mae rhain yn holl bwysig i sicrhau safon dderbniol o bensaerniaeth. Ni fydd y gwaith arlunio yma'n ofer gan fod ei angen ar gyfer y cam Rheoliadau Adeiladu beth bynnag.**

**C7****Mynediad****x**

A ydych yn cytuno y bydd y newidiadau i'r ffurflen 1APP yn fodd i sicrhau bod materion yn ymwneud â mynediad cynhwysol yn cael

eu hystyried mewn cynigion datblygu?	
Ydw	
Dim un o'r rhain	
Nac ydw	X

<b>C7</b>	<b>Sylwadau Pellach</b>
Gweler uchod	

<b>C8</b>	<b>Mynediad</b>
Pa wybodaeth neu gamau eraill fyddai'n cynorthwyo awdurdodau cynllunio lleol i asesu cynigion cynllunio o ran mynediad cynhwysol?	
Gadael y gwaith yma i'r Rheolaeth Adeiladu	

<b>C9</b>	<b>Comisiwn Dylunio Cymru a'r Gwasanaeth Gwella a Chynghori ar Gynllunio</b>
Sut y gall y Gwasanaeth Gwella a Chynghori ar Gynllunio a Chomisiwn Dylunio Cymru brif ffrydio dylunio da a mynediad cynhwysol yn y broses gynllunio	
Defnyddio mwy o benseiri! Mae'r comisiwn yn llawn o gynllunwyr a pheronau eraill sydd heb y hyfforddiant digonol mewn dylunio.	

<b>C10</b>	<b>Sgiliau Dylunio ac Arferion Da</b>
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Sut y gallwn ni barhau i wella sgiliau dylunio swyddogion ac aelodau'r awdurdodau lleol a pha hyfforddiant penodol arall sydd ei angen?

**Angen mwy o benseiri neu cynllunwyr/benseiri**

**C11**

### **Sgiliau Dylunio ac Arferion Da**

A oes lle i awdurdodau cynllunio lleol weithio mewn ffordd wahanol neu i gydweithredu mwy ar faterion yn ymwneud â dylunio? A ydych yn gwybod am unrhyw weithgarwch o'r fath sy'n cael ei wneud ar hyn o bryd?

Oes

x

Dim un o'r rhain

Nac oes

**C11**

### **Sylwadau Pellach**

**Rhaid fod yn barod i wrando ar benseiri lleol ac ar bersonau proffesiynol a chymwysterau eraill fuasai'n cyfrannu at ddylunio da.**

**C12**

### **Sgiliau Dylunio ac Arferion Da**

A allwch chi amlinellu arferion da, yng Nghymru neu tu hwnt, mewn perthynas ag unrhyw un o'r materion uchod, sy'n hyrwyddo a/neu'n arwain at ddylunio da a mynediad cynhwysol?



Defnyddio mwy o benseiri yn y broses cynlunio.

C13

### Datganiadau Dylunio a Mynediad

X

A fyddai unrhyw fanteision o gadw'r gofyniad i gyflwyno Datganiadau Dylunio a Mynediad ar gyfer ceisiadau penodol?

Byddai

X

Dim un o'r rhain

Na fyddai

C13

### Sylwadau Pellach

Credaf bod DDMau yn ddefnyddiol iawn ar gyfer bob math o ddatblygiadau a buaswn yn falch o'u gweld yn cael eu cadw fel rhan o'r broses.

C14

### Datganiadau Dylunio a Mynediad

Y

A ddylid dileu'r gofyniad gorfodol i gyflwyno Datganiadau Dylunio a Mynediad o'r is-ddeddfwriaeth? Rhowch resymau dros eich ateb.

Dylid

Dim un o'r rhain

	Na ddylid	X
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#### C14 Sylwadau Pellach

Y broblem fwyaf gyda DDM yw'r fformat anhyblyg sydd wedi ei fabwysiadu. Dylid bod asiant yn rhydd i egluro sut a pham mae adeilad wedi cael ei ddylunio ond o dan bennawdau llawer mwy rhwydd. Roedd RIBA wedi mabwysiadu fformat dda ar gyfer hyn flynyddoedd cyn i DDMau ymddangos yn y drefn cynllunio.

#### C15 Unrhyw Sylwadau Eraill

Rydym wedi gofyn nifer o gwestiynau penodol. Os ydych am godi unrhyw faterion cysylltiedig neu awgrymu ffyrdd o wella dylunio drwy'r system gynllunio, byddem yn falch o gael gweld yr hyn sydd gennych i'w ddweud.

Pensaerniaeth yw'r gair cywir i ddisgrifio dylunio adeiladau, &c. Ac mae angen ail edrych ar yr holl sustem gan ystyried hyn. Mae'n broses sy'n llawer ehangach na'r drefn cynllunio ac nid oes rhaid cynnwys nifer o bethau o fwen ceisiadau cynllunio a all gael eu rheoli'n well dan sustemau eraill.

#### Sut i ymateb

Dylech gyflwyno'ch sylwadau erbyn **16 Ionawr 2015** mewn unrhyw un o'r ffyrdd a ganlyn:

E-bost	Post
Llenwch y ffurflen ymgynghori a'i hanfon i	Llenwch y ffurflen ymgynghori a'i hanfon i

[planconsultations-a@cymru.gsi.gov.uk](mailto:planconsultations-a@cymru.gsi.gov.uk) /  
[planconsultations-a@wales.gsi.gov.uk](mailto:planconsultations-a@wales.gsi.gov.uk)

[Rhowch 'Ymgynghoriad ar Ddylunio  
yn y Broses Gynllunio' fel pwnc]

Ymgynghoriad ar Ddylunio  
Y Gangen Polisi Cynllunio  
Yr Is-adran Gynllunio  
Llywodraeth Cymru  
Parc Cathays  
Caerdydd  
CF10 3NQ

#### Rhagor o wybodaeth

Os oes gennych unrhyw gwestiynau am yr ymgynghoriad hwn, mae croeso ichi gysylltu â:

E-bost: [planconsultations-a@cymru.gsi.gov.uk](mailto:planconsultations-a@cymru.gsi.gov.uk)

Ffôn: Max Hampton ar 02920 82 6166

## CONSULTATION RESPONSE FORM

**Design in the Planning Process (Consultation)****Date: 6 October 2014 - 16 January 2015**

<b>Name</b>	Judith Jones	
<b>Organisation</b>	Merthyr Tydfil County Borough Council	
<b>Address</b>	Town Planning Division, Merthyr Tydfil County Borough Council, Unit 5, Triangle Business Park, Pentrebach, Merthyr Tydfil, CF48 4TQ	
<b>E-mail address</b>	judith.jones@merthyr.gov.uk	
<b>Telephone</b>	01685 726201	
<b>Type</b> (please select one from the following)	Business	<input type="checkbox"/>
	Local Planning Authority	<input checked="" type="checkbox"/>
	Government Agency / Other Public Sector	<input type="checkbox"/>
	Professional Body / Interest Group	<input type="checkbox"/>
	Voluntary sector (community groups, volunteers, self- help groups, co-operatives, enterprises, religious, not for profit organisations)	<input type="checkbox"/>
	Other (other groups not listed above)	<input type="checkbox"/>

<b>Q1</b>	<b>Design Quality</b>	<b>X</b>
Is the planning system effectively delivering the five key objectives of good design? Give reasons for your answer.		
Yes		
Neither Yes nor No		
No		<b>X</b>

<b>Q1</b>	<b>Further Comments</b>
<p>Good design is subjective, therefore it is difficult to definitively state whether it is being delivered.</p> <p>LPA's are not judged on the quality of the design that they secure, but on the time taken to determine applications. Therefore, the priority is the speed of the decision, rather than good design.</p> <p>Based on experience, LPA decisions are not generally upheld at appeal, when the refusal is based on design grounds, therefore design does not appear to be a priority for PINS.</p> <p>Good design can be costly for developers, and it is sometimes difficult for LPAs to enforce on smaller developments. The 5 key objectives are often 'bolted on' as afterthoughts.</p> <p>Affordable housing developers, for example, have more stringent criteria for buildings than private developers, therefore their schemes have the potential to be better designed.</p>	

<b>Q2</b>	<b>Local Development Plans</b>	<b>X</b>
Do you agree that a national development management policy on design would be beneficial?		
Yes		
Neither Yes nor No		<b>X</b>
No		

<b>Q2</b>	<b>Further Comments</b>
<p>A national policy would be beneficial in setting out clearly what national design aspirations are, but isn't this what PPW and TAN 12 are meant to do? LDPs already have generic design policies, so there is the potential for repetition.</p> <p>It may also help to inform the wider public, who are largely unaware/unappreciative of design requirements.</p> <p>However, would a generic policy adequately take into account local distinctiveness?</p>	

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

<b>Q3</b>	<b>Further Comments</b>
<p>Master-plans are not used enough within this LPA. Where they have been used it has been with WG with funding, which in the current climate is unlikely to be repeated.</p> <p>Master-plans are often produced at the wrong stage in the planning process, i.e. too late, and often as an afterthought. They should be produced as early in the process as possible – before an application is submitted, or following allocation by the LPA, for more important sites</p> <p>Concept plans, could be produced by the LPA, with master-plans subsequently produced by the developer, at pre-application stage.</p>	

<b>Q4</b>	<b>Supplementary Planning Guidance</b>	<b>X</b>
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?		
Yes		X
Neither Yes nor No		
No		

<b>Q4</b>	<b>Further Comments</b>
<p>Who would it be aimed at? LPAs or Developers? Or both?</p> <p>Would this guidance be included in PPW or be separate?</p>	

<b>Q5</b>	<b>Front Loading / Pre-applications</b>	
<p>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?</p>		
<p>By making pre-app discussions mandatory for major schemes (as proposed in a separate consultation) and making greater use of the Design Commission review service.</p>		
<p>The PAIS could offer training in this area, both to increase awareness of it and to develop planning officers negotiating skills in order to secure it.</p>		
<p>A fundamental issue is that site conditions, context/topography, and building regulations can often conflict with inclusive access.</p>		

<b>Q6</b>	<b>Planning Applications</b>	
<p>Other than further training or additional practice guidance what additional tools would assist you in assessing the quality of design in planning proposals?</p>		
<p>The provision of information regarding existing/exemplar sites, presentations and site visits co-ordinated by PAIS or the Design Commission.</p>		
<p>DASs could continue to be used, but in a more in-depth and comprehensive format, with more stringent mandatory requirements to ensure the amount and quality of data included.</p>		

<b>Q7</b>	<b>Access</b>	<b>X</b>
<p>Do you agree that the amendments to the 1APP form will ensure inclusive access issues are considered in development proposals?</p>		
Yes		
Neither Yes nor No		
No		X

<b>Q7</b>	<b>Further Comments</b>
<p>This could become a tick-box exercise, rather than actually ensuring that inclusive access issues are considered?</p>	
<p>Would one question, or several questions, be sufficient to ensure this?</p>	



Should inclusive access issues be controlled within the Building Control process?

It may be too late, at the 1APP stage, to be considering these issues.

**Q8**

### **Access**

What information or other measure would assist local planning authorities assess planning proposals in terms of inclusive access?

The measures mentioned in the previous questions cover this, along with the addition of improved consult with Building Regulations departments.

**Q9**

### **Design Commission for Wales and Planning Advisory and Improvement Service**

How can the PAIS and DCfW mainstream good design and inclusive access in the planning process?

The provision of compulsory training for officers and members, and others involved in the planning process.

The provision of good practice guidance.

Awards for developments which demonstrate good design and inclusive access.

There is an imbalance and tension between the actual Planning process and the outcomes of that process, with the emphasis being on the process. A culture change, possibly spear-headed by the Design Commission and/or PAIS, is required, to place more of an emphasis on the outcomes of the process. LPAs could then be judged on these outcomes.

**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?

The provision of compulsory training, workshops and refresher courses.

Cross-LPA training to ensure consistency and share good practice and experience.

Visits to exemplar sites.

The promotion of the links between good design and good health.

Environmental design and incorporating it into developments.



<b>Q11</b>	<b>Design Skills and Good Practice</b>	<b>X</b>
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?		
Yes		X
Neither Yes nor No		
No		

<b>Q11</b>	<b>Further Comments</b>
<p>Skills have been lost from urban designers and conservation architects who have retired and not been replaced. Experienced urban designers and conservation architects could be shared between LPAs.</p> <p>Alternatively, an accessible group of design experts should be available for LPAs to draw upon and consult with.</p> <p>In view of Local Planning Authorities reduction in resources, The WG should properly resource LPA's to deliver their stated aim of good design and inclusive access.</p>	

<b>Q12</b>	<b>Design Skills and Good Practice</b>	
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?		

<b>Q13</b>	<b>Design and Access Statements</b>	<b>X</b>
Are there any benefits in retaining the requirement for Design and Access Statements for particular applications?		
Yes		X

Neither Yes nor No	
No	

### Q13 Further Comments

**There are benefits in retaining DASs, however, the requirements for the content, level and quality of information should be made more stringent.**

This is particularly true for major schemes, Listed Buildings, and sensitive areas. Although a design and justification statement could be used as an alternative for Listed Building Consents.

Another option is to give LPAs the flexibility to have the right to request a DAS if this is felt to be necessary.

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

### Q14 Further Comments

The mandatory requirement should remain, to allow LPAs to request a DAS for certain categories of applications (see Q13)

Q15	<b>Any Other Comments</b>	
	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.	
	Agents and architects should be included in design and inclusive access-related training/good practice etc.	
	The culture of public and private sector approaches to good design and inclusive access needs to change.	

## How to respond

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

E-mail	Post
<p>Please complete the consultation form and send it to:</p> <p><a href="mailto:planconsultations-a@wales.gsi.gov.uk">planconsultations-a@wales.gsi.gov.uk</a> / <a href="mailto:planconsultations-a@cymru.gsi.gov.uk">planconsultations-a@cymru.gsi.gov.uk</a></p> <p>[Please include '<b>Design in the Planning Process Consultation</b>' in the subject line]</p>	<p>Please complete the consultation form and send it to:</p> <p>Design Consultation Planning Policy Branch Planning Division Welsh Government Cathays Park Cardiff CF10 3NQ</p>

### Additional information

If you have any queries about this consultation, please:

E-mail: [max.hampton@wales.gsi.gov.uk](mailto:max.hampton@wales.gsi.gov.uk)

Telephone: Max Hampton on 02920 82 6166

## CONSULTATION RESPONSE FORM

**Design in the Planning Process (Consultation)****Date: 6 October 2014 - 16 January 2015**

<b>Name</b>	Harry Gardiner	
<b>Organisation</b>	Tenby Civic Society	
<b>Address</b>	7 The Glebe Tenby SA70 8HA	
<b>E-mail address</b>	harry.gardiner@uwclub.net	
<b>Telephone</b>	01834 844257	
<b>Type</b> (please select one from the following)	Business	<input type="checkbox"/>
	Local Planning Authority	<input type="checkbox"/>
	Government Agency / Other Public Sector	<input type="checkbox"/>
	Professional Body / Interest Group	<input type="checkbox"/>
	Voluntary sector (community groups, volunteers, self-help groups, co-operatives, enterprises, religious, not for profit organisations)	<input type="checkbox"/> Y
	Other (other groups not listed above)	<input type="checkbox"/>

<b>Q1</b>	<b>Design Quality</b>	<b>X</b>
Is the planning system effectively delivering the five key objectives of good design? Give reasons for your answer.		
Yes		
Neither Yes nor No		<b>X</b>
No		

<b>Q1</b>	<b>Further Comments</b>
<p>We found the 5 principles a distorted view of design - they badly ignore issues deeply important to us and to planning. In the diagram building heritage is not even worth mention, presumably buried under a string of factors all cramped into "character". Four other principles are bald in content by comparison. Listed buildings, Conservation Areas, Ancient Monuments, all determine a lot of the issues for design in our locality, but are not worthy of your mention. The design policy needs re-thinking to pay regard to the many places with a built heritage like ours, as well as to recognise 60 years and more of heritage planning. According design a blank sheet there will not do.</p>	

<b>Q2</b>	<b>Local Development Plans</b>	<b>X</b>
Do you agree that a national development management policy on design would be beneficial?		
Yes		
Neither Yes nor No		<b>X</b>
No		

<b>Q2</b>	<b>Further Comments</b>

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

<b>Q3</b>	<b>Further Comments</b>
They are not being used in our area, but other SPGs are. Site planning design briefs arrived at with local consultation would be useful.	

<b>Q4</b>	<b>Supplementary Planning Guidance</b>	<b>x</b>
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?		
Yes		<b>x</b>
Neither Yes nor No		
No		

<b>Q4</b>	<b>Further Comments</b>
Provided it pays more attention to heritage buildings and groups of buildings.	

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?

**1 The test proposed of the size of objection petitions to the planning authority, after pre-discussions by developers ignores amenity bodies like Civic Societies, and is too narrow a test. The Planning Authority should be allowed more discretion to trigger further consultation.**

**2 A pre-application exercise by developers in Tenby for the re-building of the Gatehouse site is a productive model to user. They presented an exhibition near to the site with architects in attendance for informal explanations and discussion of problems and issues with the public and organisations concerned. The direct conversations possible informed both sides and helped resolve a number of issues and impressions. Whilst all issues of objection or design objectives were not all achieved, a substantial compromise was achieved and accepted to inform the main application.**

**Local exhibitions well notified before, in the site's immediate locality, combined with informal discussion with the key designers at the exhibition serve as a effective model for major schemes elsewhere. In a larger towns a two day exhibition with at least one evening could well be needed.**

**3 Our other experience suggests developers are more biased assessors of consultation than the planning authority. We have seen neighbours accept a scheme before the application is decided, than find the scheme carried out not to be what they expected from discussion with the developer. The Planning Authority's officers have consulted neighbours fairly to them and developers. These matters were with smaller applications and illustrate applications can proceed fairly and well.**

**4 We have also seen quite a large site be developed without a prior planning or design brief, resulting in an over-long development gestation in which the condition of its listed buildings was not initially assessed properly and much of its remaining interior and exterior period detail was lost, some of it Georgian. A proper design/ site planning brief prior to its sale by the County Council would have addressed such issues better.**

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?

- 1 Applications for listed buildings should include a summary of the reasons for listing and an explanation of how the proposals respect those features.**
- 2 The general principle policies in Local Plans do not help applicants or planning authorities recognise specific local character; where that is strong, plans should state local development guidance to fit it, an “area design brief”.**

**Q7**

**Access**

**\***

Do you agree that the amendments to the 1APP form will ensure inclusive access issues are considered in development proposals?

**Yes**

**Neither Yes nor No**

**x**

**No**

**Q7**

**Further Comments**

**Couldn't access the form.**

**Q8**

**Access**

What information or other measure would assist local planning authorities assess planning proposals in terms of inclusive access?

**Liaison with the building regulations officers.**



Q9

### Design Commission for Wales and Planning Advisory and Improvement Service

How can the PAIS and DCfW mainstream good design and inclusive access in the planning process?

**DCW could tackle poor design awareness in retail chains where they use listed buildings. Our members have seen much more sensitive shop signage in English heritage centres.**

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?

**Get Local authority Estates dept staff to attend design brief training.**

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?

Yes

x

Neither Yes nor No

No

<b>Q11</b>	<b>Further Comments</b>
<p>We have the impression that planning and building control officers could liaise more over listed building entry and internal movement features in proposals.</p>	

<b>Q12</b>	<b>Design Skills and Good Practice</b>	
<p>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?</p>		
<p>Access needs, e.g. disabled access, for listed buildings present real dilemmas. Good practice and sensitive solutions need to be identified and presented widely.</p>		

<b>Q13</b>	<b>Design and Access Statements</b>	<b>X</b>
<p>Are there any benefits in retaining the requirement for Design and Access Statements for particular applications?</p>		
<p>Yes</p>		<b>X</b>
<p>Neither Yes nor No</p>		
<p>No</p>		

<b>Q13</b>	<b>Further Comments</b>
<p>With listed buildings, ancient monuments and conservation areas.</p>	

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

<b>Q14</b>	<b>Further Comments</b>
	Many statements seem unproductive.

