

How does design fit within planning?

CABE's *Making Design Policy Work* does not spell out the all important link between policy objectives and the setting and assessment of the physical form or any place or development. We are still to see a great example of how to do this, says Esther Kurland.



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Asking how urban design fits into the planning system is a bit like asking how the nervous system fits into the body – Things might carry on without it, but not at their full potential. Urban design enthusiasts might go as far as to say we can't have planning without good urban design, in fact PPS1 says this. But practising planners might scratch their heads and think that the planning processes they deal with every day will carry on just fine without the need to consider design.

But when you look you find that design straddles many of the objectives, processes and policies that make up our current planning system. This article will look briefly at how, maybe, design should be considered within both the application process and policy formulation.

Design and planning applications Statements

The most obvious link between design and planning is the use of design and access statements. These are nothing new, although their formal requirement has been in place only a year. They are a communication tool, nothing more, and should be used as such by both those writing and reading them.

Statements are not normally part of the application, so they can not be

enforced unless conditions are used requiring that the principles or details they contain are adhered with. For example, instead of a condition saying details of landscaping should be submitted and approved, the condition might say that landscaping details should be submitted and will only be approved if they accord with the principles set down in paragraph xxx of statement dated xxx. Paragraph xxx might have said that landscaping on a certain part of the site would create a sensory garden or shelter belt. Or it might have explained how absorbent surface materials would be used to reduce surface runoff. The use of conditions to fix information in the statements is particularly relevant for outline applications, where recent case law has shown that statements need to contain very significant amounts of information. Whether dealing with outline or detailed applications, some applicants even like to include a list of suggested conditions in their statement. That would save time later!

There is increasing interest in using statements within the pre-application process. Some authorities require draft statements before they will enter into pre app discussions or offer advice. They might circulate the

draft statements around internally to decide which issues should be discussed and who should attend pre app meetings. They feel that if the applicant has considered the issues to be covered in the statement they will have gone some way to think about what is feasible or practical on the site. So maybe using draft statements in this way helps to focus the discussions and circumnavigate totally unrealistic proposals or unfocused pre app meetings based just on an OS plan with a red line around the site.

But statements are only of use if they are well written to start with. Far too many are useless bits of waffle without proper site analysis. Sometimes they just regurgitate national or local policy without considering how they relate to the scheme. Then they need to be properly used inform the proposal. It is amazing to see statements written by one consultant that have obviously never been seen by the people drawing up the plans. For example how useful is a statement where it shows how buildings will step down a hill but the application plans are for a monolithic block with no break in roof line? If, as an applicant, you want to use the statement to show that you know what you are

LEFT: Design and Access Statements are meant to help applicants think about what they are doing. Not like this example of following design rules without thinking. One foot sections of barrier have been used to make cyclists stop and get off their bikes before they get to the road – but wouldn't they just go around them?

RIGHT: Abbots Wharf, Tower Hamlets, London, Building for Life silver award winner 2006. Underground bin storage with above ground shoots are a practical way of dealing with rubbish. Assessing design quality at the application stage can check if this amount of thought is being given to other schemes.



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doing, and build good relationships with the DC team, what kind of message do you think a poorly written or unused statement gives?

Then the local authority has a duty to read the statements properly, reject ones they don't think are up to standard, and use the information appropriately. How annoying if you have taken the trouble to explain how you will deal with materials in your statement only for your application to be held up as you receive a letter asking you to explain what types of materials you will use? In recent seminars held by the Planning Advisory Service private sector planners blamed local authority planners for not reading and using statements correctly, while the DC officers moaned that the majority of statements they see are just a load of rubbish. Could they both be right?

Before I leave the everlasting issue of statements just one more thought. Over the last year there seems to have been an assumption that however bad the statement, if it covered the issues listed in Circular 01/06, the application had to be registered. But this situation seems to be changing a bit. Some authorities are taking the view that the circular requires statements to explain and justify the application's approach to each relevant issue. So if it does not

do this the authority refuses to register the application. I am not aware of any non determination appeals or other action taken by applicants against such practices, but they may go on. But wouldn't it be easier and quicker for the applicant to just write a better statement?

