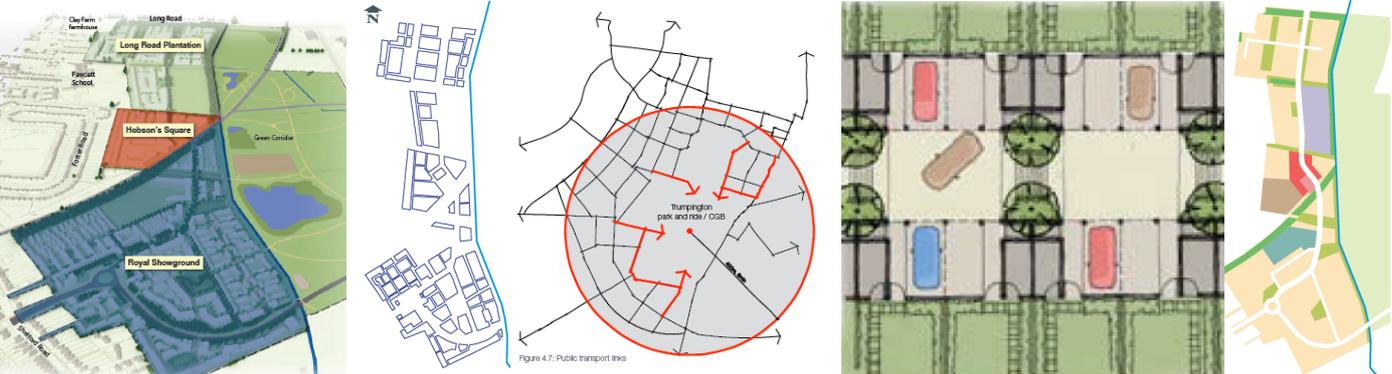


Design Codes for Strategic Development Sites within the Cambridge Fringe Areas Informal Guidance Note

May 2012



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1.0 INTRODUCTION AND BACKGROUND

1.1 Purpose and Status of the Briefing Note

Design Codes can be a useful tool for delivering high quality, coordinated development for major development sites. This informal guidance note will provide a brief background to Design Codes, outline why they are needed, how they fit within the planning process, and discuss the level of detail envisaged to be included within codes for sites within the Cambridge Fringe areas. This guidance note has been prepared jointly by Cambridge City Council and South Cambridgeshire District Council (SCDC), primarily for the benefit of developers and their consultant teams in preparing codes. Cambridgeshire County Council also has a key role in the preparation and application of Design Codes.

The original version of this note was prepared in October 2007 and represented informal officer advice only. This updated version incorporates the “lessons learned” from the past four years of work in negotiating and reviewing Design Codes and refines the key elements where Design Codes should now concentrate for the strategic development sites within the Cambridge Fringe areas. The guidance note covers sites within the administrative boundaries of Cambridge and South Cambridgeshire. It is likely that the guidance will also be used to inform the proposed new town of Northstowe in due course. However, this would require separate approval from the Joint Development Control Committee for Northstowe. Nevertheless, the guidance note has been drafted with this purpose in mind and the title of the document would then be amended to include specific reference to Northstowe.

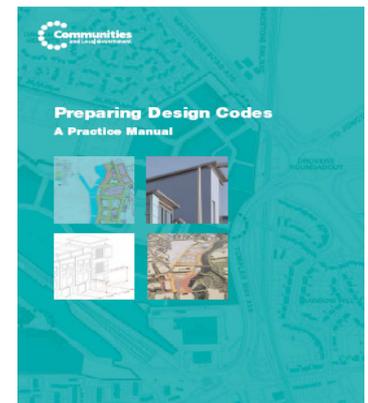
As of May 2012, two Design Codes had been prepared and approved in the Cambridge Fringe areas, specifically one for Trumpington Meadows and one for Clay Farm, both sites being within the “southern fringe” area of the city. More codes are planned or are in process, specifically for the Northwest Cambridge site and for the NIAB site nearby. Several lessons have been learned from the preparation of the southern fringe codes, and it has been helpful that they evolved through a consensual approach between the local authorities, developers and stakeholders and these codes now provide an important tool throughout the life of these developments.