<b>Q15</b>	<b>Any Other Comments</b>
	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.
	<p>The design TAN does directly address heritage building issues ( LB, CA, AM,. ) except for interiors, which it seems to regard as not requiring much mention. Whilst exteriors of listed buildings get considerable protection and some design respect in approved development, interior original period features and exterior detail such as railings, quite often disappear, particularly when acquired buildings are not maintained as weatherproof before building work starts. We find it is only owners who own because they care about a listed building's design integrity who are then careful not to remove such interior features. Developers find features 'get in the way' at design stage or during conversion work. So interior staircases, doors, internal shutters etc. go. Building regulations and disabled access have been cited by developers as reasons for their "inability to retain" listed building internal period features.</p> <p>Shop signage design is often poor on listed buildings. Some new retailers and many national retail chains or their agents seem unaware of good sign design to fit their heritage buildings.</p> <p>Our experience is based on a decade of monitoring local proposals and schemes.</p>

## How to respond

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

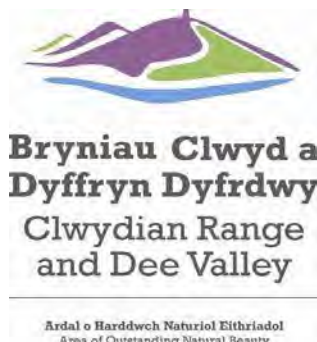
E-mail	Post
<p>Please complete the consultation form and send it to:</p> <p><a href="mailto:planconsultations-a@wales.gsi.gov.uk">planconsultations-a@wales.gsi.gov.uk</a> / <a href="mailto:planconsultations-a@cymru.gsi.gov.uk">planconsultations-a@cymru.gsi.gov.uk</a></p> <p>[Please include '<b>Design in the Planning Process Consultation</b>' in the subject line]</p>	<p>Please complete the consultation form and send it to:</p> <p>Design Consultation Planning Policy Branch Planning Division Welsh Government Cathays Park Cardiff CF10 3NQ</p>

## Additional information

If you have any queries about this consultation, please:

E-mail: [max.hampton@wales.gsi.gov.uk](mailto:max.hampton@wales.gsi.gov.uk)

Telephone: Max Hampton on 02920 82 6166



Eich cyf/Your ref:

Ein cyf/Our ref

Dyddiad/Date **10 December 2014**

Rhif union/Direct dial **01352 810614**

E-bost/E-mail **tony.hughes@denbighshire.gov.uk**

**Design Consultation  
Planning Policy Branch  
Planning Division  
Welsh Government  
Cathays Park  
CARDIFF  
CF10 3NQ**

Dear Sir/Madam

## **WELSH GOVERNMENT CONSULTATION: DESIGN IN THE PLANNING PROCESS**

Thank you for seeking the views of the Interim Joint Advisory Committee (IJAC) for the Clwydian Range and Dee Valley AONB on this consultation document.

The following observations are submitted following discussion at a meeting of the IJAC held on 5 December 2014.

**“Good design is vital to successfully accommodate development in protected landscapes or within their setting without undermining or harming the qualities and features that make them special places. Good design can also enhance the character and appearance of such areas. In this context, the IJAC welcomes an emphasis on good design in national and local policy and supports the objective to raise design standards through the planning process and other measures.**

**However, the IJAC is very concerned about the proposal to remove the need for developers to submit a Design and Access Statement (DAS) for all applications. In sensitive areas such as AONB's the need to consider design and the context of the proposal in relation to its landscape setting is a vital consideration which is often overlooked, and the formal requirement to have regard to such matters through a DAS is an important step to secure good design. In this context the IJAC also notes that many applications are not submitted by professional designers. Whilst there is scope to modify the categories and thresholds associated with the requirement to submit such a design statement, the IJAC firmly believes that the need for a formal statement should be retained for sensitive areas, including AONB's. The commonly used exception in planning legislation relating to Article 1(5) land and World Heritage Sites should be applied in this regard.”(Questions 13 and 14)**

Yours sincerely,

**Tony Hughes  
For the Clwydian Range and Dee Valley AONB Interim Joint Advisory Committee**

Cyd-Bwyllgor Cyngor AHNE Bryniau Clwyd a Dyffryn Dyfrdwy  
Gwasanaeth Cefn Gwlad Sir Ddinbych  
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Clwydian Range & Dee Valley AONB Joint Advisory Committee  
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## CONSULTATION RESPONSE FORM

**Design in the Planning Process (Consultation)****Date: 6 October 2014 - 16 January 2015**

<b>Name</b>	Michael Biddulph	
<b>Organisation</b>	School of Planning and Geography, Cardiff University	
<b>Address</b>	Glamorgan Building, King Edward VII Avenue, Cardiff, CF 10 3WA	
<b>E-mail address</b>	BiddulphMJ@cardiff.ac.uk	
<b>Telephone</b>	029 20876293	
<b>Type</b> (please select one from the following)	Business	<input type="checkbox"/>
	Local Planning Authority	<input type="checkbox"/>
	Government Agency / Other Public Sector	<input type="checkbox"/>
	Professional Body / Interest Group	<input type="checkbox"/>
	Voluntary sector (community groups, volunteers, self-help groups, co-operatives, enterprises, religious, not for profit organisations)	<input type="checkbox"/>
	Other (other groups not listed above)	<input checked="" type="checkbox"/>

<b>Q1</b>	<b>Design Quality</b>	<b>x</b>
Is the planning system effectively delivering the five key objectives of good design? Give reasons for your answer.		
Yes		
Neither Yes nor No		<b>x</b>
No		

<b>Q1</b>	<b>Further Comments</b>
<p>The planning system gives consent for schemes which are adequate. This means that they conform to a benchmark that falls below that of good. Developers understand this and when the market is challenged will deliver development that might not satisfy a notion of good, but will satisfy a notion of adequate. This can be seen in the volume house building industry, for example, where regional house building companies will produce schemes that conform to some notions of design quality, such as some aspects of secured by design, but fall well short of any other ambitions. Typically such developments cannot claim, for example, to adopt high standards for sustainability.</p> <p>Having said this, the debate about design quality in the UK has moved on significantly over the last 20 years, and this has been informed by planners and the planning system. As a result aspects of a design like the configuration of roads and the integration of new and more interesting public spaces into schemes is greatly improved, pushing up the benchmark of adequate.</p> <p>Nations like Wales are behind some regions in England in terms of design and development quality. The reasons for this are discussed below.</p> <p>Local planning authorities are well placed to use the planning system and various design control tools to shape the nature of designs being created for important sites. Urban design and development management officers working in Wales can point to key successes in raising the standards of design and also gaining key improvements to individual schemes as a result of their work.</p>	

<b>Q2</b>	<b>Local Development Plans</b>	<b>x</b>
Do you agree that a national development management policy on design would be beneficial?		
Yes		

Neither Yes nor No	
No	x

## Q2 Further Comments

**Design quality is delivered by people who understand how to deliver design quality in development. In public terms this means that every planning authority in Wales needs appropriately trained professionals who can produce policies and guidance and negotiate for design quality through the planning system. Creating a design policy at the national level will not meet this need.**

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

## Q3 Further Comments

**Masterplans have become important to delivering design and development quality where they are being adopted. A case in point is in Coed Darcy where a better scheme is emerging for the large urban extension in Neath Port Talbot. This has been hampered by market conditions. This relies on the support of the land owner who sees the benefits of adopting this approach. In contrast development at Llanwern has ignored a masterplan and will “win no design awards”.**

**There is good evidence from England that Design Codes also support masterplans in the delivery of a higher standard of phased development where individual developers conform to and accept the code. I am unsure about the role of local planning authorities in the production and implementation of codes.**

**Cardiff is adopting a master planning approach to the development of large suburban housing**



sites in Cardiff. As I understand it developers are trying to get consents for sites before the plan is approved and we can anticipate that the quality of development might be lower than we might expect. This is a shameful situation given the experience of master planning of key urban extensions over the last decade across the UK.

<b>Q4</b>	<b>Supplementary Planning Guidance</b>	<b>x</b>
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?		
Yes		
Neither Yes nor No		<b>x</b>
No		

<b>Q4</b>	<b>Further Comments</b>
<p>This is a key practice for any well trained professional producing a scheme. It is often the case that people producing schemes have not done a thorough site analysis. It might be of benefit to a developer/designer, if they have no relevant training.</p> <p>This aspect would be covered by a planning authority in the production of a development brief for a site, if suitably qualified people are employed. If a planning authority contains people without suitable knowledge or skill then it would make no difference to the process if a site analysis has been produced or not, as the people involved would not be in a position to judge the quality of the outcome.</p> <p>I think that it is a rather nuanced response to the issues of delivering design quality. It assumes good will on the part of developers and their designers.</p>	

<b>Q5</b>	<b>Front Loading / Pre-applications</b>
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?	

Pre-application negotiations require the involvement of suitably qualified people within the local authority, who know the context and site, who understand the planning policy and any relevant guidance or have produced a good and thorough brief. They should be able to direct the developer/designer to the key issues of concern quickly.

The importance of this process for design quality should not be underestimated. It is greatly welcomed by all involved in the process. If people must pay for this service it makes access to the service harder for the types of development which planning authorities might like to influence.

#### 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?

The tools of design control are well established. Design guidance and development briefs typically provide some direction in the hands of the well qualified professional. Where these link to design policy then they carry more weight if development falls below a certain benchmark in terms of development quality. It is probably about time that national guidance of residential quality was updated. A national project to create suitable conservation area guidance for the relevant areas would be useful. A guide on the production of development briefs could be produced, as there hasn't been any published guidance for some time. Training for all new Councillors on a planning committee, either online or in person, should probably be mandatory, given their own understanding of the process and the issues involved.

#### Q7 Access

Do you agree that the amendments to the 1APP form will ensure inclusive access issues are considered in development proposals?

Yes

Neither Yes nor No

No

X

--	--

**Q7**

### **Further Comments**

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**Q8**

### **Access**

What information or other measure would assist local planning authorities assess planning proposals in terms of inclusive access?

--

**Q9**

### **Design Commission for Wales and Planning Advisory and Improvement Service**

How can the PAIS and DCfW mainstream good design and inclusive access in the planning process?

**I have a lot of time for the work of DCFW. It has offered an effective Design Review process and been involved in the production of good practice guidance. It does this with minimum resource and the involvement of many volunteers. The organisation is well managed. In general, however, the worst schemes don't get to planning review and so are not seen.**

**I do think that a survey of design quality of development might be undertaken nationally to both shame and support the efforts of certain developers. The regional design quality surveys in England done by CABI put the design quality of housing in the English regions on the national agenda when they were produced. This might be done by DCFW or the Cardiff University. The latter might be in a more independent position.**

**Q10**

### **Design Skills and Good Practice**

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How can we continue to raise the design skills of local authority officers and members and what further specific training is required?

**I would suggest financial support for relevant officers to undertake relevant CPD training and qualifications related to design. We are about to offer a part-time Certificate, Diploma and MA in Urban Design. All of these programmes would benefit in a very fundamental way the understanding and awareness of students as to how design quality might be both assessed and secured through the planning process. Suitable bursaries to cover fees would make these courses accessible to potential students who often don't have very high salaries and can't afford further education.**

Q11	Design Skills and Good Practice	X
	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?	
	Yes	y
	Neither Yes nor No	
	No	

Q11	Further Comments
	<p><b>We ran a network of urban design officers in South Wales for a while which brought together professionals interested in design issues. People enjoyed sharing experiences and visiting schemes to discuss what had been achieved. Cardiff University would be happy to host this, in this region, if such an initiative was felt worthwhile again. It would help us if we could gain some official recognition from the Welsh Government in order to both promote and justify the initiative.</b></p>

<b>Q12</b>	<b>Design Skills and Good Practice</b>	
	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?	
	<p><b>This is a good question. It would make an excellent research project and publication. I would suggest a project which looks at how the planning system and people working in development management in particular have delivered design improvements. A web site might be established to maintain a resource and highlight where and how even small improvements have been established.</b></p>	

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

<b>Q13</b>	<b>Further Comments</b>
	<p><b>These have been dealt with previously elsewhere. For significant applications DAS is a key way for people involved in the planning process to understand a scheme, and see how the relevant issues are being dealt with. Design issues which require discussion are most relevant for larger schemes or schemes in a sensitive context. The requirement to produce a DAS for larger or sensitive schemes probably demands the involvement of better designers. This maintains investment in design quality generally, and speeds up the planning process. The value of DAS for such schemes was supported by the relevant research.</b></p>

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

**Q14 Further Comments**

**I have never understood why they were mandatory. They should be required for particular types of scheme, but not on a mandatory basis. Planning policies might indicate which types of scheme should have them. Guidance on the wording of such a policy might be produced in national guidance.**

**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.

**It might be useful to hold a national event in which these issues are discussed. Cardiff University would be happy to host this with the support of the Welsh Government.**

**How to respond**

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

E-mail	Post
<p>Please complete the consultation form and send it to:</p> <p><a href="mailto:planconsultations-a@wales.gsi.gov.uk">planconsultations-a@wales.gsi.gov.uk</a> / <a href="mailto:planconsultations-a@cymru.gsi.gov.uk">planconsultations-a@cymru.gsi.gov.uk</a></p> <p>[Please include '<b>Design in the Planning Process Consultation</b>' in the subject line]</p>	<p>Please complete the consultation form and send it to:</p> <p>Design Consultation Planning Policy Branch Planning Division Welsh Government Cathays Park Cardiff CF10 3NQ</p>

Additional information
<p>If you have any queries about this consultation, please:</p> <p>E-mail: <a href="mailto:max.hampton@wales.gsi.gov.uk">max.hampton@wales.gsi.gov.uk</a></p> <p>Telephone: Max Hampton on 02920 82 6166</p>

## CONSULTATION RESPONSE FORM

## Design in the Planning Process (Consultation)

Date: 6 October 2014 - 16 January 2015

<b>Name</b>	Rhyan Berrigan	
<b>Organisation</b>	Disability Wales	
<b>Address</b>	Bridge House, 3 Caerphilly Business Park, Van Road, Caerphilly, CF833LE	
<b>E-mail address</b>	<a href="mailto:Rhyan.berrigan@disabilitywales.org">Rhyan.berrigan@disabilitywales.org</a>	
<b>Telephone</b>	02920887325	
<b>Type</b> (please select one from the following)	Business	<input type="checkbox"/>
	Local Planning Authority	<input type="checkbox"/>
	Government Agency / Other Public Sector	<input type="checkbox"/>
	Professional Body / Interest Group	<input type="checkbox"/>
	Voluntary sector (community groups, volunteers, self-help groups, co-operatives, enterprises, religious, not for profit organisations)	<input checked="" type="checkbox"/>
	Other (other groups not listed above)	<input type="checkbox"/>

<b>Q1</b>	<b>Design Quality</b>	
Is the planning system effectively delivering the five key objectives of good design? Give reasons for your answer.		
<b>Yes</b>		<input checked="" type="checkbox"/>
<b>Neither Yes nor No</b>		
<b>No</b>		



The Welsh Government's visions for the planning system "which is positive in outlook and facilitates appropriate well designed development" is encouraging. Disability Wales would like to see good design, fully inclusive builds which are accessible to all, disabled people and non-disabled people alike.

All five objectives impact on disabled people's everyday lives. Access requirements of disabled people being the priority objective. Reasonable adjustments and legal legislation means that accessibility for all, including disabled people across the disability spectrum, is a priority and is essential for a 'good, inclusive, design'.

Character is an important objective, especially 'Promoting a successful relationship between public and private space'. Active engagement between grassroots disabled people and decision makers within local planning departments is essential for a compromise to be reached between maintaining character of a building, ensuring access improvements are made and that access requirements are met.

'Promoting innovative design' should include fully accessible designs whereby access considerations are considered holistically from the beginning of the design process and not tagged on at the end as an afterthought. This approach is likely to save money in the long run, for all concerned.

Community Safety 'Ensuring attractive, safe public spaces' Disability Wales is concerned that attractive spaces e.g. flowers, benches, statues and aesthetically pleasing designs might cause access barriers for some disabled people. Although unintended, these barriers could still cause obstructions, for example visually impaired / blind individuals may trip on strategically placed street clutter. Road surfaces / colours and textures are another aspect planners have to be mindful of. For example, with Shared Spaces: right of way, contrasting colours to differentiate between pavement and roads and cycle and pedestrian areas etc.

'Security through natural surveillance' Safety of disabled people is paramount. Strategic placement of street clutter could assist or hinder disabled people's safety. Engagement with local disabled people's groups could assist planners to reduce safety fears over street clutter. CCTV and other synthetic security aids such as adequate lighting, handrails etc could also lessen the safety fears caused by poorly designed spaces.

Environmental sustainability 'Designing for change' could ensure an increase in accessible designs of new builds. Sustainable designs built to good practice dimensions rather than minimal standards, as many are now, could increase.

Movement 'sustainable means of travel'. Having fully accessible modes of transport, busses, trains, taxis, etc in operation would increase environmental sustainability. If public transport was fully accessible, frequent and reliable, many more disabled people could make use of trains and busses on a regular basis. This could lead to a reduction of car usage. However, there are many disabled people who rely on private cars to enable them to live independently in the community. Disabled people who are reliant on private vehicles should be supported and not ostracised.

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Q2	<b>Local Development Plans</b>	
	Do you agree that a national development management policy on design would be beneficial?	
	Yes	✓
	Neither Yes nor No	
	No	

Q2	<b>Further Comments</b>
<p>We agree that a national policy would be beneficial because each of the 22 Local Authorities would have the same document guidance to which they can refer. Uniformity of Local Authority policies, their practices on accessible design and good practice guidance is a must which should be adopted across Wales. A standardized, common, policy would also outline how to rectify access barriers and issues and could promote active engagement with disabled people across all Local Authorities in Wales: which could prove beneficial for both parties; planning departments and disabled people / organisations alike.</p> <p>A common standard of good practice access requirements would allow disabled people to feel confident that a building in an unfamiliar area will be built to the same access standards as their local area for example. Many disabled people work, relocate and holiday in areas of Wales which they do not live. A standard approach to disability access requirements throughout Wales could also assist each Local Authority. Comparisons could be made across boundaries when designing plans and could enable each Local Authority to monitor whether there are common access barriers. Facilitating collaborative working across Local Authority boundaries when large scale projects cover more than one Local Authority. Having policies in place at a Welsh Government led, National level, could prove a useful referencing tool. Also it could be possible that the Welsh Government would hold each Local Authority to account because of the proposed standards and management policy each Local Authority must have in place.</p>	

<b>Q3</b>	<b>Supplementary Planning Guidance</b>	
Are area and site specific plans, such as masterplans, being used to positively plan for key development? Can you highlight areas of good practice?		
Yes		
Neither Yes nor No		✓
No		

<b>Q3</b>	<b>Further Comments</b>
<p>We cannot comment in depth: however the geography of Wales is vast, ranging from big cities to smaller rural communities. Area and site specific plans could highlight common access barriers which could be specifically linked to one location or type of location such as a city, urban or rural environment. Area specific plans in areas with a higher number of older people with age related impairments could highlight specific access barriers and assist accessibility of future developments in these locations.</p>	

<b>Q4</b>	<b>Supplementary Planning Guidance</b>	
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?		
Yes		✓
Neither Yes nor No		
No		

<b>Q4</b>	<b>Further Comments</b>
<p>Yes. Guidance could assist planning professionals take a consistent approach to resolving access barriers faced by disabled people throughout each Local Authority in Wales. Consistency in accessible design is crucial to ensure that 'fully inclusive access' has the same meaning throughout Wales without any disparity.</p> <p>Disability Wales is pleased to note that training events and good practice guidance will be used to assist local planning departments to fully understand what is expected</p>	

of them and what details are required to be included in these more local-centric plans. Training is of paramount importance, and if linked to continuing professional development, training becomes more appealing. Education on disability and access barriers is key to ensuring improvements outlined in the guidance and related policies are understood. If the reasons behind why good practice is deemed to be good practice are grasped then the the good practice guide and policies may not become a tick box exercise. Lack of clear guidance and misunderstanding was a reason cited for the proposals to abolish Design and Access Statements.

Comprehensive guidance should be produced with involvement of experts in the disability field such as access consultants, Access Groups, disabled individuals and organisations. A good example would be to follow the process of the production of The Active Travel Design Guidance, which was produced with the involvement of freelance access consultants, Cardiff Council's Access Officer and representatives of Disability Wales and Guide Dogs.

#### 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?

Actively engaging with disabled people from the outset would enable planners to gain some understanding of access barriers at the design stage before any building work takes place.

