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Dear Sir/Madam,

**National Planning Policy Framework and National Model Design Code: consultation proposals**

Thank you for giving the Society of Local Council Clerks the opportunity to comment on this important consultation document.

The Society of Local Council Clerks is the professional body representing town parish and community council clerks in England and Wales. Approximately 3,700 local council clerks are in membership serving over 5,000 town and parish councils throughout England and Wales. Influencing, shaping and guiding the planning system is a high priority for many of our members. This issue is, therefore, of special significance to the Society.

In formulating this response, we have consulted with our members. We have also urged them to respond individually to it.

We have concentrated on those questions that are of the greatest relevance and significance to the sector.

Taking each question in turn.

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

We are broadly supportive of the changes. We welcome, in principle, the inclusion of, and emphasis on, 'beautiful' in the overarching social objective. However, 'beautiful' is a loose and subjective term and open to interpretation. Greater clarification and amplification on what is meant by it would be helpful. The reference in paragraph 7 to the United Nation's 17 Global Goals for Sustainable Development and the strengthening of paragraph 8c to emphasise the role of planning in protecting and enhancing the natural, built and historic environment are welcomed.

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

Yes. We especially welcome the proposed amendment to paragraph 22 that would require large scale development such as a new settlements to be set within a long term (at least 30 years) vision.

**Q3. Do you agree with the changes proposed in Chapter 4? Which option relating to change of use to residential do you prefer and why?**

No. The proposed amendments to paragraph 53 will introduce barriers and generally make it more difficult to introduce Article 4 directions. Article 4 directions are a proven and effective tool by which communities can amend permitted development rights so that development reflects local need, characteristics and preferences. This will make it much harder for communities to do this. Furthermore, this proposal appears to be at odds with the aims and aspirations of the reforms as set out in Chapter 12 and the proposed National Model Design Code both of which aim to give communities greater control over development.

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

Yes. In particular the clarification in paragraph 70 that Neighbourhood Plans can allocate large sites. As you will be aware, town and parish councils have been at the forefront of the development of Neighbourhood Plans.

The clarification in paragraph 73 that large scale development should include 'a genuine choice of transport modes' and the removal of the phrase 'or innovative' from paragraph 80 (e), are also welcomed. We are aware of examples where the word innovative has been exploited to facilitate housing development that otherwise would have not been acceptable.

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

Yes, we welcome these minor changes.

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

Yes, we welcome these minor changes. This includes the proposed references in this Chapter and other sections in promoting cycling.

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

We have no specific comments to make on these proposals.

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

Yes. In particular, the proposed introduction of the application of beauty into guidance for well designed places, use of design codes based on effective community engagement to reflect local character, and the weight that design codes and similar guidance should be afforded in decision making. These are especially considered to be positive and welcomed.

Also, we support and welcome the proposed increased weight and recognition to the provision and maintenance of trees in the planning system, including the aspiration that more new streets are tree-lined, among other measures, to secure tree planting.

**Q9. Do you agree with the changes proposed in Chapter 13?**

We have no specific comments to make on this minor proposed change.

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

Yes. We are generally supportive of these proposals with their emphasis on strengthening environmental policies, especially concerning planning and flood risk.

**Q11. Do you agree with the changes proposed in Chapter 15?**

Yes. We especially welcome and support the clarification that development in National Parks, the Broads and Areas of Outstanding Natural Beauty should be sensitively designed and located and development whose primary objective is to conserve or enhance biodiversity should be supported.

**Q12. Do you agree with the changes proposed in Chapter 16?**

Yes. We welcome the greater protection and recognition of historic statues, plaques or memorials, both Listed and non-Listed.

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

We have no specific comments to make on the mineral and waste disposal related proposed changes.

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

We have no specific comments to make on these proposals.

**Q15. We would be grateful for your views on the National Model Design Code, in terms of**

- a) the content of the guidance**
- b) the application and use of the guidance**
- c) the approach to community engagement**

We very much welcome the introduction of the National Model Design Code. It has the potential to improve design quality, sustainability and local distinctiveness of development. A recurring theme of many of our members is that much of the development that has taken place is often of poor or mediocre design that does not meet local need or is in keeping with the local area. This includes not only the physical design but also other important aspects such as car parking, provision of green spaces, space for people to walk and cycle, lighting, layout and energy efficiency. It is important that development responds positively to the local context and help ensure sustainable and distinctive communities. We consider that the Design Code could make an important contribution here.

The content of Design Code is to be applauded. It is well thought out and presented. We especially welcome the focus on codes and visual tools rather than text. This should greatly help the use and take-up of design code, especially to non-planners.

The Code and associated guidance are explicit that effective community engagement should be at the heart and is central to the success of design codes, and specifically identifies the need for communities to be involved at each stage of the process. This is strongly welcomed and applauded. However, phrases such

as 'consultation', 'engagement', 'reflect the views of the local community' and 'appropriate local consultation' are vague and subjective. The experiences of town and parish councils and others is that further specific national guidance is required. This should detail the scope of any community engagement and consultations when it should be undertaken and set out clear standards and expectations. To be successful, it is imperative that the approach to the preparation of design codes is inclusive and open.

We see town and parish councils making a key and central contribution to their development and implementation. They are democratically elected statutory bodies often referred to as the first tier of local government. They have a significant and growing role in the planning process, a role that is already recognised in the planning framework. Indeed, we would like to see specific reference and requirements in the Code and associated guidance to the need to engage fully with town and parish councils in parished areas where a design code is being developed. This will benefit all parties helping to ensure that the design codes take account of local views, preferences and distinctiveness, for example.

We would like to add that some communities, including town and parish councils, will require support and guidance to help them engage in the preparation and implementation of design codes, including engagement. Many lack the skills and resources to effectively do this. This is particularly important, as the Code quite rightly identifies, community engagement and endorsement is essential if communities are going to consider that they 'own' planning decisions rather than having them imposed on them.

We do have one major concern about the Code and associated guidance and guidelines. This is that it makes inadequate reference to the role of Neighbourhood Plans. Neighbourhood Plans are a proven and highly effective and popular means to identify and articulate what is good and distinctive design in an area. Most Neighbourhood Plans already set design requirements for new development. As we see it, there is a clear and obvious role for Neighbourhood Plans in preparing design codes. However, the Code and associated guidance is generally quiet on this point. We would strongly urge that they should be more explicit in the relationship between design codes and Neighbourhood Plans. This includes explicit reference to that a Neighbourhood Plan (both new and existing) can also be a design code.

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

We have no specific comments to make on any potential impacts. Thank you again for the opportunity to comment on this important document. If it would be helpful, the Society will be pleased to meet with or speak to officials to explain in more detail its points and observations over this issue.

Yours sincerely,

A handwritten signature in black ink that reads "Rob Smith". The signature is written in a cursive, flowing style.

Rob Smith  
Chief Executive