It is important to note that the information contained within this guidance note is without prejudice to the formal determination of any planning applications or discharges of conditions.

1.2 Background and Government policy on Design Coding

There is considerable relevant history to design coding that is instructive to understanding the advice and reasoning behind design codes. The following is a brief chronology.

In May 2004 the ODPM launched a nationwide programme to assess the potential of design coding in England. Seven Pilot projects were established and a research programme launched (in partnership with then CABE and English Partnerships) to test design coding in practice. The findings from the programme were published in the report *'Design Coding in Practice – An Evaluation'* (DCLG, 2006) which concluded that design codes are, in appropriate circumstances can play a major role in delivering better quality development.



In November 2006, a good practice manual was published by the Department for Communities and Local Government, *"Preparing Design Codes: A Practice Manual"* which illustrated how Design Codes can help deliver good quality places, and explains how coding as a process can be integrated into the planning, design and development process.

As part of Planning Policy Statements¹ and 3, the Government set out strong policies to support the achievement of high quality sustainable development. The use of design tools such as Design Codes was encouraged in PPS3, which states:

'To facilitate efficient delivery of high quality development, Local Planning Authorities should draw on relevant guidance and standards and promote the use of appropriate tools and techniques, such as Design Coding alongside urban design guidelines, detailed masterplans, village design statements, site briefs and community participation techniques'

PPS3 also provided a helpful definition of a Design Code as:

'a set of illustrated design rules and requirements which instruct and may advise on the physical development of a site or area. The graphic and written components of the code are detailed and precise, and build upon a design vision such as a masterplan or other design and development framework for a site or area.'

(Source: Annex B, PPS3)

IN March 2012, the Government brought in reforms to planning as part of the National Planning Policy Framework. The NPPF, as it is known, reinforces the potential for Design Codes to deliver high quality, sustainable developments that help promote and reinforce local character and distinctiveness. With the publication of the NPPF, the Government believes that Design Codes still have a potential purpose. The NPPF states:

'Local Planning Authorities should consider using design codes where they could help deliver high quality outcomes.'

(Source: paragraph 59, page 15)

The use of Design Codes to help deliver quality in development is further underpinned by paragraph 58 of the NPPF: 'Local plans and neighbourhood plans should develop robust and comprehensive policies that set out the quality of the development that will be expected for that area.'

The advice from Government has been consistent over the past six years; specifically that design coding has a place in supporting the creation of high quality development.

2.0 DESIGN CODES - THE CAMBRIDGE & SOUTH CAMBRIDGESHIRE CONTEXT

2.1 Why use Design Codes?

The nature of the Cambridge area and surrounding South Cambridgeshire context is complex. The areas identified (within Cambridge City and South Cambridgeshire) for growth are substantial in size and are either currently being developed or will be developed, by different housebuilders etc. over a number of years. Design Codes are considered most valuable when sites possess one or more of the following characteristics:

- Large Sites that will be built out in phases over a long period of time.
- Sites in multiple ownership, where co-ordination is desirable
- Sites likely to be developed by several different developers and/or housebuilders.

Despite legislation requiring Design and Access statements to be submitted at outline stage, officers do not feel that a co-ordinated approach to strategic multi-phased development can be achieved solely through the traditional process of granting outline permission and approving detailed design matters at the reserved matters stage. A step in between, or prior to these stages, should be followed. The Councils consider that Design Codes can bridge this gap between outline and reserved matters and act as a mechanism to delivering high quality and ensuring a co-ordinated approach.

2.2 Design Codes and the Planning Process (refer to figure 2)

Design Codes can be prepared at different stages in the planning process. They can be prepared prior to or post outline planning approval. As such, the timing in the planning process is highly influential on the content and level of prescription of the code. For example, if a Design Code is prepared prior to the grant of outline planning permission, the code is likely to be more strategic and contain less detail.

Figure 1 outlines the general approach to the Design Coding process. The chart illustrates a process whereby a Design Code is prepared in between the outline planning and reserved matters stages. The code thereby acts as a transitional document that bridges the gap between the outline stage and the subsequent more detailed design stages leading to reserved matters planning applications.