Arriva Trains Wales, Network Rail and the Welsh Government worked together to improve access for disabled people through the rebuilding of Swansea Railway station. These companies involved local disabled people and representative organisations from the initial design / planning stage onwards. Focus groups and meetings were held between Welsh Government, Network Rail and others ensuring disabled people and organisations could comment about access requirements and improvements at the station. This was backed up by a follow up meeting upon the station opening to see where lessons could be learned in the future and to ascertain what more could be done to improve access at the station thus striving for continuous improvement. This is a good practice example of a multi agency approach to involving disabled people from the outset.

Open dialogue and information exchange is important; gaining an understanding of how 'the other side' works. Educating planners and disabled people / Access Groups about whether each others' expectations are achievable, realistic, and possible. Understanding limitations and constraints could assist understanding, thus enhance collaborative working practices between disabled people and Local Authority planners.

<b>Q6</b>	<b>Planning Applications</b>	
	<p>Other than further training or additional practice guidance what additional tools would assist you in assessing the quality of design in planning proposals?</p>	
	<p>Ascertaining whether the designs / plans meet legal requirements under the Equality Act 2010, UN Convention on the Rights of Disabled People and ensuring that Local Authorities comply with Public Sector Equality Duties. In light of the possible abolition of DAS, Local Authorities should guarantee that plans comply with Technical Advice Note 12 (updated July 2014) <b>TAN 12</b> has been <b>updated</b> to include key elements of the guidance on sustainable buildings contained in <b>TAN 22</b>. TAN 12 now contains information on the energy hierarchy; allowable solutions; and sustainable building policies on strategic sites in local development plans. British Standards Institute 8300 and Part M Building Regulations.</p> <p>A constructive open dialogue and positive engagement with local disabled people would assist planners to assess design quality. Planners could attend Access Group meetings to present information about new builds or alterations of existing building plans in person to the group and invite feedback. Information would have to be conveyed in layman's terms rather than planning department acronyms and jargon. Information should be provided in accessible formats, before the meeting if possible, to give Access Groups time to fully digest and analyse the information and comment accordingly. Having critical friends is a useful commodity, only gained by open communication and trust.</p>	

<b>Q7</b>	<b>Access</b>	
	<p>Do you agree that the amendments to the 1APP form will ensure inclusive access issues are considered in development proposals?</p>	
	<p><b>Yes</b></p>	<p>✓</p>
	<p><b>Neither Yes nor No</b></p>	
	<p><b>No</b></p>	



## Q7 Further Comments

Disability Wales agrees that accessible buildings are key to fully inclusive living. Ensuring access requirements are met from the outset is paramount and would prove less costly for developers/designers as solutions are identified early enough to lessen the financial impact caused by access mistakes.

Disability Wales have a number of recommendations concerning Design and Access Statements (DAS):

- Involvement of disabled people at the early stages of building control, design and planning.
- To keep DAS until an appropriate, agreed alternative is in place
- Introduction of mandatory (accredited) Disability Equality Training and disability access training to be incorporated into CPD for building, planning and other professions involved in the building process.

Disability Wales would like to see DAS remain as part of secondary legislation, subject to consultation. We are incredibly disappointed with the proposal that DAS will not be considered at Primary legislation level. The Welsh Government must ensure that the use or purpose of the public building rather than its size should be the main consideration as to whether the building requires a DAS or not, including buildings of employment. Design and Access Statements should be retained for all levels of development / builds no matter how small or minor they appear to be.

Footfall or predicted footfall should not be the only indicator of whether a build requires a DAS. A buildings location (as well as purpose mentioned above) could also be a determiner as to whether a DAS is needed. Accessible designs and planning must be considered using a holistic joined up approach rather than a standalone subject.

## Q8 Access

What information or other measure would assist local planning authorities assess planning proposals in terms of inclusive access?

Each Local Authority must conduct Equality Impact Assessments involving professionals within the Council, planners and architects etc with input from wide ranging stakeholders / interested parties including local Access Groups and disabled peoples' organisations, many of whom have local knowledge and expertise.

Following on from initial Equality Impact Assessments, Local Authorities should involve local disabled people, groups and organisations from the outset. Ongoing dialogue between planners and disabled people is essential. Heed information contained in Design and Access Statements (or similar if these are abolished). Involve disabled people at every stage of the process, and perhaps include an additional 'walk through' session before any official opening with time enough to

**correct any access issues that may be identified.**

Planning departments should involve experts in the access field such as Local Authority Access Officers or freelance Access Consultants, in addition Local Authorities could perhaps pay or make a donation to local Access Groups for their contribution, their time and expertise. Many Access Groups have limited means and most are underfunded: yet they remain a valuable resource which Local Authorities should utilise where possible.

**Q9**

**Design Commission for Wales and Planning Advisory and Improvement Service**

How can the PAIS and DCfW mainstream good design and inclusive access in the planning process?

Engagement with disabled people is essential if disabled people's access requirements are to become mainstream concepts rather than an afterthought.

Collaborative working with key stakeholders is essential to ensure access requirements and legislation are adhered to and met from the start. Sharing of expert knowledge across Local Authority departments and from other experts in the access field would assist in producing guidance to the wider public on planning and planning design.

Training relating to disability equality and access aimed firstly at planning department staff, then filtering through the training to all 'customer facing' staff throughout the Local Authority. Disability Equality Training should be provided by suitably qualified disabled people and not non-disabled people.

Replication should be kept to a minimum, therefore Local Authority planning departments should utilise information already available internally within the Local Authority and from external sources such as Disability Wales' Interactive Good Practice Toolkit and other design guidance available from various other organisations could assist in the mainstreaming of disabled access in the planning process. Local Authorities must ensure that only the most up to date versions of information / documents whether they are sourced internally or externally should be used for reference purposes.

**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?

As mentioned previously continuing professional development is important. On-going initial and refresher Disability Equality Training should be made a priority for all planning departmental staff and ideally for staff across each Local Authority.

Make use of learning materials already available: Disability Wales' Way to Go Project - Planning for Inclusive Access, was a four year project designed to bring together local disabled people and planning departments. Six training sessions were held across Wales, two mediation sessions took place and a Toolkit was created.

Good Practice Guidance Toolkit was produced to assist Local Authority planners gain an understanding of disability issues and enabled disabled people to gain an understanding of Local Authority planning professionals remit. The aim was to bring together disabled people and planners in order for both parties to gain an insight into what the other does. Managing realistic expectations and limitations on both sides was key throughout the project and contributed to its success. An online interactive Toolkit was then produced which enabled a wider audience to access the Good Practice Guidance. See: <http://www.disabilitywales.org/toolkit/>

Training on specific accessibility related guidance such as Technical Advice Note (TAN 12) and Part M Building regulations and BS8300. A full understanding of certain key guidance relating to removing access barriers for disabled people could assist planners to view access not as a standalone concept but as an integrated entity within the planning process in general.

**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?

**Yes**

✓

**Neither Yes nor No****No**



**Q11**

**Further Comments**

Planning Authorities could work differently to how they work at the moment, this may require a whole departmental change in outlook and procedural change too. A paradigm shift is needed within Local Authorities' way of thinking. Planning departments, planning professionals and Local Authority staff need to be open, approachable, easily accessible (easy to reach and can meet people in accessible buildings etc) and have a positive attitude towards engaging with local disabled individuals, groups and organisations. This is essential and is something that could be improved upon in many Local Authority planning departments.

A collaborative, joined up approach could cut costs, which is helpful particularly at a time where cuts to Local Authority budgets are starting to bite. During the Way to Go training we found that planning departments were not releasing staff to attend training sessions due to capacity constraints.

The Welsh Government and Local Authorities could also work together to ensure disabled peoples access requirements are met and that the views of local disabled people are listened to. The Welsh Government should advertise / publicise and support Local Authority engagement events ensuring information is made available in accessible formats and encourage people from all protected characteristics to attend.

**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?

Disability Wales' Way to Go Project Good Practice Guidance Toolkit was created with Local Authority planners in mind. However, disabled people can also access the Toolkit to assist them in challenging decisions when planning access issues are present. Disabled people can use the Toolkit to address access issues within their access group or with their MP etc. The Toolkit could be used to highlight barriers identified in plans / designs which would affect local communities.

Examples taken from the Disability Equality Forum in December 2013 The Minister for Communities and Tackling Poverty stated "I would encourage everyone to read and respond to the paper highlighting any issues or examples of good practice"

Examples include:

Caerphilly Council and builders of the new Caerphilly Library who engaged with local disabled people - the Local Access group went on a 'walkabout' viewing of the venue, which took place before the official opening.

The Welsh Government engaged with disabled people concerning Cardiff Airport. Disability Wales was approached by the Welsh Government to contact disabled people and organisations near the locality of Cardiff Airport to tour the site, communicating on accessibility issues along the way. The event proved positive with the response rate to carry out the 'access tour' exceeding the capacity.

Q13	Design and Access Statements	x
	Are there any benefits in retaining the requirement for Design and Access Statements (DAS) for particular applications?	
	Yes	✓
	Neither Yes nor No	
	No	

Q13 Further Comments
<p>Disability Wales advocates that DAS should be retained within legislation, if not Primary then Secondary legislation, at least until a robust replacement is tried and tested, equality impact assessed and is in operation. DAS' have proved very beneficial to our members, many of whom are skilled at assessing disabled peoples' access requirements and barrier removal. Having a mandatory DAS means planners / designers must ensure disabled people's access requirements are robustly analysed for every development.</p> <p>What safeguards are in place to ensure disabled people can access information on how accessible a particular plan is if there isn't a Design and Access statement to refer to? Design and Access Statements are very useful tools in deterring potential access issues at the very start of the planning stage. A complete access statement can be used by suitably qualified and or experienced access experts to identify any issues that planning departments and building designers might have missed.</p> <p>Research mentioned in the consultation suggests that DAS of a poor quality were unhelpful to planning professionals and to the planning process in general. Improved education could increase understanding of DAS, thus improve their usefulness. If DAS are not fully understood then its effectiveness could of course diminish. Education about DAS could be the key to improving their usefulness and how informative the content is rather than the concept of the statements themselves. If planning professionals were educated on the key concepts and effective production of DAS, their quality would increase and so could their benefit to the planning process.</p>

<b>Q14</b>	<b>Design and Access Statements</b>	
	Should the mandatory requirement for Design and Access Statements (DAS) be removed from secondary legislation? Give reasons for your answer.	
	Yes	
	Neither Yes nor No	
	No	✓

<b>Q14</b>	<b>Further Comments</b>
	<p>DAS' are vital to ensure access issues are carefully considered, possible solutions identified and potential barriers removed accordingly, with minimal extra costs to those undertaking the building projects. Good quality DAS should help save money in the long term because access barriers / issues are removed at the design stage before any actual building begins. Therefore any potential costs incurred to remedy access issues will be reduced or removed due to a well written and understood DAS.</p> <p>Disability Wales is disappointed by the proposals for DAS to be removed from the Primary legislation. Therefore we strongly advocate that DAS should not be removed from Secondary legislation, thus legislation completely. However, if the mandatory requirement for DAS' are removed from legislation then there must be a tried and tested, robust alternative in place first, before absolute removal of DAS from Secondary legislation and as a consequence legislation as a whole.</p> <p>Any proposed changes to DAS' must not hinder disabled peoples' opportunity to object to inaccessible plans / designs if these are deemed inaccessible by disabled people themselves or organisations etc.</p> <p><b>To reiterate:</b> in light of proposal to abolish the DAS, Disability Wales asked the Disability Equality Forum whether the alternative arrangements would include a duty on Planners to engage at the outset with disabled people, undertake Equality Impact Assessments and add Access Groups/Disabled Peoples Organisations to the list of statutory consultees. Officials agreed to consider all proposals. We would strongly advocate that disabled peoples' views and opinions continue to be sought after any changes to DAS have been made.</p>

<b>Q15</b>	<b>Any Other Comments</b>
	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.

Disability Wales reiterates the importance of DAS. 'Design access issues need to be fully thought through from the outset.' Full inclusive access can only be achieved with full meaningful involvement of disabled people, organisations and groups in each Local Authority. Open communication and timely dialogue is paramount throughout every stage of the planning process. It is essential to avoid infrequent contact which could lead to 'consultees' possibly having to meet rushed last minute deadlines due to miscommunication along the planning submission timeframe.

### How to respond

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

E-mail	Post
<p>Please complete the consultation form and send it to:</p> <p><a href="mailto:planconsultations-a@wales.gsi.gov.uk">planconsultations-a@wales.gsi.gov.uk</a> / <a href="mailto:planconsultations-a@cymru.gsi.gov.uk">planconsultations-a@cymru.gsi.gov.uk</a></p> <p>[Please include '<b>Design in the Planning Process Consultation</b>' in the subject line]</p>	<p>Please complete the consultation form and send it to:</p> <p>Design Consultation Planning Policy Branch Planning Division Welsh Government Cathays Park Cardiff CF10 3NQ</p>

### Additional information

If you have any queries about this consultation, please:

E-mail [max.hampton@wales.gsi.gov.uk](mailto:max.hampton@wales.gsi.gov.uk)

Telephone: Max Hampton on 02920 82 6166

## CONSULTATION RESPONSE FORM

**Design in the Planning Process (Consultation)****Date: 6 October 2014 - 16 January 2015**

<b>Name</b>	Tim Stephens	
<b>Organisation</b>	Caerphilly Borough County Council	
<b>Address</b>	Pontllanfraith House Pontllanfraith NP12 2YW	
<b>E-mail address</b>	stepht@caerphilly.gov.uk	
<b>Telephone</b>	01495 235359	
<b>Type</b> (please select one from the following)	Business	<input type="checkbox"/>
	Local Planning Authority	<input checked="" type="checkbox"/>
	Government Agency / Other Public Sector	<input type="checkbox"/>
	Professional Body / Interest Group	<input type="checkbox"/>
	Voluntary sector (community groups, volunteers, self-help groups, co-operatives, enterprises, religious, not for profit organisations)	<input type="checkbox"/>
	Other (other groups not listed above)	<input type="checkbox"/>

<b>Q1</b>	<b>Design Quality</b>	<b>x</b>
Is the planning system effectively delivering the five key objectives of good design? Give reasons for your answer.		
Yes		
Neither Yes nor No		<b>x</b>
No		

<b>Q1</b>	<b>Further Comments</b>
Each site is different and the five key objectives cannot always be achieved, compromises have to be made.	

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

<b>Q2</b>	<b>Further Comments</b>
The policies must be short, clear, achievable, and allow the compromises that must be made as mentioned in Q1	

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



<b>Q3</b>	<b>Further Comments</b>	
	<b>None</b>	

<b>Q4</b>	<b>Supplementary Planning Guidance</b>	
	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
	<b>Yes</b>	X
	<b>Neither Yes nor No</b>	
	<b>No</b>	

<b>Q4</b>	<b>Further Comments</b>	
	<b>None</b>	


<b>Q5</b>	<b>Front Loading / Pre-applications</b>	
	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?	
	<b>Pre-application discussions help improve the quality of design.</b>	

<b>Q6</b>	<b>Planning Applications</b>	
	Other than further training or additional practice guidance what additional tools would assist you in assessing the quality of design in planning proposals?	
	<b>Training and guidance are the main areas of support. A design consultee (except where the LPA chooses to consult the DCfW) would only add further delay to the system.</b>	

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

<b>Q7</b>	<b>Further Comments</b>
<b>Practical guidance giving examples of good practice for all types of development would be helpful.</b>	

<b>Q8</b>	<b>Access</b>	
What information or other measure would assist local planning authorities assess planning proposals in terms of inclusive access?		
See Q7		

	<b>Design Commission for Wales and Planning Advisory and Improvement Service</b>	
How can the PAIS and DCfW mainstream good design and inclusive access in the planning process?		
<b>Provide training.</b>		

<b>Q10</b>	<b>Design Skills and Good Practice</b>	
How can we continue to raise the design skills of local authority officers and members and what further specific training is required?		
<b>There aren't many training events for younger members of staff to attend on day-to-day practical matters such as effective presentations at inquiries, interpreting the GPDO or the Use Classes Order, and writing reports, let alone design. Years ago we used to regularly attend the short courses run by Martin Chick at UWE which covered a broad range of topics including many of the basics skills as well as emerging issues. We've attended those less and less as Wales has developed its own planning regime (although it is clear from UWE's website that the courses</b>		



**are still running). There would be merit in WG, the RTPI and Cardiff University (or another provider) working together to provide a similar service in Wales.**

<b>Q11</b>	<b>Design Skills and Good Practice</b>	<b>X</b>
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?		
Yes		<b>X</b>
Neither Yes nor No		
No		

<b>Q11</b>	<b>Further Comments</b>
Do not know of any existing activity	

<b>Q12</b>	<b>Design Skills and Good Practice</b>	
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?		
No		

<b>Q13</b>	<b>Design and Access Statements</b>	<b>X</b>
Are there any benefits in retaining the requirement for Design and Access Statements for particular applications?		
Yes		<b>X</b>
Neither Yes nor No		
No		

**Q13 Further Comments**

**DASs are helpful in setting out how the developer has sought to achieve the 5 key objectives, but they should only be retained on a voluntary basis or through their introduction onto a local list, for major development as defined in the DMPO.**

**Q14 Design and Access Statements**

Should the mandatory requirement for Design and Access Statements be removed from secondary legislation? Give reasons for your answer.

Yes

Neither Yes nor No

No

x

**Q14 Further Comments**

**DASs are helpful in setting out how the developer has sought to achieve the 5 key objectives, but development management officers should be able to assess how a scheme addresses those objectives in all but the more complicated cases. They are an unnecessary burden on minor development.**

**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.

**How to respond**

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

E-mail	Post
<p>Please complete the consultation form and send it to:</p> <p><a href="mailto:planconsultations-a@wales.gsi.gov.uk">planconsultations-a@wales.gsi.gov.uk</a> / <a href="mailto:planconsultations-a@cymru.gsi.gov.uk">planconsultations-a@cymru.gsi.gov.uk</a></p> <p>[Please include '<b>Design in the Planning Process Consultation</b>' in the subject line]</p>	<p>Please complete the consultation form and send it to:</p> <p>Design Consultation Planning Policy Branch Planning Division Welsh Government Cathays Park Cardiff CF10 3NQ</p>

Additional information
<p>If you have any queries about this consultation, please:</p> <p>E-mail: <a href="mailto:max.hampton@wales.gsi.gov.uk">max.hampton@wales.gsi.gov.uk</a></p> <p>Telephone: Max Hampton on 02920 82 6166</p>

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Website: [www.rtpi.org.uk/rtpi\\_cymru](http://www.rtpi.org.uk/rtpi_cymru)

24<sup>th</sup> December 2014

e-mail response sent to: [planconsultations-a@wales.gsi.gov.uk](mailto:planconsultations-a@wales.gsi.gov.uk)

Dear Sir/Madam,

**Response to: Consultation on Design in the Planning Process**

The Royal Town Planning Institute (RTPI) is the largest professional institute for planners in Europe, representing some 23,000 spatial planners. RTPI Cymru represents the RTPI in Wales, with 1,100 members. The Institute seeks to advance the science and art of spatial planning for the benefit of the public. As well as promoting spatial planning, the RTPI develops and shapes policy affecting the built environment, works to raise professional standards and supports members through continuous education, training and development.

Thank you for the opportunity to comment on the consultation on design in the planning process.

The response has been formed drawing on the expertise of the RTPI Cymru Policy and Research Forum which includes a cross section of planning practitioners from the private and public sectors and academia from across Wales.

Our answers to the consultation questions and general comments are set out below.

We are also conscious that this consultation is one of a series of consultations that the Welsh Government has published relating to supporting secondary legislation and approaches in the Planning (Wales) Bill. Our response to all of these consultations along with our response to the Planning (Wales) Bill can be found on our website at: <http://www.rtpi.org.uk/the-rtpi-near-you/rtpi-cymru/policy-in-wales/>.