Monitoring design quality

To many planners the word 'monitoring' sits in the middle of 'plan, monitor and manage' as a creed to follow. But today when we do planning monitoring we are not so much considering what is being built, how it is being used etc, but looking at how well an authority is doing in its planning functions.

We are all used to numerical monitoring targets, but now we are also being asked to consider subjective targets like design quality. This is a tough one, how on earth do we know if planning policy and decisions are ensuring a better quality environment? A while back, one idea for a design quality indicator was if authorities had English Heritage's and CABE's phone numbers so they could ask them for advice! Not the most appropriate way of embedding design considerations perhaps.

PPS3 has renewed interest in design quality monitoring. Maybe influenced by CABE's Housing Audit



Where design policies might go.

findings, which did not paint a rosy picture, the PPS says local authorities should consider monitoring the quality of new homes and report on this in Annual Monitoring Reports. This means assessing the quality of proposals consistently and in a recordable fashion. To do this they need to have the processes and skills in place, not an easy task.

CABE are working on an application assessment tool based on the existing Building for Life system. This sets 20 requirements covering how well any proposal will create locally distinctive and appropriate character, how well the streets, pavements and open spaces will work, how robust and sustainable the construction and details will be and how well the place will foster strong and diverse communities.

The Housing Corporation and English Partnerships already use Building for Life as a monitoring tool. They will not allow, or fund, housing schemes which do not meet at least 14 of the 20 requirements. CABE are working with authorities to help them adopt the tool within their SPD and LDFs. Some authorities are already doing this, but the basic system might need to be tweaked a bit to meet local objectives and

circumstances.

Then there is training. There is no point having an assessment tool, whether Building for Life or another system, which people don't know how to use. And as the issues being assessed can be at least in part subjective it is important that everyone in an authority is looking at things in a similar way. There are a lot of options for design training in London now – we are pretty lucky in that respect. We have 4 Architecture Centres offering a variety of events and Urban Design London offers a lot of courses, including workshops on how to use Building for Life as a monitoring tool. There are also an increasing number of private firms offering specialised training, and some of the London universities will run bespoke events for whole planning teams. For those in the private sector, it might be worth keeping abreast of the training being offered to your local authority counterparts. Over 300 Borough officers and Councillors have attended UDL courses so far this year – do you know what they know?

Design at Appeal

The lynchpin of the application process, the buck stops with the



inspector. There has been a perception that the Planning Inspectorate would never uphold a reason for refusal based on design issues. If you ask PINs they will flatly deny this, but they will also offer some sage advice. If you are going to refuse something because it does not meet PPS1, PPS3 or local design requirements make sure you clearly state why you think it unacceptable. Don't assert, but explain, and don't use out of date and woolly reasons for refusal. The same goes for applicants appealing against decisions. Tell a story, start with a good design and access statement you can refer to in your evidence and show how you have followed a robust design process.

Recent appeal decisions have shown how seriously PINs takes its roles in upholding PPS1, PPS3 etc. I have seen decisions where the integrity of the design process has been quoted as a reason to reject the appeal.

There are numerous examples around now that we would have been unlikely to have seen a few short years ago. For example, taking the most recent example to hand as I write, in August 17th Planning magazine there was a write up of a decision upholding the refusal of 110 homes on Exeter Rugby Football Club's former grounds. Why was the proposal unacceptable? Because it failed to achieve high-quality design. One of the problems the inspector was concerned about was that the flats had blank and uninteresting facades. Those who know about urban design will understand that blank walls are the death knell for the public spaces they face, They don't allow for passive surveillance and security and discourage positive interaction between residents and good use of the public areas. This is a fundamental functional design issue, not primarily about 'fitting in' aesthetically, although of course big

blank walls don't look very good! And it's not all that subjective, there either are usable windows and doors or there aren't.