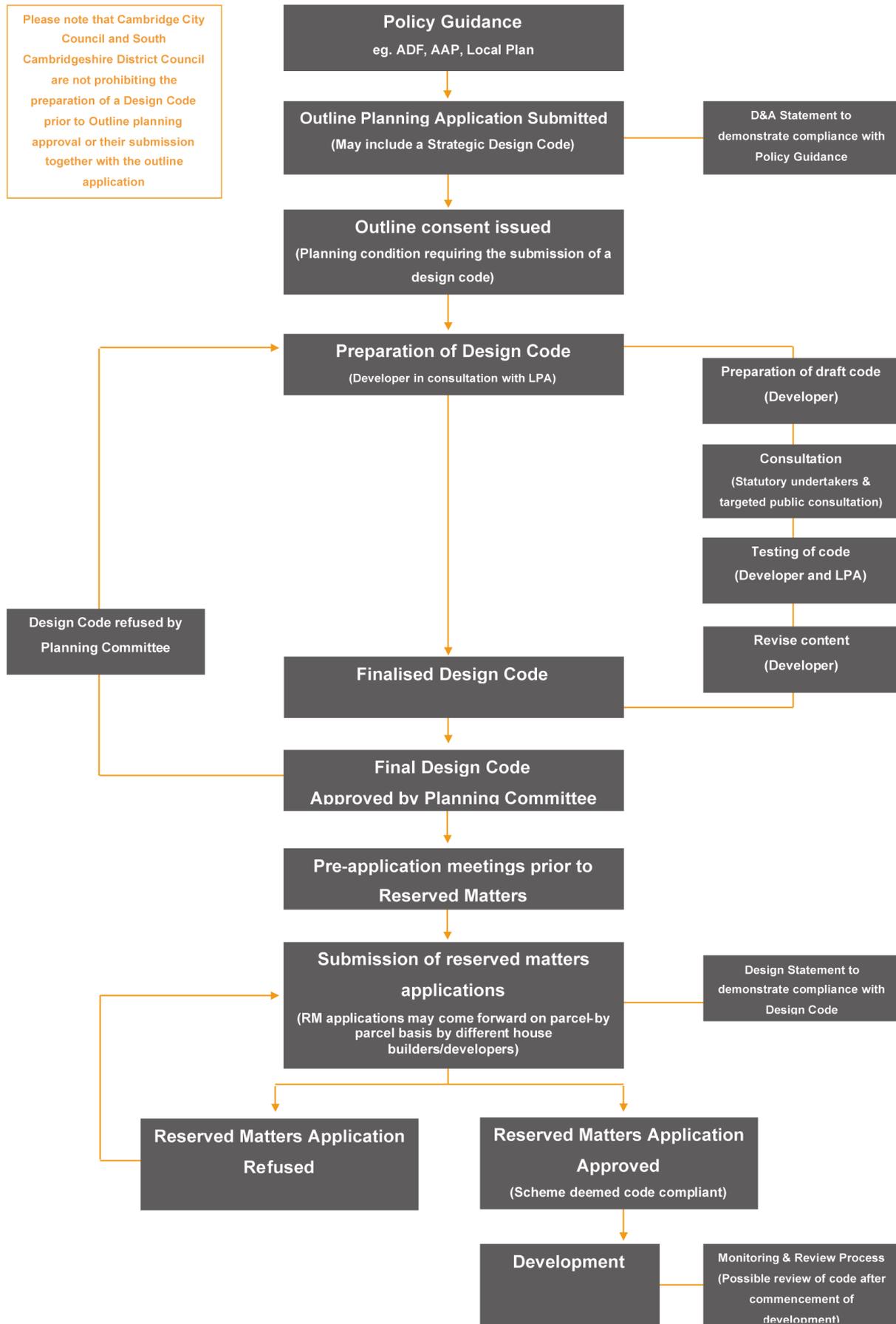
2.3 Preparing a Design Code (refer to figure 2)

Design Codes should be approved as part of the development control process. Design Codes are normally approved as a discharge of a strategic planning condition, normally attached to an outline permission and thereby constitute a material consideration in the determination of subsequent reserved matters applications. Outline permission for each growth area site will be conditioned to require the applicant to prepare a Design Code prior to the approval, rather than the submission, of the first reserved matters application. Subject to agreement of the relevant Council(s), the first phase of the reserved matters application may be worked up in parallel to the Design Code.