If you require further assistance, have any queries or require clarification of any points made, please contact RTPI Cymru on 029 2047 3923 or e-mail Roisin Willmott at [walespolicy@rtpi.org.uk](mailto:walespolicy@rtpi.org.uk)

Yours sincerely,



Dr Roisin Willmott MRTPI  
**Director**  
**RTPI Cymru**

## CONSULTATION RESPONSE FORM

### Design in the Planning Process (Consultation)

Date: 6 October 2014 - 16 January 2015

<b>Name</b>	Roisin Willmott	
<b>Organisation</b>	RTPI Cymru	
<b>Address</b>	PO Box 2465 Cardiff CF23 0DS	
<b>E-mail address</b>	walespolicy@rtpi.org.uk	
<b>Telephone</b>	029 2047 3923	
<b>Type</b> <i>(please select one from the following)</i>	Business	<input type="checkbox"/>
	Local Planning Authority	<input type="checkbox"/>
	Government Agency / Other Public Sector	<input type="checkbox"/>
	Professional Body / Interest Group	X
	Voluntary sector (community groups, volunteers, self-help groups, co-operatives, enterprises, religious, not for profit organisations)	<input type="checkbox"/>
	Other (other groups not listed above)	<input type="checkbox"/>

<b>Q1</b>	<b>Design Quality</b> Is the planning system effectively delivering the five key objectives of good design? Give reasons for your answer.	<b>X</b>
	<b>Yes</b>	
	<b>Neither Yes nor No</b>	<b>X</b>
	<b>No</b>	

<b>Q1</b>	<b>Further Comments</b>
<p>This question is extremely broad and therefore very difficult to answer. In short, we do not believe the planning system, or developments supported through the planning system, is delivering the five key objectives all of the time.</p> <p>The primary mechanism for seeking to deliver the five key objectives is by proposals having due regard to Technical Advice Note (TAN) 12, applicants explaining this via a Design and Access Statement (DAS), Local Planning Authorities (LPA) and consultees understanding this and appropriate conditions being applied to secure it, and finally compliance with the conditions.</p> <p>Effective delivery of key design objectives is clearly not through DAS alone. It involves comprehensive guidance, skills training, and policy. DAS is only a means to communicate how a scheme has regard to these universal requirements of development.</p> <p>Some of our members have reported that there is a problem with volume house builders on major development sites. With many still appearing to be rolling out the pattern book without taking account of TAN 12. This is where policy needs to be strengthened and the reason that (if DASs continue) they need to be rigorous and linked to Transport Assessment (TA).</p> <p>The consultation has shown that the absolute need for a DAS to make reference to all five elements of the Design Wheel, in terms of validating a planning application, can be meaningless. Such situations arise when, for example, one or more of the elements are irrelevant, but yet a DAS still has to refer to them.</p>	

<b>Q2</b>	<b>Local Development Plans</b> Do you agree that a national development management policy on design would be beneficial?	<b>X</b>
	<b>Yes</b>	<b>X</b>
	<b>Neither Yes nor No</b>	
	<b>No</b>	

<b>Q2</b>	<b>Further Comments</b>
<p>Along with further changes to PPW and TAN 12.</p> <p>A national development management policy should ensure consistency of approach between LPAs and give further clarity to those designing projects. However, it is important that there is an element of flexibility to allow for the local context.</p>	

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

<b>Q3</b>	<b>Further Comments</b>
	<p>We believe it is important that all key stakeholders are engaged in this process from the outset.</p> <p>Below are examples of areas of good practice.</p> <p><b>Wales Planning Awards 2008: Highly Commended: Ebbw Vale: 'The Works Regeneration Proposals</b></p> <p>This is a project for the regeneration of the 75 hectare derelict steelworks site adjacent to Ebbw Vale town centre to create a new urban district. Within the last three years 80% of the reclamation works have been completed, a team of consultants headed by Environmental Resources Management (ERM) has been established, a master plan for mixed use development has been agreed, the construction of a new hospital is due to start in December 2008, design codes and briefs have been prepared to guide development and progress is being made on restoring a listed building, and the first phases of residential and commercial development.</p> <p><u>Judges comments:</u> We are impressed by the quality of the master plan, the progress that is being made in such a short time and by the key roles being played planners in this challenging and impressive project. We are also pleased to see that the plans and briefs are being used to drive up the quality of development, exploit the perceived weaknesses of the site, such as the large basement areas and to ensure that the new development is properly integrated with the town centre and adjoining residential areas. Although the importance of the links to the town centre are recognised in the master plan greater benefit would be achieved if the project were to be extended so that it could provide financial incentives to retain and enhance the use of commercial and retail property in the town centre</p> <p><b>Holyrood North, Edinburgh</b></p> <p>Holyrood North was included in the RTPI's top 10 Scotland's Best Places initiative 2014 to celebrate the RTPI Centenary. RTPI Scotland said:</p> <p>"New development, such as that at the Holyrood North site have further enhanced the quality of the environment and provided a layout that reflects the historic settlement pattern. It provides a sustainable mix of uses on site. This has been driven by good management through the development of a strategy and an exceptional masterplan. The sense of integration between old and new is realised through the quality streetscape design and materials."</p> <p>Holyrood North also won the Overall Award at the Scottish Government's Scottish Awards for Quality in Planning in 2004. The following text is from the Scottish Government on the award:</p>



**Description:** The Holyrood North site lies to the south of the Royal Mile, within the Old Town Conservation Area. The site was formerly occupied by Scottish & Newcastle Breweries. The Council recognised the importance and sensitivity of the site and undertook early work to offer guidance on its appropriate regeneration through the 'Canongate Redevelopment Strategy'. A design competition for the redevelopment of the site was launched and was won by Development Services Partnership Ltd who had engaged John C Hope Architect as masterplanner. The development is now complete, apart from one small plot which has received planning permission. The mixed use site includes social rent accommodation, private residences, private lets, student accommodation, cultural facilities, office space, hotels, shops, restaurants, cafes and a public house.

**Judges' comments:** We visited Holyrood North and recognised the importance of this site to the regeneration of the area. The quality of the environment is now exceptional and the layout reflects the historic settlement pattern. We were impressed by the sustainable mix of uses on site and consider this to be one of the elements of its success. The nominees displayed good management through the development of a strategy and masterplan. The effective communication mechanisms between stakeholders were also recognised. We agree that a sense of integration between old and new is realised through the quality streetscape design and materials. This project is of such an outstanding quality that an Award is recommended. As the project also displays quality in management, sustainable development, partnership and regeneration, we recommend that this project should receive the Overall Award for 2004."

**Sugarhouse Close, Edinburgh** (<http://www.scotland.gov.uk/Publications/2013/11/7658/6>) This was awarded a Commendation at the Scottish Awards for Quality in Planning 2013

#### **Glasgow – Commonwealth Games Athletes' Village**

(<http://www.scotland.gov.uk/Resource/0046/00462648.pdf>)

The winner of the 2014 Scottish Awards for Quality in Planning was the Commonwealth Games Athletes' Village.

Q4	Supplementary Planning Guidance	X
	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?	
	Yes	X
	Neither Yes nor No	
	No	

Q4	Further Comments
	<p>The principle of this is to be welcomed, although guidance and best practice can already be found, (WG, Cabe, RIBA, Manual for Streets etc.) We believe this should remain as guidance as opposed to a requirement / obligation.</p> <p>It is important that practitioners understand guidance and best practice. This can be addressed through CPD. The PAIS and DCfW could also have a central training role in this</p>



<b>Q5</b>	<b>Front Loading / Pre-applications</b>	
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?		

Not all proposals will need to be improved in terms of design quality or access. There is a need to ensure that any perceived need or desire to improve design quality is realistic and necessary, without causing unacceptable delays in the planning process or unacceptable development cost increases.

The provision of clear national policy and guidance plus the obligation to undertake pre-application discussions for major projects will assist in the improvement of design quality where it is required. This must be combined with designer, developer, and officer training and information.

<b>Q6</b>	<b>Planning Applications</b>	
Other than further training or additional practice guidance what additional tools would assist you in assessing the quality of design in planning proposals?		

Planners need tools and also the skills to use them. However, policy, practice guidance, and training are required for all parties. A basic design appraisal tool would be helpful to professionals and the public. This could be based on key design principles and reference TAN 12. It could be embedded in a refreshed DAS.

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

<b>Q7</b>	<b>Further Comments</b>	
We believe that this is likely to have no further effect in terms of when access is considered in the design process than the current requirement to include it in a DAS.		
The requirement to explain why inclusive access had not been achieved, is unlikely to result in an increase in accessible development. Would a more appropriate question be to explain		

how it does, or does not, provide inclusive access, as opposed to just why it does not?

This issue is linked to the Part M requirements of Building Regulations.

Q8

## Access

What information or other measure would assist local planning authorities assess planning proposals in terms of inclusive access?

See above. The reference to it on the 1APP form would be balanced by a national policy requirement and Building Regulations.

Design and Access Statements on the whole do not appear to adequately address movement by non-motorised modes of transport or transport accessibility generally. When they do, often only a basic description of nearby roads, bus stops etc is provided. There is a need for the design process to be more rigorous in its consideration of non-motorised movements through developments - the role that walking and cycling accessibility within a site and beyond its boundary contributes to the quality of spaces, places and neighbourhood vitality.

The Active Travel (Wales) Act came into force in September 2014. RTPI Cymru believes that the planning system has a key role to play in facilitating active travel. Therefore, it is essential that national planning policies and guidance explicitly support the delivery of the Active Travel duty and the development of active travel networks and routes. Similarly, planning policies and guidance should acknowledge the status of integrated network maps and seek to protect routes from developments which would compromise their delivery or undermine their active travel function. We therefore recommend that Planning Policy Wales and relevant Technical Advice Notes (TAN)s, particularly TAN 12 and TAN 18 are updated accordingly. RTPI Cymru would welcome the opportunity to provide early input to the necessary revisions.

- In relation to TAN 12 reference to the importance of integrating developments with local walking and cycling networks and taking the opportunity to improve/create new linkages to off-site destinations could appropriately be included in Section 5.9 and generally given prominence. Arguably, movement needs to be given greater prominence within the TAN.
- Similarly the Design response to movement - TAN 12 (Page 24) could be strengthened in this regard. The importance of contributions to improving off site links to major developments needs to be referenced.
- In relation to Planning Policy Wales (PPW), we believe that it could be stronger on design issues generally.

In summary, going through the consultation documents and re-tracing steps through TAN 12 and PPW, we believe that policy could be much stronger and more exacting. Furthermore, if DASs continue to be used, then there is an opportunity for them to become much more rigorous and a candid self-appraisal of how the development addresses the key design policy considerations.

In terms of major developments which require a Transport Assessment (TA) (thresholds provided in TAN 18), it would make sense for the DAS appraisal to be cross referenced with the TA, particularly in relation to how the site addresses:

- Modal shift policies in PPW and TAN 18

- Non-motorised movements to and through the site
- Integration of the site with the wider active travel network – with reference to existing routes and also future routes contained Local Authority Integrated Network Plans under the Active Travel Act (NB to be in place by September 2017).
- Ease of access to public transport.
- Road Safety considerations

Q9

### **Design Commission for Wales and Planning Advisory and Improvement Service**

How can the PAIS and DCfW mainstream good design and inclusive access in the planning process?

This remit should be a central operating raison d'être of the Design Commission for Wales. However, both the DCfW and PAIS should be part of (or operate) a comprehensive design and access skills / education training programme, and provide on-going monitoring process of outcomes co-ordinating complementary activities. It is essential to clearly set out the remit of the DCfW and the PAIS on this issue and how they / their work will link together.

The two organisations would need sufficient support and resources to fulfil this role effectively.

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?

There are a number of ways this could be done including training programmes, an internet information centre including best practice examples, and information-sharing.

The specific training needs of officers, consultees, developers, architects, planning consultants etc. should be identified.

Those planners who have been through an RTPI accredited course will have received design training. One of the Learning Outcomes for RTPI accredited courses is: "Evaluate the principles and processes of design for creating high quality places and enhancing the public realm for the benefit of all in society."

Greater coverage of design-related matter in planning media, and the design appraisal tool suggested at Q6 would also be useful. It is important for planners to develop the confidence to be able to understand and critique design proposals. Embedding design across all training programmes and modules would help in promoting this knowledge and understanding.

<b>Q11</b>	<b>Design Skills and Good Practice</b>	<b>X</b>
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?		
Yes		X
Neither Yes nor No		
No		

<b>Q11</b>	<b>Further Comments</b>
<p>People can only work collaboratively if they have the requisite skills to understand the issues on which they should collaborate, which links back to the previous questions and the requirement for training, information bases, and knowledge-sharing.</p> <p>The requirement to undertake pre-application discussion, creates the basis to ensure that design is discussed in the formation of development proposals. This all falls away however, if there is insufficient skills, insufficient funding resource, and / or insufficient staff resource.</p> <p>It is important to create understanding that design is about far more than just vernacular issues and what a development looks like.</p>	

<b>Q12</b>	<b>Design Skills and Good Practice</b>	
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?		
Please see our suggestions under Q3.		

<b>Q13</b>	<b>Design and Access Statements</b>	<b>X</b>
Are there any benefits in retaining the requirement for Design and Access Statements for particular applications?		
Yes		X
Neither Yes nor No		
No		

**Q13 Further Comments**

The research was clear that there are benefits in having a document accompanying a planning application that explains the proposal. This document then forms a central component of the planning application, and is used by all parties that are involved in the planning process to understand the project and inform their response. The inclusion of fundamental components such as explanation of the site, the background to the project, the development proposals, the design process, is often vital in people being able to understand a project, without having to rely on extracting information from the planning application forms or reading / understanding site plans. If they are prepared correctly they can serve as a means to ensure that the planning process is inclusive.

The premise that DASs should be abandoned because there is insufficient evidence that they secure good design or equality of access is misplaced. They now serve as an important part of a planning application for consultees, officers, and the general public. Since the inception of DASs, local and national planning legislation has caught-up with the central importance of good design being at the heart of planning considerations of development.

A further element which was found to have led to DASs falling into disrepute was that there has been an inflexible application of the design wheel and legislative contents requirements, leading to a tick-list validation approach being applied and on many occasions the DAS has purely been used as a 'gateway' requirement to validation of an application because of their poor nature.

Prior to the requirement for DASs, many developers, architects, and planning consultants realised the need for some form of document to be able to explain complicated proposals, why they were required, and why they took the form they did in terms of design, layout etc. A large part of the negative view of DASs in the design process by most parties was the requirement to include information whether or not it was actually relevant to the design process and consideration of the planning application.

If DASs were retained for major applications, and optional on others, that would avoid the vacuum that would otherwise be formed if they were abandoned - in terms of people understanding a development proposal and how it affects them.

The content of a DAS does not need to be controlled by legislation, nor rigorously enforced through validation procedures. Similarly the title of Design and Access Statement need not be retained. It is simply a document which comprehensively explains and justifies the proposed development and how it addresses or does not address key design policies/principles

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



Q14

#### Further Comments

RTPI Cymru believes that Design and Access Statements provide a valid role in the development management system. However, we would recommend a review of the Regulation to encourage a more positive approach to purely a 'gate keeper approach to validation'

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.

We have no further comments to make.

## CONSULTATION RESPONSE FORM

**Design in the Planning Process (Consultation)****Date: 6 October 2014 - 16 January 2015**

<b>Name</b>	Simon Gale	
<b>Organisation</b>	Rhondda Cynon Taf County Borough Council	
<b>Address</b>	Planning Department, Sardis House, Pontypridd CF37 1DU,	
<b>E-mail address</b>	simon.gale@rctcbc.gov.uk	
<b>Telephone</b>	01443 494716	
<b>Type</b> (please select one from the following)	Business	<input type="checkbox"/>
	Local Planning Authority	<input checked="" type="checkbox"/>
	Government Agency / Other Public Sector	<input type="checkbox"/>
	Professional Body / Interest Group	<input type="checkbox"/>
	Voluntary sector (community groups, volunteers, self-help groups, co-operatives, enterprises, religious, not for profit organisations)	<input type="checkbox"/>
	Other (other groups not listed above)	<input type="checkbox"/>

<b>Q1</b>	<b>Design Quality</b>	<b>x</b>
Is the planning system effectively delivering the five key objectives of good design? Give reasons for your answer.		
Yes		
Neither Yes nor No		<b>x</b>
No		

<b>Q1</b>	<b>Further Comments</b>
<p>The planning process helps to achieve the objectives of good design both through encouraging developers to take a more positive approach to designing their developments, ensuring that design is a consideration in the decision making process, and for most larger developments in Rhondda Cynon Taf (RCT) ensuring that appropriate design professionals are involved in preparing and assessing proposed development in a manner which accounts for the design objectives.</p> <p>However, there are barriers to efficiently delivering these objectives consistently, notably:</p> <p>Securing high quality design in new development is often dependent on negotiation and the willingness of applicants to engage in the process or to have their own high ambitions.</p> <p>The reliance on negotiation can often result in a conflict between the desire to process applications within 8 / 13 / 16 weeks and the desire to secure good design.</p> <p>The result is that the process delivers inconsistent results</p>	

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

<b>Q2</b>	<b>Further Comments</b>



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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	

Q3	Further Comments
	RCT have an LDP policy which requires residential developments of over 50 dwellings to be accompanied by a masterplan and this is generally complied with. However, the quality of masterplans can be dependent on the desire of applicants to engage fully with the council in their production.

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	

Q4	Further Comments
	Provision of such guidance would be helpful and would remove the need for each LPA to produce their own (largely similar) guidance. This would also help LPAs which lack the resources or skills to produce appropriate guidance in-house, and

**avoid poor quality guidance or inconsistency between different authorities.**

It might be desirable to allow each LPA to 'rebadge' such national guidance as their own, with an opportunity to add additional sections addressing any locally specific contextual issues that are particularly relevant within each LPA area.

#### **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?

The success of pre-application discussions is enhanced by using a wide range of officers and the developers in a project team approach so that proposals are designed in a comprehensive and cohesive way rather than by pursuing individual agendas.

#### **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?

An enhanced role for DCfW in providing design advice for larger planning applications. This would help by providing additional expertise and by adding weight to LPAs' decisions regarding design

It would be useful for DCfW or another organisation to promote a broader selection of exemplar developments, with a more detailed explanation of how they are successful in relation to good design.

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

<b>Q7</b>	<b>Further Comments</b>
	<p>It is unlikely that any single measure would 'ensure' that inclusive access is considered in design from the outset, particularly as it is one of many competing design issues.</p> <p>Such a question could be related to a more clearly and simply stated planning policy and technical guidance setting out in which cases planning permission might be refused for failure to provide inclusive access (and to review the proportion of new developments which successfully provide different degrees of inclusive access).</p> <p>There is not an identifiable problem in RCT of applicants failing to provide a basic degree of inclusive access, or consent under Building Regulations being withheld in relation to access for developments which have already been granted planning permission.</p> <p>Building Regulations appear to be a successful way of addressing technical design issues relating to access, and the majority of applicants and architects in RCT are aware of Part M access requirements. It may be most appropriate to address broader access concerns in a technical manner using Building Regulations, rather than discretionary planning policies.</p>

<b>Q8</b>	<b>Access</b>
	What information or other measure would assist local planning authorities assess planning proposals in terms of inclusive access?
	It would be helpful for the WG to provide more detailed or technical guidance in relation to what is required from 'inclusive access' and how this can be achieved through both planning and Building Control process.

Q9

**Design Commission for Wales and Planning Advisory and Improvement Service**

How can the PAIS and DCfW mainstream good design and inclusive access in the planning process?

PAIS and DCFW can help to mainstream good design by raising awareness of design good practice

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?

DCfW and PAIS could facilitate a broader range of design related support for planners to ensure that non-design professionals have the correct skills to understand and assess design in relation to more straight forward developments, or to interpret and understand the value of professional design advice in relation to more complex developments.

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?

Yes

x

Neither Yes nor No

No

**Q11 Further Comments**

It would be helpful for DCfW, PAIS or POSW to facilitate a cross-authority design group for design officers and planning officers engaged with assessing the design of proposed development, in order to encourage greater communication and exchange of experience between LPAs.

SEWCOG and the Built Heritage Forum provide examples of similar arrangements that play this role successfully for the Historic Environment professionals.

**It may be helpful for authorities to share design expertise and resources**

**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?

**Q13 Design and Access Statements**

Are there any benefits in retaining the requirement for Design and Access Statements for particular applications?

**Yes**

**x**

**Neither Yes nor No**

**No**

**Q13 Further Comments**

Design & Access Statements are successful in providing information for larger and more complex planning applications, and it is useful to retain them (or a similar document) for these types of development.