So whether you are applying for permission or assessing an application, don't assume that design issues are irrelevant if it all ends up at appeal – read the design bits of the inspector's handbook on PIN's website if you don't believe me.

Design and planning policy

Get a group of planners in a room and sooner or later someone will start to bemoan the LDF system. But however complex it might be, however much we are waiting for examples written by others we can follow, at least planning policy is under the headlight. As an old hat public sector planner I remember, not that long ago, when policy teams were cut down to the barest of bones and people did not want to get stuck in that dead end job.

And the thirst for new policy approaches covers design as much as other issues. There is the question of what type of design requirement policies to write, what needs to be said at the local level that is not in a PPS somewhere? Maybe local design assessment criteria are key here, particularly ones that explain how a local authority is going to monitor design quality.

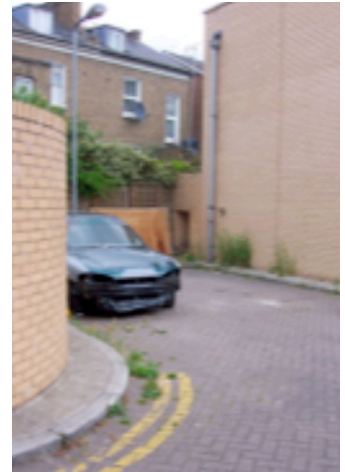
It is unlikely that old style built environment policies that often focused on the preservation of local amenity and character will be sufficient now. These issues are still important, but designing to reduce crime, ensure inclusive access, promote resource efficiency, encourage sport, play, walking and active lifestyles, protect and promote ecological diversity, improve integration of movement networks, allow for diversity, ensure places can adapt as demands (including climatic ones) placed on them change and promote

useable, attractive and practical outdoor spaces are all also very important policy objectives.

I suggest that the key to good design policies is in making the link between policy objectives, as listed above, and the physical form of places. So what type of layout, density, materials, scale of buildings etc should go where to meet local and national policy objectives? This might mean setting individual design requirements within Area Action Plans or land use specific policies. It might also mean explaining clearly how you will assess proposals and the importance of good masterplanning to inform both local authority documents and development proposals.

Take the policy objective of promoting walking and cycling as a transport mode as an example. What physical things do we need to see to help make this happen? A broad policy on cycle lanes is unlikely to do the trick. The way places link into the wider movement network and the priority, in terms of traffic management and the amount of physical space allocated to the various modes, will be very important. As too will be cycle storage, not just at offices but in homes, at stations and at shops etc. Showers, changing rooms and lockers will matter too. Surface materials, planting, lighting and signage will also be important. Then the distribution of uses might effect travel decisions, etc, etc.

All these physical 'design' issues need to work with management policies of course. But when you think about the characteristics needed to really promote walking and cycling you start to realise that maybe it is not feasible to the same extent everywhere. But where the existing circumstances or the scale of new development warrant it, then good masterplanning can be used to help ensure that design and management



Blank walls don't create good places. This might be the type of design thrown out by the Inspector for the Exeter Rugby Football Club redevelopment.

requirements work together to make it happen.

Where does this leave policy? What about a Core Strategy policy calling for the promotion of walking and cycling. Then articulated within Area Action Plans or SPDs which cover areas or development where the objective can, realistically, be implemented.

CABE's guide called *Making Design Policy Work* suggests design policy objectives under a variety of headings like policies on architecture should.... Policies on the public realm should..... It also suggests what type of policy might go where within the LDF structure. But it does not spell out this all important link between policy objectives and the setting and assessment of the physical form or any place or development. We are still to see a great example of how to do this – but sure it is just waiting on someone's desk to be published soon! If you have some examples of innovative design policies, please send them to me at urban Design London so we can help to spread best practice.