There are pros and cons in relation to both the above approaches; submitting a design code earlier, or progressing it in parallel with a reserved matters application. However, it should be noted that delaying bringing forward a draft design code until submission of a first reserved matters application could potentially result in delays to the reserved matters programme if issues/difficulties arise within the parallel design code process.

Prior to the approval of the first reserved matters application, the Design Code will be approved by the Joint Development Control Committee for the Cambridge Fringe Sites (for applications applicable to this committee) or the City's or South Cambridgeshire's own Planning Committees. More information about these committees can be found on either the Cambridge City Council or SCDC websites.

Figure 1 – The Design Code Process



3.0 CONTENT OF DESIGN CODES

3.1 Content of Design Codes (also refer to figure 3)

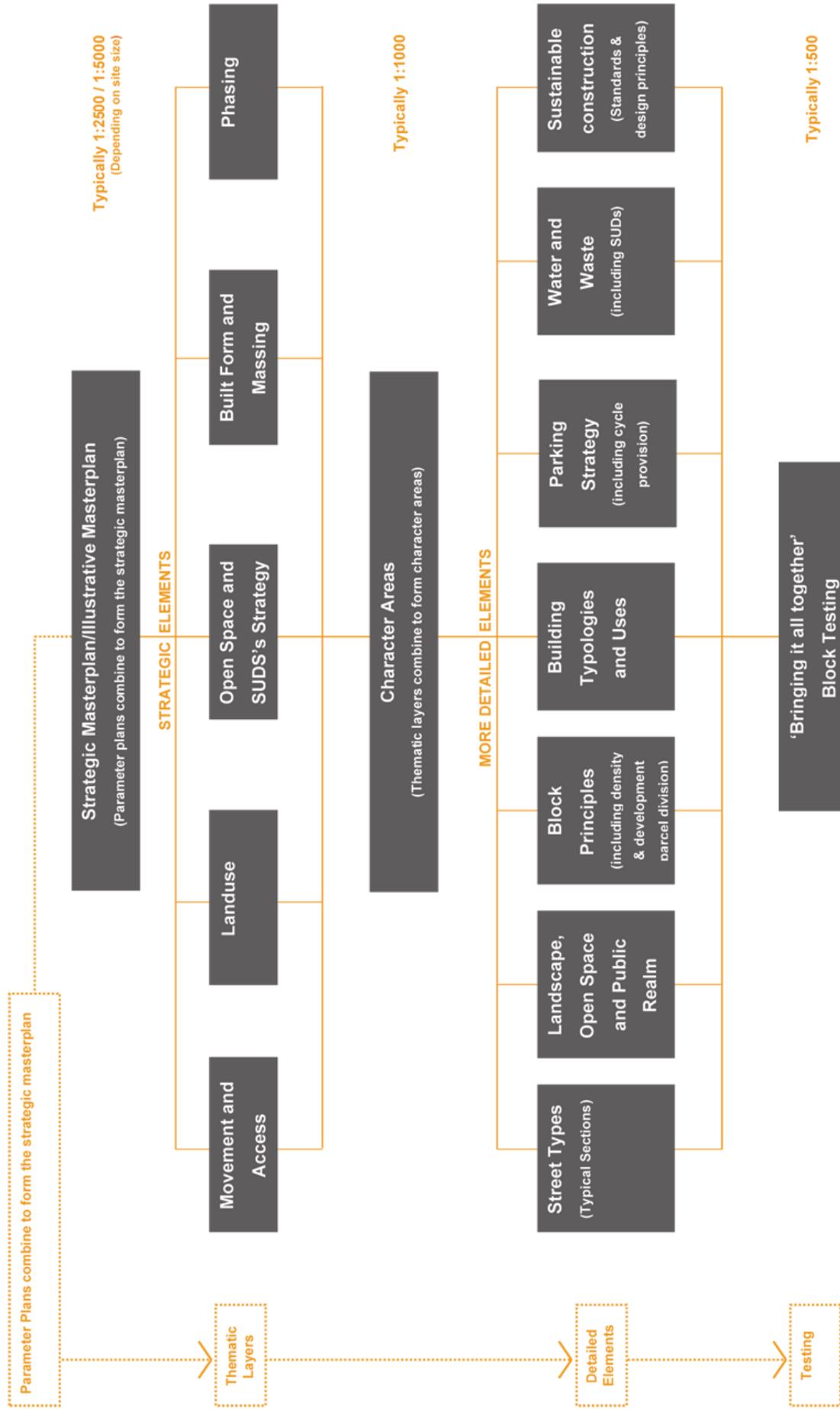
The level of detail defined and required by a code is dependent upon the context and circumstances of the development and the timing within the planning process. Figure 2 provides an outline regarding the minimum recommended level of detail and possible coding elements. The diagram illustrates that the code should systematically and gradually break down elements that contribute to the creation of high quality place making, starting from the most strategic elements. The strategic elements of a code expand upon, and tie together, the themes established in the parameter plans submitted with the outline application. The extent of the detailed coding elements will be established through negotiations between the Council(s) and developers and their representatives.