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

<b>Q14</b>	<b>Further Comments</b>
<p>The current use of procedural legislation to set out the scope of DASs implies that completing them is simply a case of ticking the right boxes so the application can be made valid, rather than producing a document which shows design has been carefully thought about in the development scheme. In addition it is difficult to fully assess the content of DASs prior to validation.</p> <p>Design &amp; Access Statements are successful in providing information for larger and more complex planning applications, and it is useful to retain them (or a similar document) for these types of development</p>	

<b>Q15</b>	<b>Any Other Comments</b>
<p>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.</p>	
<div style="border: 1px solid black; height: 100px;"></div>	

### How to respond

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

E-mail	Post
<p>Please complete the consultation form and send it to:</p> <p><a href="mailto:planconsultations-a@wales.gsi.gov.uk">planconsultations-a@wales.gsi.gov.uk</a> / <a href="mailto:planconsultations-a@cymru.gsi.gov.uk">planconsultations-a@cymru.gsi.gov.uk</a></p> <p>[Please include '<b>Design in the Planning Process Consultation</b>' in the subject line]</p>	<p>Please complete the consultation form and send it to:</p> <p>Design Consultation Planning Policy Branch Planning Division Welsh Government Cathays Park Cardiff CF10 3NQ</p>

Additional information
<p>If you have any queries about this consultation, please:</p> <p>E-mail: <a href="mailto:max.hampton@wales.gsi.gov.uk">max.hampton@wales.gsi.gov.uk</a></p> <p>Telephone: Max Hampton on 02920 82 6166</p>



## CONSULTATION RESPONSE FORM

## Design in the Planning Process (Consultation)

Date: 6 October 2014 - 16 January 2015

<b>Name</b>	Keith Jones	
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<b>Telephone</b>	029 2063 0563	
<b>Type</b> (please select one from the following)	Business	<input type="checkbox"/>
	Local Planning Authority	<input type="checkbox"/>
	Government Agency / Other Public Sector	<input type="checkbox"/>
	Professional Body / Interest Group	<input checked="" type="checkbox"/>
	Voluntary sector (community groups, volunteers, self-help groups, co-operatives, enterprises, religious, not for profit organisations)	<input type="checkbox"/>
	Other (other groups not listed above)	<input type="checkbox"/>

<b>Q1</b>	<b>Design Quality</b>	<b>X</b>
Is the planning system effectively delivering the five key objectives of good design? Give reasons for your answer.		
Yes		
Neither Yes nor No		
No		<b>X</b>

<b>Q1</b>	<b>Further Comments</b>
<p>1) The current deposit local development plan (DLDP) prepared by Cardiff Council envisages the production of masterplans by developers will achieve good design. Background papers included within this DLDP identify the significant transport problems that will result from some of the major sites proposed for development, but the DLDP fails to include any transport proposals as a solution to these identified difficulties. Without this information, it will be impossible for any developer to produce a meaningful masterplan.</p> <p>2) A recent planning decision by Cardiff to refuse the development of 48 houses served by a very narrow road and requiring all delivery vehicles to pass under a railway bridge having substandard clearance as well as requiring all pedestrian traffic to share the carriageway with vehicular traffic was subsequently confirmed as refused by the Planning Inspectorate following an appeal by the developer. The grounds for refusal were essentially road safety reasons. The only outcome of any situation like this is a waste of everyone's money.</p> <p>Both the above examples of bad practice (1) by the LPA and (2) by a developer took place within the planning system and demonstrate, at two size levels, how the system fails to ensure the objectives of good design.</p>	

<b>Q2</b>	<b>Local Development Plans</b>	<b>X</b>
Do you agree that a national development management policy on design would be beneficial?		
Yes		<b>X</b>
Neither Yes nor No		
No		

<b>Q2</b>	<b>Further Comments</b>
<p><b>Ensuring that Local Development Plans are both appropriate for the area they cover and that they are sound is more important than the ability to review them quickly.</b></p>	

<b>Q1</b>	<b>Supplementary Planning Guidance</b>	<b>X</b>
<p>Are area and site specific plans, such as masterplans, being used to positively plan for key development? Can you highlight areas of good practice?</p>		
Yes		
Neither Yes nor No		
No		<b>X</b>

<b>Q3</b>	<b>Further Comments</b>
<p><b>Provided these plans are comprehensive and are produced as development briefs by LPAs in collaboration with affected parties rather than independently by developers then they should achieve this end. Example (1) at Q1 above indicates that this does not necessarily happen.</b></p>	

<b>Q4</b>	<b>Supplementary Planning Guidance</b>	<b>X</b>
<p>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?</p>		
Yes		<b>X</b>
Neither Yes nor No		

No	

#### Q4 Further Comments

**It is important that this proposed practice guidance should cover sustainable development and not just sustainable buildings as is suggested by your consultation paper.**

#### 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?

**You need to make it a statutory duty of LPAs to offer pre-application discussions. Without this, LPAs that currently refuse to participate in such discussions will be able to continue their current bad practice.**

#### 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?

**Perhaps a requirement within the 1APP form for all developer applicants to confirm that they have read, are acquainted with and have given due regard to the content of both PPW and TAN12 in preparing their application.**

--

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

<b>Q7</b>	<b>Further Comments</b>
<p><b>This will not ensure that adequate vehicular, cycle and pedestrian access has been provided to the proposed development, only that inclusive access has been provided to the actual building or buildings that are the subject of the proposal.</b></p>	

<b>Q8</b>	<b>Access</b>
<p>What information or other measure would assist local planning authorities assess planning proposals in terms of inclusive access?</p>	
<p><b>Only the provision of fully detailed drawings covering every aspect of the proposed development would achieve this.</b></p>	

<b>Q9</b>	<b>Design Commission for Wales and Planning Advisory and Improvement Service</b>
<p>How can the PAIS and DCfW mainstream good design and inclusive access in the planning process?</p>	

In the same way that there are 'cowboy' builders there are also consultants, agents and staff employed by developers and staff that LPAs employ that fall into a similar category. The applicants for any development that is of significant local importance should be required to produce a list of the names and qualifications of all parties that have been involved in the preparation of the application. Similarly the LPA should be required to employ a given percentage of appropriately qualified people to consider the quality of the applications received.

The DCfW and PAS could usefully consider what these qualifications should be.

**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?

The calibre of staff capable of being employed by any LPA is directly related to the reward paid by the LPA.

Members should receive comprehensive training and again only suitably qualified members should be allowed to undertake this work.

**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?

Yes

Neither Yes nor No

No

X

X

**Q11 Further Comments**

**There is little evidence that any collaboration between Authorities actually occurs. Larger, regional Authorities than those presently in place could perhaps address this need.**

**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?

No.

**Q13 Design and Access Statements**

Are there any benefits in retaining the requirement for Design and Access Statements for particular applications?

Yes

X

Neither Yes nor No

No

**Q13 Further Comments**

**Design and Access Statements should be retained for significant sized developments to ensure that the consequences of approving the development proposal are fully understood from the outset.**

**Q14 Design and Access Statements**



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

<b>Q14</b>	<b>Further Comments</b>
<p>As at Q13 above.</p>	

<b>Q15</b>	<b>Any Other Comments</b>
<p>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.</p>	
<p><b>It is of considerable importance that the long term consequences of giving approval to any development proposal should be fully understood by all those involved in the approval process. An exploration of these possible outcomes should be a required component of the application package for any significant development. This should encourage more enlightened decisions to be made by LPAs.</b></p>	

### How to respond

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

E-mail	Post
<p>Please complete the consultation form and send it to:</p> <p><a href="mailto:planconsultations-a@wales.gsi.gov.uk">planconsultations-a@wales.gsi.gov.uk</a> / <a href="mailto:planconsultations-a@cymru.gsi.gov.uk">planconsultations-a@cymru.gsi.gov.uk</a></p> <p>[Please include '<b>Design in the Planning Process Consultation</b>' in the subject line]</p>	<p>Please complete the consultation form and send it to:</p> <p>Design Consultation Planning Policy Branch Planning Division Welsh Government Cathays Park Cardiff CF10 3NQ</p>

Additional information
<p>If you have any queries about this consultation, please:</p> <p>E-mail <a href="mailto:max.hampton@wales.gsi.gov.uk">max.hampton@wales.gsi.gov.uk</a></p> <p>Telephone: Max Hampton on 02920 82 6166</p>

## CONSULTATION RESPONSE FORM

**Design in the Planning Process (Consultation)****Date: 6 October 2014 - 16 January 2015**

<b>Name</b>	Dick Cole – Planning Subgroup	
<b>Organisation</b>	Abergavenny and District Civic Society	
<b>Address</b>	Merles, Gwehelog, Usk, Monmouthshire NP15 1RE	
<b>E-mail address</b>	<a href="mailto:dandlcole@aol.com">dandlcole@aol.com</a> ; <a href="mailto:abercivsoc@gmail.com">abercivsoc@gmail.com</a>	
<b>Telephone</b>	01291 673617	
<b>Type</b> (please select one from the following)	Business	<input type="checkbox"/>
	Local Planning Authority	<input type="checkbox"/>
	Government Agency / Other Public Sector	<input type="checkbox"/>
	Professional Body / Interest Group	<input type="checkbox"/>
	Voluntary sector (community groups, volunteers, self-help groups, co-operatives, enterprises, religious, not for profit organisations)	x
	Other (other groups not listed above)	<input type="checkbox"/>

<b>Q1</b>	<b>Design Quality</b>	
Is the planning system effectively delivering the five key objectives of good design? Give reasons for your answer.		
Yes		
Neither Yes nor No		
No		X

<b>Q1</b>	<b>Further Comments</b>
<p>Not sure that the planning system alone can be expected to deliver good design. Insofar as it can, it has only a moderating role in an area where judgements are often subjective and imprecise. For example, what is the 'local character' to be sustained or enhanced – that of the immediate area, which may be indifferent, or a description of distinctive characteristics of a town?</p> <p>The evidence on the ground suggests that the answer is No as there is clearly room for improvement.</p>	

<b>Q2</b>	<b>Local Development Plans</b>	
Do you agree that a national development management policy on design would be beneficial?		
Yes		
Neither Yes nor No		X
No		

<b>Q2</b>	<b>Further Comments</b>
<p>It is unclear how this would differ from TAN12, a commendable document, Manual for Streets etc . The greater need is <u>local</u> policy guidance, particularly on the interpretation of 'local character'. Unfortunately such guidance seems to be diminishing and LPA resources to reverse this trend are also declining.</p>	

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

<b>Q3</b>	<b>Further Comments</b>
<p><b>Our LPA does not appear to be producing such plans, and their participation when developers do so is opaque. A recent masterplan produced by consultants for an urban extension by Persimmon, as part of their DAS, has been helpful for community engagement by setting out the reasoning behind their proposals.</b></p>	

<b>Q4</b>	<b>Supplementary Planning Guidance</b>	<b>2</b>
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?		
Yes		<b>X</b>
Neither Yes nor No		
No		

<b>Q4</b>	<b>Further Comments</b>
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Welcome as part of national guidance, but site analysis is only part of the design process – off-site context can be equally important. Urban characterisation studies such as our own at Abergavenny are refining understanding of context.

#### **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?

**LPAs should probably be more proactive at the pre-application stage (community groups such as ours do not normally know what advice is given) but we suspect that the quality of advice must be very variable, sometimes inconsistent between planning officers or highways officers, and influenced by elected members' prejudices.**

**Community consultation at this stage, such as that carried out by McCarthy and Stone at Abergavenny, can supplement the often limited LPA expertise, expose differences of opinion, and should assist a better design outcome.**

#### **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?

**'You'?**

**Planning officers? Staff sharing by LPAs, greater use of DCfW, exchange of good practice and experience.**

**Civic Society? More local architects or planners on planning subgroup.**


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

<b>Q7</b>	<b>Further Comments</b>

<b>Q8</b>	<b>Access</b>
What information or other measure would assist local planning authorities assess planning proposals in terms of inclusive access?	
No comments	

<b>Q9</b>	<b>Design Commission for Wales and Planning Advisory and Improvement Service</b>
How can the PAIS and DCfW mainstream good design and inclusive access in the planning process?	
Roles could be vital, but will adequate resources be available?	



**Applicants and their agents need further training as much as planning officers; they should be encouraged to use the services of these bodies.**

**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?

**Unfortunately we know nothing about the training that planning officers receive, whether before qualifying or in CPD. We suspect that most development management officers have little formal training, though heritage conservation officers probably have. Most members' understanding of good practice will have been communicated by their officers, well or otherwise.**

**If this question does not produce an adequate response from LPAs a survey of their current access to expertise and training needs is needed. Also survey the needs of the development industry.**

**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?

**Yes**

**X**

**Neither Yes nor No**

**No**

**Q11 Further Comments**

**Collaboration between LPAs, or larger authorities, are more likely to reproduce the strength of teams available in most pre-1974 county councils.**

**We also believe that there could be mutual benefit in LPA officers and members working more closely, perhaps less defensively, with Civic Societies.**

**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?

**DCfW should be very helpful, though our only experience of their advice was rather disappointing.**

**The Civic Trust for Wales' work on urban characterisation, encouraging communities to explore where Cadw have led, has potential to raise public appreciation and understanding of good design, and to contribute to local SPG.**

**Q13 Design and Access Statements**

Are there any benefits in retaining the requirement for Design and Access Statements for particular applications?

Yes

X

Neither Yes nor No

No

**Q13 Further Comments**

**We feel strongly that DAS must be retained for at least all major developments and Listed Building Consent applications, particularly to assist dialogue between the applicant, the community and the LPA. As a Society we find DAS invaluable for assessing the response of applicants to TAN12, local policy and the site in question. We believe that planning officers**

**must find them similarly useful. Usually the DAS process clarifies the applicant's thinking (its discipline must help them to do so); sometimes it exposes the lack of thinking.**

**Q14 Design and Access Statements**

Should the mandatory requirement for Design and Access Statements be removed from secondary legislation? Give reasons for your answer.

Yes

Neither Yes nor No

No

X

**Q14 Further Comments**

**We distrust the Government's omission of DAS requirements from primary legislation, believing this to be more about reducing developers' workload than anything to do with design quality – which we believe would be threatened. Since we see no evidence that a general culture of good design will be cultivated by PAIS, DCfW, or the LPAs themselves, in the foreseeable future (the resources are unlikely to be available), DAS requirements must be safeguarded, if perhaps modified and made more flexible.**

**Modification might include a reduction in the categories of development requiring DAS, such as excluding much that is not 'major development' requiring pre-application community consultation or is not subject to a conservation designation. Some access and sustainability considerations are now covered by other control mechanisms.**

**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.

Our LPA has become reluctant to refuse solely on design grounds, despite TAN12 advice to do so when objectives of good design are not met, because of repeated failures to receive support at appeal. This may of course reflect poor presentations of their case, perhaps an indication of under-trained officers.

See also our comments on Frontloading regarding the integration of the pre-application consultation process with DAS.

### How to respond

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

E-mail	Post
Please complete the consultation form and send it to: <a href="mailto:planconsultations-a@wales.gsi.gov.uk">planconsultations-a@wales.gsi.gov.uk</a> / <a href="mailto:planconsultations-a@cymru.gsi.gov.uk">planconsultations-a@cymru.gsi.gov.uk</a> [Please include ' <b>Design in the Planning Process Consultation</b> ' in the subject line]	Please complete the consultation form and send it to: Design Consultation Planning Policy Branch Planning Division Welsh Government Cathays Park Cardiff CF10 3NQ

### Additional information

If you have any queries about this consultation, please:

E-mail: [max.hampton@wales.gsi.gov.uk](mailto:max.hampton@wales.gsi.gov.uk)

Telephone: Max Hampton on 02920 82 6166

## CONSULTATION RESPONSE FORM

**Design in the Planning Process (Consultation)****Date: 6 October 2014 - 16 January 2015**

<b>Name</b>	Andrew Davies (Town Clerk)	
<b>Organisation</b>	Cowbridge (Ancient Borough) with Llanblethian Town Council	
<b>Address</b>	Town Hall, 21 High Street COWBRIDGE Vale of Glamorgan CF71 7AD	
<b>E-mail address</b>	enquiries@cowbridge-tc.gov.uk	
<b>Telephone</b>	01446 773385	
<b>Type</b> (please select one from the following)	Business	<input type="checkbox"/>
	Local Planning Authority	<input type="checkbox"/>
	Government Agency / Other Public Sector	X
	Professional Body / Interest Group	<input type="checkbox"/>
	Voluntary sector (community groups, volunteers, self-help groups, co-operatives, enterprises, religious, not for profit organisations)	<input type="checkbox"/>
	Other (other groups not listed above)	<input type="checkbox"/>

<b>Q1</b>	<b>Design Quality</b>	<b>W</b>
Is the planning system effectively delivering the five key objectives of good design? Give reasons for your answer.		
Yes		
Neither Yes nor No		
No		

<b>Q1</b>	<b>Further Comments</b>

<b>Q2</b>	<b>Local Development Plans</b>	<b>X</b>
Do you agree that a national development management policy on design would be beneficial?		
Yes		
Neither Yes nor No		
No		

<b>Q2</b>	<b>Further Comments</b>

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

<b>Q3</b>	<b>Further Comments</b>

<b>Q4</b>	<b>Supplementary Planning Guidance</b>	<b>X</b>
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?		
Yes		
Neither Yes nor No		
No		

<b>Q4</b>	<b>Further Comments</b>



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?

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?

Q7

**Access**

Do you agree that the amendments to the 1APP form will ensure inclusive access issues are considered in development proposals?

Yes

Neither Yes nor No

No

Q8

**Further Comments**

**Q8**

**Access**

What information or other measure would assist local planning authorities assess planning proposals in terms of inclusive access?

**Q9**

**Design Commission for Wales and Planning Advisory and Improvement Service**

How can the PAIS and DCfW mainstream good design and inclusive access in the planning process?

**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?

<b>Q11</b>	<b>Design Skills and Good Practice</b>	<b>X</b>
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?		
Yes		
Neither Yes nor No		
No		

<b>Q11</b>	<b>Further Comments</b>

<b>Q12</b>	<b>Design Skills and Good Practice</b>	
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?		

<b>Q13</b>	<b>Design and Access Statements</b>	<b>X</b>
Are there any benefits in retaining the requirement for Design and Access Statements for particular applications?		
Yes		<b>X</b>
Neither Yes nor No		
No		

**Q13****Further Comments**

The Town Council considers that a Design and Access statement provides valuable information especially with regard to how a planning application might impact the locality and how the developer intends to overcome any issues or obstacles for that specific area and community.

**Q14****Design and Access Statements****X**

Should the mandatory requirement for Design and Access Statements be removed from secondary legislation? Give reasons for your answer.

Yes

Neither Yes nor No

No

**X****Q14****Further Comments**

The Town Council considers a DAS as a communication tool particularly for larger or more complex developments and provides a means of local groups to engage in the planning process. This is in addition to the comments above in respect of question 13.

**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.

## How to respond

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

E-mail	Post
<p>Please complete the consultation form and send it to:</p> <p><a href="mailto:planconsultations-a@wales.gsi.gov.uk">planconsultations-a@wales.gsi.gov.uk</a> / <a href="mailto:planconsultations-a@cymru.gsi.gov.uk">planconsultations-a@cymru.gsi.gov.uk</a></p> <p>[Please include '<b>Design in the Planning Process Consultation</b>' in the subject line]</p>	<p>Please complete the consultation form and send it to:</p> <p>Design Consultation Planning Policy Branch Planning Division Welsh Government Cathays Park Cardiff CF10 3NQ</p>

### Additional information

If you have any queries about this consultation, please:

E-mail: [max.hampton@wales.gsi.gov.uk](mailto:max.hampton@wales.gsi.gov.uk)

Telephone: Max Hampton on 02920 82 6166

## CONSULTATION RESPONSE FORM

**Design in the Planning Process (Consultation)****Date: 6 October 2014 - 16 January 2015**

<b>Name</b>	Rhodri Davies	
<b>Organisation</b>	National Parks Wales	
<b>Address</b>	Brecon Beacons National Park Authority Plas y Ffynnon Cambrian Way Brecon LD3 7HP	
<b>E-mail address</b>	rhodri.davies@beacons-npa.gov.uk	
<b>Telephone</b>	01874 620 424	
<b>Type</b> (please select one from the following)	Business	<input type="checkbox"/>
	Local Planning Authority	<input checked="" type="checkbox"/>
	Government Agency / Other Public Sector	<input type="checkbox"/>
	Professional Body / Interest Group	<input type="checkbox"/>
	Voluntary sector (community groups, volunteers, self-help groups, co-operatives, enterprises, religious, not for profit organisations)	<input type="checkbox"/>
	Other (other groups not listed above)	<input type="checkbox"/>

<b>Q1</b>	<b>Design Quality</b>	<b>x</b>
Is the planning system effectively delivering the five key objectives of good design? Give reasons for your answer.		
Yes		<b>x</b>
Neither Yes nor No		
No		

<b>Q1</b>	<b>Further Comments</b>
<p>The Planning system is best placed to deliver the 5 key objectives of good design, and through a combination of design policies at both national and local level, legislation and negotiation, in general, it is considered that the system is delivering effectively</p> <p>However, this is difficult to measure given that some DAS's fail to fully address all of the objectives set out in TAN 12. This is compounded by the fact that there is no scope under the current regulations to invalidate an application on the grounds of a substandard DAS.</p> <p>They also tend to be produced retrospectively to justify the developers/applicant's scheme rather than as a tool to explain the development of the proposals from the context of the site.</p> <p>In a National Park context, it is important that we only approve development which achieves all of these objectives – but this is left to the Officers involved in assessing the quality of the proposals and drawings submitted rather than the information provided by the applicant/agent in the DAS.</p>	

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

<b>Q2</b>	<b>Further Comments</b>
<p>A general national development policy on design would be beneficial but only to give a strategic steer on what elements of design need to be consistently considered by all LPA's in Wales.</p>	



However, it should be accepted that design is a highly localised issue, and as such, any national policy must allow sufficient flexibility for LPA's to produce local design policies which respond to local design characteristics.

Added to that, the planning issues and pressures affecting each individual LPA may be area specific and contrasts widely even between neighbouring LPA's. The Welsh Government should not allow the local distinctiveness of parts of Wales to be diluted in the overall aim to provide consistency and uniformity.

There is also a question around the application and implementation of this policy. If it is perceived to be 'handed down from on high' LPA's might be reluctant to implement it as intended. National Parks are a prime example where a general policy would not fit. It is also essential that standardised policies do not undermine local issues and the significance of local identity and character in retaining diversity and interest in the built environment of Wales.

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

<b>Q3</b>	<b>Further Comments</b>
<p>At the BBNPA, major mixed use development land allocations can only be brought forward following the preparation of a development/design brief by the developers following negotiations with the LPA and other interested parties and statutory consultees and a public consultation process. The document is then endorsed by the National Park Authority committee and becomes a material planning consideration in the determination of any subsequent planning application for that site.</p> <p>This process enables all parties to have a say in the design of the development from the outset.</p>	

<b>Q4</b>	<b>Supplementary Planning Guidance</b>	<b>x</b>
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?		

Yes	x
Neither Yes nor No	
No	

**Q4**

#### **Further Comments**

This is absolutely necessary to highlight the requirement for developments to respond to the characteristics and context of the site and surrounding buildings and natural landscape. The guidance should be adhered to by developers to design schemes that are in keeping with the area and to produce reasoned Design and Access Statements.

**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?

If sufficient (and relevant) information is provided by the applicant at the pre-application stage, the LPA can provide guidance in its response with specific regard to design, materials/finishes, scale of development, any prominent design features and architectural characteristics in the immediate and wider area and the provision for inclusive access to inform the overall design.

Pre-application submissions and negotiations should be a mandatory requirement for developments of a certain size, type and scale with a reduced threshold in protected and sensitive landscapes such as National Parks and Areas of Outstanding National Beauty.

As is the case with the BBNPA, developers on the larger schemes are expected to provide a draft DAS with their pre-application submission and to include the findings of their discussions with relevant consultees including the Police Secure by Design and Architectural Liaison Officers.

**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?

Design is a subjective matter and as such there will be a healthy range of opinions between Officers within a Local Planning Authority.

However, it is considered that funding/resources/tool kits to enable Local Planning Authorities to prepare localised design guides, design codes for particular areas and Conservation Area Assessments that would identify specific design considerations would be beneficial.

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

<b>Q7</b>	<b>Further Comments</b>
<p>Not necessarily. In most cases the design has already been finalised before the application form is completed and as such inclusion in the application form is more of an aide memoir rather than embedding the requirement to consider inclusive access at the outset.</p> <p>If there is a formal requirement for applicants/developers to complete this question on the 1APP form in a comprehensive manner before the LPA could register the application as valid then applicants will focus more on the issue from the outset. The WG would then need to issue guidance as to the type of developments and uses where inclusive access would be expected as part of the proposals.</p>	

<b>Q8</b>	<b>Access</b>	
What information or other measure would assist local planning authorities assess planning proposals in terms of inclusive access?		
Updated national guidance relating to minimum standards/dimensions for inclusive access both internally and externally.		

<b>Q9</b>	<b>Design Commission for Wales and Planning Advisory and Improvement Service</b>	
How can the PAIS and DCfW mainstream good design and		

inclusive access in the planning process?	
---	--

The DCfW could help to educate applicants/developers in the need to comply with planning policies in terms of the principle and location of sustainable development by identifying case studies and explaining the entire planning application process rather than just concentrating on the design, sustainability and viability elements of schemes. PAIS should liaise with and invite LPA's to submit examples of good practice to share with other LPA's so that they can adapt the approach to their individual circumstances and needs.

<b>Q10</b>	<b>Design Skills and Good Practice</b>	
	How can we continue to raise the design skills of local authority officers and members and what further specific training is required?	

It is considered that both Officers and Members would benefit from specific topic led design workshops that could be organised by DCfW/PAIS to embed the principles of design and provide locally specific training that recognises the particular local characteristics that need to be reflected in the design of new developments.

A "roadshow" of free training sessions with good practice guides by DCfW (supported by PAIS) would be welcomed however it is important not to dwell on the design skills of local authority officers and forget the agents/architects who should also have an equal part to play in the stated aim of raising design standards.

<b>Q11</b>	<b>Design Skills and Good Practice</b>	<b>x</b>
	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?	
	Yes	
	Neither Yes nor No	<b>x</b>
	No	

<b>Q11</b>	<b>Further Comments</b>
<p>A Three Parks Sustainable Design Guide was produced that picked up on many of the shared experiences of the Welsh National Parks LPA's.</p> <p>However, more detailed collaborative working on design issues is not always possible due to the local nature and application of design standards. Also, it is often difficult to reach an acceptable compromise with developers on design grounds when they are more concerned</p>	

with making savings on the build costs of developments and when the prospect of winning an appeal on design grounds only is limited.

It would be extremely beneficial for Local Planning Authorities to have access to a specific Design Officer and Landscape and Visual Impact Assessors, particularly in relation to major development schemes.

However, due to Local Government cuts, these posts are likely to be more "at risk" than Planning Officers. It would therefore be welcomed if resources could be directed towards providing shared Design and Landscape Impact Officers on a joint working basis, so that major development schemes can be referred to them for their advice and decisions can be defended more easily at appeal without incurring large consultant costs.

#### 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 BBNPA has previously established a Service Level Agreement with a local access group (Brecknock Access Group) that reviews all planning applications and, where appropriate, provide comments to Officers with regards inclusive access.

The BBNPA have also invited the Brecknock Access Group to provide training for officers on inclusive design and undertake practical sessions in Brecon Town Centre to illustrate how difficult it is for the disabled to access public buildings.

However, this SLA is currently under threat due to budget cuts.

#### Q13 Design and Access Statements

Are there any benefits in retaining the requirement for Design and Access Statements for particular applications?

Yes

x

Neither Yes nor No

No

#### Q13 Further Comments

The current requirement for DAS is unnecessarily onerous and unspecific. With minor applications, its submission has become more of a tick box exercise than its intended purpose to inform and explain the evolution of the development's design.

Nevertheless, it is considered that Design and Access Statements still have an important



role to play in relation to major developments and as such should be retained for all major development proposals

Furthermore, the purpose of Design and Access Statements is particularly pertinent for developments within Article 1 (5) and Article 1 (6) which, by their very nature, are afforded greater protection where it is imperative that design considerations are taken into account early on in the design stage.

It is considered that the Design element of the DAS should be retained for all planning, listed building and conservation area consent applications on Article 1 (5) and Article 1(6) land with the additional element of access only being required in relation to major applications within those areas.

When used properly and in the way it was intended, the DAS is a good communication tool which ensures that the applicant at least considers the objectives of good design in the formulation of their scheme. This leads to more informed, suitable and better applications and developments in many cases.

#### Q14 Design and Access Statements

x

Should the mandatory requirement for Design and Access Statements be removed from secondary legislation? Give reasons for your answer.

Yes

Neither Yes nor No

No

x

#### Q14 Further Comments

T

For the reasons outlined in the response to Q13 above, rather than its complete removal from legislation, the requirement for DAS in relation to certain applications should be retained.

If the proposed changes to the 1APP form are successful in ensuring that inclusive design is considered from the outset (by making it a requirement of valid application), then it may be appropriate to remove the requirement to provide a DAS for minor applications where the five design objectives are not always applicable.

#### 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.

### How to respond

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

E-mail	Post
<p>Please complete the consultation form and send it to:</p> <p><a href="mailto:planconsultations-a@wales.gsi.gov.uk">planconsultations-a@wales.gsi.gov.uk</a> / <a href="mailto:planconsultations-a@cymru.gsi.gov.uk">planconsultations-a@cymru.gsi.gov.uk</a></p> <p>[Please include '<b>Design in the Planning Process Consultation</b>' in the subject line]</p>	<p>Please complete the consultation form and send it to:</p> <p>Design Consultation Planning Policy Branch Planning Division Welsh Government Cathays Park Cardiff CF10 3NQ</p>

### Additional information

If you have any queries about this consultation, please:

E-mail [max.hampton@wales.gsi.gov.uk](mailto:max.hampton@wales.gsi.gov.uk)

Telephone: Max Hampton on 02920 82 6166



## CONSULTATION RESPONSE FORM

## Design in the Planning Process (Consultation)

Date: 6 October 2014 - 16 January 2015

<b>Name</b>	George Ashworth	
<b>Organisation</b>	Monmouthshire County Council	
<b>Address</b>	County Hall The Rhadyr USK NP15 1GA	
<b>E-mail address</b>	planning@monmouthshire.gov.uk	
<b>Telephone</b>	01633644880	
<b>Type</b> (please select one from the following)	Business	<input type="checkbox"/>
	Local Planning Authority	<input checked="" type="checkbox"/>
	Government Agency / Other Public Sector	<input type="checkbox"/>
	Professional Body / Interest Group	<input type="checkbox"/>
	Voluntary sector (community groups, volunteers, self-help groups, co-operatives, enterprises, religious, not for profit organisations)	<input type="checkbox"/>
	Other (other groups not listed above)	<input type="checkbox"/>

<b>Q1</b>	<b>Design Quality</b>	<b>X</b>
Is the planning system effectively delivering the five key objectives of good design? Give reasons for your answer.		
Yes		
Neither Yes nor No		<b>X</b>
No		

<b>Q1</b>	<b>Further Comments</b>
<p>Particularly since the economic downturn, there has been a reluctance for some developers to embrace good design, with the emphasis on maximising development rather than achieving a well-considered layout; there is also a lack of support for promoting good design at appeal. The added value of good design and layout to the future occupiers of a development seems to be of limited interest to much of the development industry.</p>	

<b>Q2</b>	<b>Local Development Plans</b>	<b>X</b>
Do you agree that a national development management policy on design would be beneficial?		
Yes		
Neither Yes nor No		
No		<b>X</b>

<b>Q2</b>	<b>Further Comments</b>
<p>A national development management policy would help to ensure that matters of generic design were not the focus of consultation and examination, thereby helping to ensure a more streamlined LDP and plan review process.</p> <p>However, many design matters are locally specific and as such could not be accurately reflected in a national generic policy. Local area specific design policies remain necessary, supplemented by more detailed design guides.</p> <p>Indeed, emerging Welsh Government guidance states that LDPs should include topic based policies on a range of matters, including design, setting out criteria against which planning</p>	

applications will be considered. The guidance further states that LDPs should not repeat national policy on these matters but include specific local application (Consultation Draft LDP Manual, 2014, para 2.4.1). It would be useful for the Welsh Government to clarify its position in regard to the use of national and local development management design policies in LDPs.

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

<b>Q3</b>	<b>Further Comments</b>
	<p>Area and site specific plans, including masterplans, can be very useful tools to guide development in key areas and/or provide detailed guidance on the way strategic sites should be developed.</p> <p>However, it is unclear whether area and site specific plans are being used sufficiently to positively plan for key development. A lack of resources and appropriate urban design skills are key barriers preventing local planning authorities from preparing masterplans, design guides etc.</p> <p>Strategic sites are the subject of detailed consultation and examination through the LDP process, providing the principle for development. The planning application process itself provides a further forum for participation on detailed matters, including design. Reference to the level of engagement necessary for site specific masterplans could be usefully made by the Welsh Government in any future review of design guidance.</p> <p>Masterplanning can provide the bridge between the LDP and the proposed statutory community consultation prior to submission of a planning application. However, the time required in the preparation and consultation on a masterplan can often impact negatively on the speed of the development process and site delivery.</p>

<b>Q4</b>	<b>Supplementary Planning Guidance</b>	<b>X</b>
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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?	
Yes	x
Neither Yes nor No	
No	

#### Q4 Further Comments

Agree that it would useful for the Welsh Government to produce practice guidance on the process of site analysis to inform the development of well-designed proposals. However, the proposed content of such guidance is unclear.

Raising skill levels in this area is considered essential in raising standards of design. There is a lack of urban design professionals within local planning authorities, with a lack of resources available to finance such work. Training to supplement and develop site analysis is hence welcomed, being advantageous to local authority planners in both Development Planning and Development Management, elected Members and the development industry.

However, it should also be recognised that decisions are taken within a context of competing priorities, where design matters are only one consideration to be balanced against other considerations including viability, provision of affordable housing and, ensuring five year land supply housing targets are met.

#### 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?

This Authority uses pre-application discussions to raise the issue of good, inclusive design with the prospective developer. There is also a bi-weekly group session involving the Team's Development Management officers to discuss more complex pre-application cases as a group learning exercise, to problem solve and to develop consistency in our approach to the consideration of applications.

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?

**DCfW could provide streamlined design advice in writing (without the need for a Design Review Panel) to either the applicant or the LPA at pre-application stage or during the application process. This could be limited to major developments to reduce the scope for consultation.**

Q7

**Access**

Do you agree that the amendments to the 1APP form will ensure inclusive access issues are considered in development proposals?

Yes

Neither Yes nor No

No

x

x

Q7

**Further Comments**

**The inclusion on the 1APP form would be helpful (as applications could be made invalid without such information being included), but inclusive design is still likely to be a bolt-on approach for many applicants rather than being considered at the outset.**

Q8

**Access**

What information or other measure would assist local planning authorities assess planning proposals in terms of inclusive access?

**It would be advisable to maintain DASs for major built development and new / alterations to public buildings.**

Q9

### Design Commission for Wales and Planning Advisory and Improvement Service

How can the PAIS and DCfW mainstream good design and inclusive access in the planning process?

**See response Q's 6 and 10**

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?

**Joint officer/ Member training on design topics – e.g. new housing layouts, would be very useful. This would probably be best taking place on a regional basis.**

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?

**Yes**

**x**

**Neither Yes nor No**

**No**

Q11

### Further Comments

**MCC's Conservation staff has assisted neighbouring authorities in dealing with listed building applications and conservation area advice, where resources have been lacking in those authorities (and where our own team's resources have allowed).**

**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 Council's relatively new Green Infrastructure (GI) policy in the Monmouthshire LDP (GI1), is beginning to work well and will add value to a site by way provision of open, accessible open spaces which also function as areas for wildlife and sustainable drainage. This has been put into practice in a major housing site at Penperlleni granted consent subject to a s.106 agreement.**

**Q13 Design and Access Statements**

Are there any benefits in retaining the requirement for Design and Access Statements for particular applications?

Yes

x

Neither Yes nor No

No

**Q13 Further Comments**

See response to Q. 8.



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

<b>Q14</b>	<b>Further Comments</b>
See responses to Q's 8 & 13.	

<b>Q15</b>	<b>Any Other Comments</b>
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.	
<b>No further comments.</b>	

#### How to respond

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

E-mail	Post
<p>Please complete the consultation form and send it to:</p> <p><a href="mailto:planconsultations-a@wales.gsi.gov.uk">planconsultations-a@wales.gsi.gov.uk</a> / <a href="mailto:planconsultations-a@cymru.gsi.gov.uk">planconsultations-a@cymru.gsi.gov.uk</a></p> <p>[Please include '<b>Design in the Planning Process Consultation</b>' in the subject line]</p>	<p>Please complete the consultation form and send it to:</p> <p>Design Consultation Planning Policy Branch Planning Division Welsh Government Cathays Park Cardiff CF10 3NQ</p>

Additional information
<p>If you have any queries about this consultation, please:</p> <p>E-mail <a href="mailto:max.hampton@wales.gsi.gov.uk">max.hampton@wales.gsi.gov.uk</a></p> <p>Telephone: Max Hampton on 02920 82 6166</p>

## **Consultation Response**

### **Design in the Planning Process Welsh Government**

**January 2015**

#### **Introduction**

Age Cymru is the leading national charity working to improve the lives of all older people in Wales. We believe older people should be able to lead healthy and fulfilled lives, have adequate income, access to high quality services and the opportunity to shape their own future. We seek to provide a strong voice for all older people in Wales and to raise awareness of the issues of importance to them.

We are pleased to respond to the Welsh Government's consultation document 'Design in the Planning Process' and welcome the opportunity to respond to issues that impact upon older people in Wales. We have commented on general principles of the guidance on which we have a view but not the technical aspects of design and planning processes.

Being able to take part in community life, with good access to local services and facilities, is a lifeline for many older people. If an older person cannot get out and about locally they are at risk of poor health, less social contact with others and a reduced quality of life overall. There are already high levels of loneliness and social isolation amongst older people in Wales and an inaccessible built environment that deters people from taking part in community life can contribute to this.

The features that make a place desirable to live in can change as people get older. It is essential that the built environment in communities is designed and adapted in an age friendly way so that it is sustainable and suitable for people of all ages. An age friendly community is one that has the capacity to support older people to enjoy the best possible quality of life. It includes facilities, services and amenities that are accessible and that accommodate the needs of older people to help them enjoy health and wellbeing and to fully participate in society.

#### **Specific comments**

We believe that Design and Access Statements (DAS) should remain a mandatory requirement in planning applications. It is vital that the built environment enables, rather than prevents, older people taking an active part in their communities. The design and accessibility of homes and other buildings can affect the ability of older people to live healthy and independent lives. Older people should be able to live in their home and communities without environmental barriers that prevent their participation. Housing and communities must be age friendly and the built environment should accommodate the needs of older people.

With reference to paragraph 14, we suggest that the proposed use of the building, rather than its size, should determine whether the building requires a DAS.

We would also stress the importance of meaningful engagement with the local community, including older people, to ensure that inclusive design is considered from the outset in planning processes.

### **Further information**

In 2010, Age Cymru developed the Community Calculator™<sup>1</sup> which aimed to identify the current condition of communities in Wales to assess whether they were suitable for people of all ages, and whether they presented barriers to people as they age. The campaign indicated that improvements to services and communities are needed in all areas of Wales. Many older people face considerable barriers to independent living on a daily basis and specific problems with access to services and facilities.

Age Cymru's document 'How to age-proof: a model to eliminate age discrimination and advance age equality'<sup>2</sup> is a practical tool that allows service providers to assess their current policies and practices to improve the planning and delivery of services for older people. It includes a social model analysis and aims to encourage organisations to analyse existing social barriers including those created by the built environment.

We would also draw attention to the work of two projects, the Inclusive Design for Getting Outdoors (IDGO)<sup>3</sup> project and the 'Older People's Use of Unfamiliar Space' (OPUS)<sup>4</sup> project. Both projects have studied older people's use of the external environment, with a view to addressing the many barriers that people face in getting out and about. Representatives from both projects presented information to the Cross Party Group on Older People and Ageing (October 2012) to discuss how the built environment can affect the wellbeing and quality of life of older people.

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<sup>1</sup> Age Cymru (2010) Towards common ground: Key findings of the Community Calculator™  
<http://www.ageuk.org.uk/cymru/get-involved/make-a-donation3/the-community-calculator-results/>

<sup>2</sup> Age Cymru (2011) How to age-proof. A model to eliminate age discrimination and advance age equality. <http://www.ageuk.org.uk/Global/Age-Cymru/Growing-Older-in-Wales/Age%20Cymru%20How%20to%20Age%20Proof%20Report%20E.pdf?dtrk=true>

<sup>3</sup> Inclusive Design for Getting Outdoors <http://www.idgo.ac.uk/> (Accessed 23/12/2014)

<sup>4</sup> Older people's use of unfamiliar space (OPUS). Nda programme. New dynamics of ageing. <http://www.colchester.gov.uk/CHttpHandler.ashx?id=8325&p=0> (Accessed 23/12/14)

**From:** [Pippa Tee](#)  
**To:** [Planconsultations-a](#)  
**Subject:** Responses to proposed planning amendments  
**Date:** 09 January 2015 14:58:59

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Firstly, I have to say that the formatted questions do not cover what I wish to say, hence this e-mail; I have shown the references (in blue) for my comments (in black)

Secondly, these issues are relevant, and important, to most people - yet the wording is such that few would choose to wade through the documents.

Thirdly, if my attention had not been directed to these amendments, (by my MP) I would never have known that there Was a consultation process, for anything. This is not therefore a democratic process, since far fewer numbers of people than any quorum have any idea that these consultations exist.

Pippa Tee

[Proposed amendments to legislation on the power to override easements and other rights](#)

## 5. The Proposed Solution

5.1 We propose to make an order under section 203 of the Planning Act 2008 which will have an effect which corresponds to section 194(1) of, and Scheduled 9, to that Act.

5.2 This will introduce provisions in Wales, equivalent to those introduced under section 194(1) and schedule 9 of the Planning Act 2008 which:

- Introduces sub-paragraph 1A of paragraph 6 of Schedule 28 to the Local Government, Planning and Land Act 1980;

- Introduces sub-paragraph 1A of Section 19 of the New Towns Act 1981;

- Introduces sub-paragraph 1A of paragraph 5 of Schedule 10 to the Housing Act 1988; and

- Introduces sub-paragraph 1A of section 237 of the Town and Country Planning Act 1990.

This is wrong! If there are existing easements and other rights, if there are TPO's, if planning has been previously refused, there was presumably a reason for this.

If the circumstances have changed, which might mean new planning permission, then this surely has to be a matter for re-consultation with any persons affected (eg neighbours), any relevant organisations (eg environmental bodies).

Planning authorities should not have the power to ignore previous decisions, easements or rights, without this re-consultation.

Additionally, where new development is desirable, if planning consent is open-ended, developers can 'sit' on planning consent thus blocking other potential developers from getting on with the job. This is also unacceptable.

[Planning committees, delegation and joint planning boards](#)

3.6 The Welsh Government consider that large planning committees are resource intensive, including administrative resources, as well as members requiring attendance at committees, training and preparation reading and absorbing the agendas. It can also diminish the valuable role of members because of the responsibilities which accompany planning committee membership. If they are not on the committee they may have a role, expressing support for a particular opinion in advance of the matter being considered by the planning committee and campaign in accordance with that opinion free of potential accusation of having a fixed view on the application, referred to as predetermination. Members, in their role as decision-maker as part of the planning committee, must not put themselves in a situation where they may be perceived as biased. Furthermore, whilst members have a responsibility to their constituents, in their role as a member of the planning committee, their overriding duty is to the wider community, that is to the whole authority. There can be tension can exist between the role of members upholding the wider public interest and their role as representing the views of the community.

Clearly, large numbers sitting on any sort of committee costs more in time and money - and sadly, many people get onto committees for their own personal reasons.

So yes, perhaps the numbers should be restricted as proposed, assuming that no decisions are made without a proper quorum, but it is the cross-section of people on these committees which is important;

Any group considering planning with environmental issues (and I would argue that Every proposal needs an EIA [1]) should have an independant, local, environmentalist in the group. Someone who knows the local wildlife, the ancient hedgerows, the archaeological interests, the natural water flow. This will not be achieved by centralised controls, but needs local knowledge.

Obviously No group should have 'interested parties' involved with the planning application. [2]

1

[Frontloading the development management system](#)

Applications involving an Environmental Impact Assessment (EIA)

5.25 An EIA must be undertaken for projects likely to have significant effects on the environment by virtue of their nature, size or location. Such applications involve complex issues which require careful consideration by the LPA.

What are the criteria for 'significant effects'? Everything in the environment is inter-linked! Cut down a few trees on this hill, and that valley will have more flooding, that extra floodwater will put pressure on another community further down the line - and so on.

2

[LPA employee/Council member has interest in application](#)

5.27 The Welsh Government consider it important in the interests of transparency for the national scheme of delegation to include an exception for applications made by members or council staff involved in the planning decision making process. Proposals submitted by serving and former councillors, officers and their close associates and relatives can easily give rise to suspicions of impropriety. Such proposals must be handled in a way that gives no grounds for accusations of favouritism.

How will this be achieved, ensured, in an area where most of the families are related? (as is the case in many rural areas)

### Objection threshold

5.48 If it is accepted that it is the role of the planning committee to determine those applications where there is a community-wide interest (see paragraph 4.3), the Welsh Government consider that an objection threshold should be included within the national scheme of delegation and used to quantify the degree of public interest. However it is important that, if there is to be an objection threshold, the level of objections required is set at a level that ensures there is a 20 genuine community-wide interest in a development which goes beyond protecting the private interests of one person, or group of people, over the activities of others.

5.49 It is suggested that 20 letters of objection from different people in different addresses should be required. With regard to petitions, it is suggested that a minimum of 30 signatures are required. This level of objection is considered to best represent genuine community-wide interest.

No!! If you refuse to protect the 'private interests of one person or group of people', you are disregarding, discounting and dismissing that one or small group as being of no importance. This is Utterly unfair; the developer is 'one person or group of people' too, but often with far greater means and standing to gain even more money! Why should they be given preference over the single person? The developers do not live in the areas they build on, do not care about the the area, they just want to make money! What about the rights of people who Do live and work there, who Do care??

In many rural areas, with sparse populations, there may only be one other person who is seen to be directly affected (and is therefore even aware that a planning application has been made) Are you seriously saying that they don't matter? That because only one person is aware of the plans and is therefore the only one to object, then light pollution, noise, industry spreading into an agricultural/ horticultural economy, potential pollution of water course, loss of natural habitats - that all these things no longer matter?

You cannot ignore a minority, most especially in rural areas. A fixed number of objectors



is a nonsense; why '20'? Why not 50 in a built up area, 1 in rural?! This only works with a nonedescript petition, not individuals with justified objections.

Planning proposals should also be far more generally available, publicised, announced; eg Newbridge -on-Wye sawmill; although I am affected by the noise from the all-night working, I didn't even know they were planning to extend these works..

Personal issue;

Then there is the issue of responding to an objection. If someone takes the trouble to research the planning application, to go through the planning regulations, the framework for local and national planning - and then objects to a development, they should get a reply from the planning department! It is rude, dismissive and arrogant to ignore a considered objection.

This reply should then explain why the department is not following it's own guidelines... and the proposals/ alternatives should be given some considered response.

QUESTION 17: Do you agree with the proposed population formula for establishing the numbers of members from contributing planning authorities to form the joint planning board?

No. ([see above comments](#)) Again, you are making generalisations in policy which are not relevant to every community. It may work for towns, but not for rural areas.

#### [Consultation on Design in the Planning Process](#)

12. The research 'Review of Design and Access Statements in Wales'<sup>7</sup> was

published in November 2013 and the report makes recommendations for refining and improving the process. The report found that DAS can vary significantly in terms of their quality. Indeed the weight attributed to a DAS became more significant when justifying proposals for potentially complex sites, both in scale and issues, and those located in more sensitive

4 Welsh Assembly Government (2010) Study to Examine the Planning Application Process in Wales 5 Welsh Assembly Government (2010) Policy Clarification Letter (CL-03-10) – Design and Access Statements

6 Welsh Government (2013) Framework for Action on Independent Living 7 Welsh Government (2013) Review of Design and Access Statements in Wales locations. In other cases DAS were often poor quality, only meeting the minimum requirements of the planning authority. The general perception of applicants is that the mandatory requirement for DAS has become a box ticking exercise used for validation purposes, having minimal impact on design quality and inclusive access.

Just because the DAS have been badly thought out, checked, and acted upon, this does not mean they should be simply chucked out.

I entirely agree that they have been a 'box ticking' exercise. That this is allowed, is down to planning department failures to do their job properly...

There should be a Genuine DAS, checked out by planning officials, questioned thoroughly and ACTED on, before any proposal is taken seriously. This should then demonstrate whether a proposed development genuinely has taken design and access into consideration, - but will only do so if the planning officials do their job properly.

33. TAN12 states that site context is the basis for a meaningful and sustainable design response. Site analysis, as identified in PPW, TAN 12 and Practice Guidance: Planning for Sustainable Buildings, is therefore the key starting point in the process of achieving good quality design. We therefore propose to run specific training events and produce practice guidance on this issue in order to assist the development industry and local planning authorities in this area.

Q13 Are there any benefits in retaining the requirement for Design and Access Statements for particular applications?

Q14 Should the mandatory requirement for Design and Access Statements be removed from secondary legislation? Give reasons for your answer.

Why should DAS stay? - TAN 12 states quite clearly why;

2.4 Design is defined in PPW as:

*“the relationship between all elements of the natural and built environment. To create sustainable development, design must go beyond aesthetics and include the social, environmental and economic aspects of the development, including its construction, operation and management, and its relationship to its surroundings.”*

## CONSULTATION RESPONSE FORM

**Design in the Planning Process (Consultation)****Date: 6 October 2014 - 16 January 2015**

<b>Name</b>	Anna Leron	
<b>Organisation</b>	The Civic Trust for Wales	
<b>Address</b>	The Civic Trust for Wales 1/07 Creative Quarter Morgan Arcade Cardiff CF10 1AF	
<b>E-mail address</b>	civictrustwales@gmail.com	
<b>Telephone</b>	029 20 228 189	
<b>Type</b> (please select one from the following)	Business	<input type="checkbox"/>
	Local Planning Authority	<input type="checkbox"/>
	Government Agency / Other Public Sector	<input type="checkbox"/>
	Professional Body / Interest Group	<input type="checkbox"/>
	Voluntary sector (community groups, volunteers, self-help groups, co-operatives, enterprises, religious, not for profit organisations)	X
	Other (other groups not listed above)	<input type="checkbox"/>

<b>Q1</b>	<b>Design Quality</b>	<b>W</b>
Is the planning system effectively delivering the five key objectives of good design? Give reasons for your answer.		
Yes		
Neither Yes nor No		
No		

<b>Q1</b>	<b>Further Comments</b>
<p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p></p>	

<b>Q2</b>	<b>Local Development Plans</b>	<b>X</b>
Do you agree that a national development management policy on design would be beneficial?		
Yes		
Neither Yes nor No		X
No		

<b>Q2</b>	<b>Further Comments</b>
<p><b>The concept of a national development management policy for design would appear a positive way of ensuring a consistency of design quality. However, such a policy would have to be fairly generalised if it were to be applicable to all parts of Wales and not result in a one-fit all approach. The Planning Officer's Society Wales's <i>Householder Design Guide</i> was not universally adopted by all LPAs as the design advice was not seen as appropriate to their context by all LPAs, resulting in authorities like Cardiff adapting it to the local context. Local alternatives would not be a possibility were there a national development management policy.</b></p>	

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

<b>Q3</b>	<b>Further Comments</b>
These should form a part of the development plan system.	

<b>Q4</b>	<b>Supplementary Planning Guidance</b>	<b>X</b>
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?		
Yes		
Neither Yes nor No		
No		<b>X</b>

<b>Q4</b>	<b>Further Comments</b>
Is more high level information or guidance required? If it is considered necessary, any guidance needs to look wider than the site. The Trust's work with civic societies and communities on characterisation has resulted in a number writing studies (and continuing to do so) on the area they live in. These identify key design features and characteristics which would form an essential part of a <b>site analysis</b>	

<b>Q5</b>	<b>Front Loading / Pre-applications</b>	
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?		
LPAs must be clear in their design expectations. While many LPAs do have some design guidance they often also have unwritten rules that are readily accepted internally but not necessarily known		

to applicants. If written down they could be handed over to applicants prior to pre-application discussions.

Clear links need to be made between the DAS and the pre-application or consultation process. Using the DAS in this way should help the document be more relevant.

To ensure pre-application discussions lead to improved design quality and inclusive access planners need more design skills and training to give them confidence. Guidance such as TAN 12 and the *Manual for Streets* is good guidance (although a question has been raised by our Policy Group and Civic Societies as to whether *the Manual for Streets* is actually being implemented rather than there being a reversion to Design Bulletin 32 on residential roads and footpaths (1992)) and the focus on urban design rather than just building design is a very positive approach. However, it is clear that resources are needed for training and skill development, and for the support of groups such as Conservation Area Groups or Internal Local Authority Design Panels. Both could provide valuable information and guidance if the resources were there to support them, and a more collaborate culture existed.

## 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?

Joint Planning Boards are discussed in another consultation but could a joint design (review) board not exist for authorities to be paired up to share design skills and expertise?

## Q7 Access

Do you agree that the amendments to the 1APP form will ensure inclusive access issues are considered in development proposals?

Yes

Neither Yes nor No

No

x

## Q7 Further Comments

This will obviously depend on the type of amendment but if an application cannot be registered because various inclusive access issues have not been considered, this will ensure these issues are

considered.

Q8

### **Access**

What information or other measure would assist local planning authorities assess planning proposals in terms of inclusive access?

—

Q9

### **Design Commission for Wales and Planning Advisory and Improvement Service**

How can the PAIS and DCfW mainstream good design and inclusive access in the planning process?

—

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?

- Design and heritage training as well as positive support for the acquisition and retaining of expertise.
- Regular officer and elected member visits to look at completed developments in order to assess outcomes using a standard design quality post development assessment. Such meetings could also engage with civic societies and the public to review developments and the process positively

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?

—



Yes	x
Neither Yes nor No	
No	

#### Q11 Further Comments

In Powys, the Newtown Civic Society is working closely with the Conservation Officer to undertake characterisation studies. This is a win-win situation for both as the Conservation Officer does not have the time to undertake characterisation studies, and/or conservation area reviews, so community input and expertise is valued and influential.

#### 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?

- DCFW design review.
- The Civic Trust's characterisation work promotes good design through building local awareness of the key characteristics of a place and also by identifying features or developments that are not as positively contributing to the character of an area.

#### Q13 Design and Access Statements

Are there any benefits in retaining the requirement for Design and Access Statements for particular applications?

Yes	x
Neither Yes nor No	
No	

#### Q13 Further Comments

Caution needs to be exercised in accepting that DAS be removed as a requirement in *all* cases from secondary legislation. It is essential that planning is equally weighted for business, environment and

amenity. DAS is one way to allow this and to stop planning just becoming a rubber stamp exercise. The Trust would support the refinement of DAS rather than their removal.

TAN 12 is a recent document and has the potential to be effective in supporting developers and LPAs jointly to achieve design quality and inclusive access; however it is written on the assumption that DAS will be retained in some form. How far will there be a need to revise TAN 12 if the proposal to drop DAS is implemented?

The Trust accepts that the current system is an onerous one but is not persuaded that DAS should be wholly abolished. There are contexts in which some form of DAS is needed in order (i) for a developer to demonstrate that design and access issues have been approached contextually and that these have helped shaped the proposal, (ii) in order to provide a basis for consultation and public communication. It may be rowing against the tide to suggest this but otherwise the onus is effectively placed on weak LPAs to promote and assure design and access quality.

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

<b>Q14</b>	<b>Further Comments</b>
<b>No.</b> See answer to Q13. Connections should also be made with the Heritage Bill and the Listed Building Context.	
If DAS are removed this is likely to cause confusion with the impression being that DAS are no longer required at all.	

<b>Q15</b>	<b>Any Other Comments</b>
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.	
<b>The Trust is supportive of the Welsh Government's aspirations for the planning process to be simpler</b>	

and more effective, but also considers design an essential part of the planning process. From the civic societies the Trust has communicated with it is clear that DAS are considered very useful documents. Societies find the information contained very helpful as they do the focus that DAS bring to design. The general view is that if the DAS is poor, the proposal is likely to be as well. It is clear that even if DAS are to be removed, the Civic Trust and civic societies value a document that strongly encourages design improvements and explains the reasoning behind development proposals. An acceptable alternative would be a simpler shorter format, particularly for smaller developments. Proportionality is the issue – the simpler the requirement the easier it is to achieve. For listed buildings the simpler and shorter DAS could be linked with advice in the forthcoming heritage TAN which will have advice on statements of significance and conservation principles etc.. With reference to listed buildings the headings in a DAS generally don't work and require a small alteration. Heritage issues however seem to have been overlooked in this consultation.

The Trust questions why the LPA bear should all the costs necessary to secure good design? Good LDP policies and effective SPG have a cost requirement which is significant and will be difficult to afford; effective officer and member training is a long standing requirement which LPAs have not always been able to address. At the same time some have been reluctant to use DCFW as a trainer or facilitator – especially as this is (understandably) not a free service.

The alternative measures proposed impose additional costs with regard to:

- the frequency and depth of pre-app discussion
- the preparation of design briefs
- the preparation of planning statements
- training/design education
- providing the evidence base that will support a robust policy matrix (in LDP and SPG)

There is a danger that abolition of DAS in all circumstances will therefore represent a practical roll back of the commitment to sustainable design and inclusive access.

If DAS is abolished then everything is likely to depend in practice on the variable capacity or readiness of LPAs to do the work which will provide robust policies that can support the effective scrutiny and testing of applications. They will in any case have to do this in a context where many developers will present such processes as restrictive on development and economic growth. National policy on development management will be ineffective without sound local policy and guidance.

Linking the DAS to the pre-application or consultation process would also appear sensible to tie all elements of the planning process together.

The logic of all this may therefore be to accept that DAS will not be required in many contexts but that we should suggest circumstances where a reformed DAS should be expected; examples would

include:

- development affecting buildings, sites or areas with an Historic Environment designation (national or local)
- development affecting sites/areas which are covered by a scientific or landscape protection designation
- major infrastructure development
- applications crossing a threshold (to be defined) of scale; examples would be significant urban extension or infill projects and significant retail and business development schemes.

In these contexts DAS would represent a tangible means of measuring the developer's approach and would not be an unreasonable cost to impose on the developer given the economies of scale involved in large/medium sized schemes.

In any case developers should be expected to demonstrate that their applications respond to contextual, sustainability and inclusive access requirements. This might not be through a prescribed pro forma, since this encourages box-ticking, but it should be capable of demonstration graphically and in justificatory material within an application's supporting documents.

Urban characterisation is a valuable resource in its potential to support area wide design policy and SPG. English authorities have shown that characterisation methodologies are effective in achieving this across whole settlements or categories of settlement and are not simply tools in obviously historic contexts, where Cadw has advocated the use of a subset of characterisation tools appropriate to the latter in particular.

The aim of the characterisation work occurring in a number of places in Wales is to take a proactive approach. The characterisation reports identify key features of areas – most of them in areas without special designation i.e. Conservation Areas or Listed Building status, and are produced by community groups who engage with residents at various stages of the process. Abergavenny Civic Society is currently seeking funding to take this involvement further with the purpose of getting residents to look at where they live and to understand what makes their place special (or not) and what is needed to improve or what should be encouraged in future development in Abergavenny. Characterisation reports can provide the contextual support for policy making but they are also inherently labour intensive tools.

## **How to respond**

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

E-mail	Post
<p>Please complete the consultation form and send it to:</p> <p><a href="mailto:planconsultations-a@wales.gsi.gov.uk">planconsultations-a@wales.gsi.gov.uk</a> / <a href="mailto:planconsultations-a@cymru.gsi.gov.uk">planconsultations-a@cymru.gsi.gov.uk</a></p> <p>[Please include '<b>Design in the Planning Process Consultation</b>' in the subject line]</p>	<p>Please complete the consultation form and send it to:</p> <p>Design Consultation Planning Policy Branch Planning Division Welsh Government Cathays Park Cardiff CF10 3NQ</p>

Additional information
<p>If you have any queries about this consultation, please:</p> <p>E-mail: <a href="mailto:max.hampton@wales.gsi.gov.uk">max.hampton@wales.gsi.gov.uk</a></p> <p>Telephone: Max Hampton on 02920 82 6166</p>

## CONSULTATION RESPONSE FORM

## Design in the Planning Process (Consultation)

Date: 6 October 2014 - 16 January 2015

<b>Name</b>	Angela Loftus	
<b>Organisation</b>	Denbighshire County Council	
<b>Address</b>	Caledfryn, Smithfield Road, Denbigh, Denbighshire, LL16 3RJ	
<b>E-mail address</b>	<a href="mailto:angela.loftus@denbighshire.gov.uk">angela.loftus@denbighshire.gov.uk</a>	
<b>Telephone</b>	01824 706912	
<b>Type</b> (please select one from the following)	Business	<input type="checkbox"/>
	Local Planning Authority	<input checked="" type="checkbox"/>
	Government Agency / Other Public Sector	<input type="checkbox"/>
	Professional Body / Interest Group	<input type="checkbox"/>
	Voluntary sector (community groups, volunteers, self-help groups, co-operatives, enterprises, religious, not for profit organisations)	<input type="checkbox"/>
	Other (other groups not listed above)	<input type="checkbox"/>

<b>Q1</b>	<b>Design Quality</b>	<b>X</b>
	Is the planning system effectively delivering the five key objectives of good design? Give reasons for your answer.	
	Yes	
	Neither Yes nor No	
	No	X

<b>Q1</b>	<b>Further Comments</b>
	<p>It is not considered that the planning system is achieving the access, character and environmental sustainability objectives of the five objectives that make up good design.</p> <p>With access, it is considered that this has become a tick box exercise and an area of confusion for planners, especially in light of the 2010 Equalities Act and subsequent publication of Equalities Impact Assessments (EqIA). What status and consequence on policy and application procedure the EqIA has is totally unknown and planners are concerned that national policy/guidance is silent on this matter. It is understood LPAs are starting to experience more legal challenges on EqIA. Furthermore, clarification is required as to who is responsible for undertaking an EqIA (applicant or LPA?) and whether this is an application validation issue. Finally, it is understood that part M of the building regulations is best practice at the moment and WG need to fully clarify the relationship between part M and the planning process as it is unclear what parts of part M the planning system should seek to influence early on in the development process. Training for planners, developers, and elected members on design solutions for people with access issues (for example, the use of tactile paving) would assist further delivering the access objective in good design, alongside the above required points of clarification.</p> <p><b>Character</b> – it is still considered that the planning system does not deliver design that responds to local characteristics, and instead delivers generic ‘off the peg’ designs, which is particularly evident with the designs submitted for modern housing estates. Officers feel that it would be risky to refuse an application on design grounds for being ordinary/bland/characterless alone unless the design is totally inappropriate. There is little confidence that the Inspectorate would back up a tougher stance on resisting poorly designed characterless development at appeal level as housing need, job creation and an ethos of ‘what’s the harm’ are prevalent through all tiers of planning. A change in perspective is required from ‘what’s the harm’ to ‘what’s the contribution’ and training should be made available to all stakeholders in the planning process, in particular developers. The economic case for good design (attractive looking developments sell quicker and give the company a good long term reputation for repeat future business) needs to be made to developers as the design of development is increasingly a race to the bottom as ‘viability’ is perceived as a barrier to high quality design. An evidence based research project should look objectively on why we need good design in order to convince developers of its importance. At present, the problem is often assumed to be poorly trained officers and members which is a slightly unfair, not entirely accurate and a potentially patronising stance to take. In addition, it is appreciated that architects/designers are working to a plethora of design standards to cover inclusive access, environmental sustainability, space standards etc and therefore it is considered there is merit in identifying design solutions that can achieve multiple design outcomes at once. This would obviously have to be achieved in a way that avoids ‘off</p>



the peg' designs becoming even more frequent.

Finally, on Environmental Sustainability, since the removal of codes for homes from the planning process it is difficult to establish whether this objective of good design has been met. Outlining the economic benefit and devising a mechanism that assists developers marketing the financial savings/benefits of purchasing houses (that meet codes for homes) would make achieving such standards more advantageous for all involved.

Q2	<b>Local Development Plans</b>	X
Do you agree that a national development management policy on design would be beneficial?		
Yes		X
Neither Yes nor No		
No		

Q2	<b>Further Comments</b>
<p>Yes, this would be helpful, although as noted in our response to the positive planning bill earlier this year, it is unclear on what status these policies would have. They could be part of PPW and capture all relevant generic development management considerations such as access, amenity impact, visual appearance, character, scale &amp; form, etc. By capturing basic development management issues that are a consideration for all planning applications with such an approach, it could still avoid 'off the peg' type proposals and locally distinctive design with appropriate wording. Consideration could also be given to refreshing the 'Householder Development Design Guide' and 'Residential Development Design Guide' which have been adopted as an SPG by many Welsh LPAs. These two documents could be made much more concise/focussed, and the Householder guide could include the 45 degree rule, separation distances, and similar basic planning analysis tools. The option then would be for LPAs to choose whether to adopt them or develop their own standards. This approach would ensure consistency for LPAs, the public, and developers for national standards without leading to generic off the peg designs if worded appropriately.</p>	

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

<b>Q3</b>	<b>Further Comments</b>	
<p>Site specific plans and masterplans have great potential to positively plan for key development if expectations of such documents are realistically outlined at the start of the process. Following adoption of the LDP, Denbighshire County Council is currently in the process of delivering a large number of masterplans/development briefs for a number of key sites across the county. Two have already been adopted, and it is anticipated a number of additional development brief will be adopted in due course.</p> <p>Development brief work with the community so far has been useful as using a site as a basis for discussion is much more tangible and therefore an easier basis for meaningful dialogue with stakeholders, especially by using Planning for Real® consultation techniques.</p>		

<b>Q4</b>	<b>Supplementary Planning Guidance</b>	
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?		
Yes		X
Neither Yes nor No		
No		

<b>Q4</b>	<b>Further Comments</b>	

Agreed. It should be an image/diagram led document.

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?

Development proposals are motivated to achieve a particular objective be it additional bedrooms, or an industrial unit that can more efficiently deliver a particular type of product. Understanding the applicant's intention early on in the process can put the LPA officer in a more enabling role by suggesting design solutions that meets policy before basic plans are sketched up. An easy to use software programme to draw basic massing of buildings made available to all LPAs would enable pre-application discussions to become more collaborative. Of course, comments/design suggestions at this stage from the LPA would not be binding on the Council, and a mechanism to ensure the designer does not become the decision maker would need to be considered when such a pre-app route is undertaken. This process would assist unlock the creative potential of professional planners; a skillset often subsumed by a focus on process and legislation.

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?

Suggestions as made in previous responses above.

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

<b>Q7</b>	<b>Further Comments</b>
<p>It is difficult to give a substantive response to this proposal in the absence of any further details. There is a danger that this approach could lead to inclusive access being considered in a tick box approach. In addition, as noted above, it would be helpful if Welsh Government clarified the relationship between the planning process, part L building regulations and the Equalities Act 2010/Equalities Impact Assessment.</p>	

<b>Q8</b>	<b>Access</b>	
What information or other measure would assist local planning authorities assess planning proposals in terms of inclusive access?		
<p>Please see comments made in previous responses regarding part M of building regulations and the Equalities Act 2010/Equalities Impact Assessment.</p>		

<b>Q9</b>	<b>Design Commission for Wales and Planning Advisory and Improvement Service</b>	
How can the PAIS and DCfW mainstream good design and inclusive access in the planning process?		
<p>In addition to suggestions made in the above responses; by delivering regular training sessions to <b>officers, developers, members, and town and community councils. Also, producing image/diagram</b></p>		

led easy to understand design guidance on various development proposal types, demonstrating the economic benefits of good design (in comparison, the social and environmental importance of good design appears to have satisfactory coverage) in order to 'sell' the objective of good design to developers. Finally, the Welsh Design Commission could produce annual design reviews to highlight good and bad design practice across Wales, and LPAs could give annual design awards to the best designed schemes they have dealt with, an approach utilised by some LPAs in England. This would involve site visits to well-designed developments post completion for learning opportunities.

#### 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?

Training should focus on best practice, design requirements developers have to meet, and basic design analysis skills

In addition, it is considered that WG should also look at the training requirements of developers/planning agents/architects who can at times submit poorly designed schemes that can only be revised to an adequate level (as opposed to an excellent level) during the application process owing to statutory deadlines which is a key performance measure from WG. At present, like the rest of proposed changes in the planning bill, it would appear that WG perceive that the vast majority of problems in the planning system are down to 'poorly performing LPAs' which is a narrow perspective on which to base reform. This analysis is often undertaken with limited regard to LPAs being under resourced and are therefore not having the proper time to fully push for excellent design (as opposed to current 'adequate' level of design) as they are required to meet quantitative % time targets when determining planning applications. Measuring the quality of design standards achieved in LPA application performance and elevating the importance of such a qualitative measure above that of quantitative criteria will assist raise the design skills of LPA officers by making efforts to achieve good design count more in their day to day role.

#### 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?	
<b>Yes</b>	X
<b>Neither Yes nor No</b>	
<b>No</b>	

#### Q11 Further Comments

Design guidance/SPGs could be produced on householder development, residential development, barn conversions and commercial development. This should be undertaken in a way that still ensures locally distinct design can still be achieved. These documents should be image and diagrammatically led.

#### 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?

Most examples used by DCC are in TAN 12, on the Welsh Design Commission website and are part of the RTPi Cymru awards.

#### Q13 Design and Access Statements

Are there any benefits in retaining the requirement for Design and Access Statements for particular applications?

<b>Yes</b>	
<b>Neither Yes nor No</b>	X
<b>No</b>	



**Q13 Further Comments**

Design and Access Statements can be a useful communication tool, particularly for larger schemes. WG could consider retaining the DAS requirement for larger development proposals and should also ensure the removal of DASs does not harm the achievement of inclusive access.

**Q14 Design and Access Statements**

x

Should the mandatory requirement for Design and Access Statements be removed from secondary legislation? Give reasons for your answer.

Yes

x

Neither Yes nor No

No

**Q14 Further Comments**

Agreed. By retaining section 62 (5) a) of the 1990 TCPA the possibility to re-introduce DAS perhaps with a higher threshold for applications is still possible

**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.



## How to respond

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

E-mail	Post
<p>Please complete the consultation form and send it to:</p> <p><a href="mailto:planconsultations-a@wales.gsi.gov.uk">planconsultations-a@wales.gsi.gov.uk</a> / <a href="mailto:planconsultations-a@cymru.gsi.gov.uk">planconsultations-a@cymru.gsi.gov.uk</a></p> <p>[Please include '<b>Design in the Planning Process Consultation</b>' in the subject line]</p>	<p>Please complete the consultation form and send it to:</p> <p>Design Consultation Planning Policy Branch Planning Division Welsh Government Cathays Park Cardiff CF10 3NQ</p>

## Additional information

If you have any queries about this consultation, please:

E-mail [max.hampton@wales.gsi.gov.uk](mailto:max.hampton@wales.gsi.gov.uk)

Telephone: Max Hampton on 02920 82 6166

## CONSULTATION RESPONSE FORM

**Design in the Planning Process (Consultation)****Date: 6 October 2014 - 16 January 2015**

<b>Name</b>	Mary Oldham	
<b>Organisation</b>	Newtown & district Civic Society	
<b>Address</b>	5 Milford Cottages, Milford Road, Newtown, Powys SY16 3HE	
<b>E-mail address</b>	maryo@btinternet.com	
<b>Telephone</b>	01686 627059	
<b>Type</b> (please select one from the following)	Business	<input type="checkbox"/>
	Local Planning Authority	<input type="checkbox"/>
	Government Agency / Other Public Sector	<input type="checkbox"/>
	Professional Body / Interest Group	<input type="checkbox"/>
	Voluntary sector (community groups, volunteers, self-help groups, co-operatives, enterprises, religious, not for profit organisations)	x
	Other (other groups not listed above)	<input type="checkbox"/>

<b>Q1</b>	<b>Design Quality</b>	<b>W</b>
Is the planning system effectively delivering the five key objectives of good design? Give reasons for your answer.		
Yes		
Neither Yes nor No		
No		

<b>Q1</b>	<b>Further Comments</b>

<b>Q2</b>	<b>Local Development Plans</b>	<b>X</b>
Do you agree that a national development management policy on design would be beneficial?		
Yes		
Neither Yes nor No		<b>X</b>
No		

<b>Q2</b>	<b>Further Comments</b>
<p><b>Anything that raises the standard of design in this country would be welcome, so long as due consideration was given to the wide variety of existing architecture, building styles and materials and the nature of both urban and rural communities in Wales. The problem with a national development policy on design is that it might become too prescriptive.</b></p> <p><b>The Design Commission for Wales would seem to have a role here, its remit being to promote, educate and disseminate design advice to those involved in the design of the built environment.</b></p>	

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

<b>Q3</b>	<b>Further Comments</b>

<b>Q4</b>	<b>Supplementary Planning Guidance</b>	<b>X</b>
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?		
Yes		<b>X</b>
Neither Yes nor No		
No		

<b>Q4</b>	<b>Further Comments</b>
<p><b>Yes, but a great deal of information would be needed about individual communities. Newtown Civic Society is carrying out a Town Characterisation project looking at the built environment, both historic and modern, of the town, with the co-operation of Powys County Council, from which we hope will emerge information about the various parts of the town which would inform planning decisions.</b></p>	

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?

**Planners need more design skills and training to give them confidence. Raising and maintaining awareness, knowledge and understanding in both planners and applicants is the way to ensure effective pre-application discussions.**

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?

Q7

**Access**

Do you agree that the amendments to the 1APP form will ensure inclusive access issues are considered in development proposals?

Yes

Neither Yes nor No

No	

**Q7 Further Comments**

--

**Q8 Access**

What information or other measure would assist local planning authorities assess planning proposals in terms of inclusive access?

--

**Q9 Design Commission for Wales and Planning Advisory and Improvement Service**

How can the PAIS and DCfW mainstream good design and inclusive access in the planning process?

--

**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?

**We endorse the suggestions of the Civic Trust for Wales as follows:**

Design and heritage training as well as positive support for the acquisition of expertise.

- Regular officer and elected member visits to look at completed developments in order to assess outcomes using a standard design quality post development assessment. Such meetings could also engage with civic societies and the public to review developments and the process positively.

Q11	Design Skills and Good Practice	x
	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?	
	Yes	x
	Neither Yes nor No	
	No	

Q11	Further Comments
	<p>Newtown and District Civic Society is happy with its good relations with the planning staff of Powys County Council, who are supporting our town characterisation project and have been actively involved in our surveys. We are very keen to reveal aspects of the town and its built heritage which may not be immediately apparent to the busy planning officer or committee member making a hurried site visit. We are also keen to share and develop this appreciation within the community who the members represent.</p>

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?	

<b>Q13</b>	<b>Design and Access Statements</b>	<b>X</b>
Are there any benefits in retaining the requirement for Design and Access Statements for particular applications?		
Yes		X
Neither Yes nor No		
No		

<b>Q13</b>	<b>Further Comments</b>
<p><b>It's very important that all implications of an application are considered - the planning process is never just about an isolated individual development. It's about traffic, community, environment and economic impact.</b></p>	

<b>Q14</b>	<b>Design and Access Statements</b>	<b>X</b>
Should the mandatory requirement for Design and Access Statements be removed from secondary legislation? Give reasons for your answer.		
Yes		
Neither Yes nor No		
No		X

**Q14 Further Comments**

Our comments to question 13 apply equally here.

**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.

**How to respond**

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

E-mail	Post
<p>Please complete the consultation form and send it to:</p> <p><a href="mailto:planconsultations-a@wales.gsi.gov.uk">planconsultations-a@wales.gsi.gov.uk</a> / <a href="mailto:planconsultations-a@cymru.gsi.gov.uk">planconsultations-a@cymru.gsi.gov.uk</a></p> <p>[Please include '<b>Design in the Planning Process Consultation</b>' in the subject line]</p>	<p>Please complete the consultation form and send it to:</p> <p>Design Consultation Planning Policy Branch Planning Division Welsh Government Cathays Park Cardiff CF10 3NQ</p>

**Additional information**

If you have any queries about this consultation, please:

E-mail [max.hampton@wales.gsi.gov.uk](mailto:max.hampton@wales.gsi.gov.uk)

Telephone: Max Hampton on 02920 82 6166

## CONSULTATION RESPONSE FORM

**Design in the Planning Process (Consultation)**

Date: 6 October 2014 - 16 January 2015

<b>Name</b>	[REDACTED]	
<b>Organisation</b>	Dyfed Powys Police	
<b>Address</b>	[REDACTED]	
<b>E-mail address</b>	[REDACTED]	
<b>Telephone</b>	[REDACTED]	
<b>Type</b> (please select one from the following)	Business	<input type="checkbox"/>
	Local Planning Authority	<input type="checkbox"/>
	Government Agency / Other Public Sector	x <input type="checkbox"/>
	Professional Body / Interest Group	<input type="checkbox"/>
	Voluntary sector (community groups, volunteers, self-help groups, co-operatives, enterprises, religious, not for profit organisations)	<input type="checkbox"/>
	Other (other groups not listed above)	<input type="checkbox"/>

<b>Q1</b>	<b>Design Quality</b>	<b>X</b>
Is the planning system effectively delivering the five key objectives of good design? Give reasons for your answer.		
Yes		<b>X</b>
Neither Yes nor No		
No		

<b>Q1</b>	<b>Further Comments</b>
<p>The current planning system appears to be robust and delivering good design. The police service welcomes the opportunity to work in partnership with those involved in the planning system, and hopes that changes to the planning system consider how community safety is affected. The current consultation on Design and Access statements is a case in point.</p> <p>The Welsh Assembly review of Design and Access statements has shown they assist in developing safer communities as long as Community Safety is actually considered and not just submitted as a cut and paste option. Our reply to the consultation on removing Design and Access statements makes it clear that if they are to be removed, other processes are required to ensure the same level of consideration for community safety and crime prevention issues are afforded.</p>	

<b>Q2</b>	<b>Local Development Plans</b>	<b>X</b>
Do you agree that a national development management policy on design would be beneficial?		
Yes		<b>X</b>
Neither Yes nor No		
No		

<b>Q2</b>	<b>Further Comments</b>
<p>Whilst there is a need for local plans to cater for local needs, there are also key themes that should be addressed in all LDP's.</p> <p>Whilst the Design Commission for Wales consider the benefits of specific developments, key issues on design will be constant, and they should be effectively considered in LDP's</p>	

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

<b>Q3</b>	<b>Further Comments</b>

<b>Q4</b>	<b>Supplementary Planning Guidance</b>	<b>X</b>
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?		
Yes		X
Neither Yes nor No		
No		

<b>Q4</b>	<b>Further Comments</b>

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?

**Pre-application discussions can definitely assist in the improvement of design quality if the right persons / bodies are involved.**

**In Wales an area of good practice is the process for social housing which has to meet the Welsh Government's Development Quality Requirements Standards. Police Designing out Crime Officers are involved from the pre-application stage right through to the completion of the development. It would be beneficial for Wales if this process could be replicated for major private developments of an agreed size and above.**

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?

**For the relevant Police Staff / Officers being involved at the pre application for all major developments.**

Q7

### Access

Do you agree that the amendments to the 1APP form will ensure inclusive access issues are considered in development proposals?

Yes



Neither Yes nor No	x
No	

<b>Q7</b>	<b>Further Comments</b>

<b>Q8</b>	<b>Access</b>  What information or other measure would assist local planning authorities assess planning proposals in terms of inclusive access?
<b>No Thoughts</b>	

<b>Q9</b>	<b>Design Commission for Wales and Planning Advisory and Improvement Service</b>  How can the PAIS and DCfW mainstream good design and inclusive access in the planning process?
<b>By providing detailed appropriate guidance including addressing community safety issues.</b> <b>We see too many cut and Paste D &amp; A statements with no real relevance to the site they relate too.</b>	

<b>Q10</b>	<b>Design Skills and Good Practice</b>  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 Police Service has a RIBA approved 2 hour training package that we offer to all local authorities and are prepared to deliver the package to officers and /or members as and when required.**

**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?

Yes

x

Neither Yes nor No

No

**Q11 Further Comments**

**Consultation with local police officers / staff involved in Designing out Crime at the pre application stage varies from planning authority are to planning authority area. It would be beneficial if the pre application process was standardised so that the relevant personnel were consulted at the pre-application stage on all major developments.**

**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?

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

Q13	Further Comments
	<p>Design and Access statements currently address the issue of community safety. I have commented on the removal of Design and Access statements in a separate Welsh Assembly consultation process. If Design and Access statements are to be removed, then a process to ensure community safety considerations are addressed within planning guidance should be required.</p>

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

Q14	Further Comments
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**As outlined at Question 13 Design and Access statements currently address the issue of community safety.**

**Design and Access statements should only be removed if Community Safety and Crime Prevention issues are adequately addressed elsewhere in the planning process.**

**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.

**How to respond**

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