Lessons learned from recent experience

From the experience of negotiating and agreeing design codes over the past few years, the Councils consider that the key elements to be coded and areas to focus on should be as follows:

- Codes should be concise and clear and avoid repeating elements that have been agreed elsewhere (unless crucial to an explanation of the site structure/character)
- Codes should be mandatory for the most part, with any discretionary elements presented as alternatives
- Codes should promote and reinforce local distinctiveness, backed up by local character area appraisals, where appropriate
- The street and perimeter block structure should be fixed within the code, and the movement network and open spaces should also be fixed in respect of scale, boundaries and strategic landscape elements
- A proving layout should be provided to demonstrate that the block structure is sufficiently robust and flexible for a range of house types, and backed up by detailed parcel and plot design work
- Site specific features should feature strongly in the code, for example swales/SuDs features which help generate and support a strong open space character within the development
- It is vital for any code to be clear on the provision and approach to bins, bikes and cars (the “BBC’s”) and use best practice appropriate to a particular site/use/house type
- Council resources are not limitless and will need to be efficiently targeted and used at the right stages in the process of preparing a code

Figure 2 – Design Code Content



3.2 Consultation Process

Design Codes are technical documents setting out a multitude of technical “rules” for the future built environment for a particular site. A vital step in the completion of a Design Code is stakeholder consultation. The exact form that a consultation takes should be discussed with the Local Authorities and the County Council before beginning and it is suggested that the consultation be carried out in partnership with the Local Authorities. The bulk of the consultation will comprise meetings, workshops, code testing, etc. with relevant County and District officers and other key stakeholders. Key officers include planners, urban designers and landscape architects from the District Councils and highways officers from the County Council, though other specialists are often involved and have a role from either the District or County. In addition, the public should be made aware of the code before it is agreed, and so public consultation should be undertaken and included within any project timetable. Public consultation should be provided for relevant community groups, residents associations, community forums, etc., and may be delivered via public exhibitions, leaflets/magazine publications, or other means. Draft Design Codes should preferably be reviewed by the Cambridgeshire Quality Panel and briefings to the Joint Development Control Committee (Cambridge Fringe Sites) should also be provided at the appropriate time. At least six months should be allowed between the review of the first full draft of the Design Code through to the approval stage. Developers need to plan for at least this amount of this time when considering overall development programs for a particular development or stage of a development.

Prior to the final version of the code being considered by the relevant committee, it will be necessary to ensure that a full draft version has been “tested” to ensure that the principles of the code can be transferred into a detailed reserved matters scheme. Prospective house builders and their architects should be invited to prepare a scheme for a typical parcel within the development using the code to test whether it works and to identify any problems which will need to be resolved before the code is finalized. This process will normally take place through a day-long workshop for which a brief will be prepared to help guide the participants and teams. Code testing should involve at least three teams of architects and relevant Council officers and stakeholders, beforehand which architects (and their clients) have familiarised themselves with the draft code and the parcel(s) to be tested. Most codes should be tested by the architect teams preparing designs of a specific parcel using the code and bringing their work to the code testing day for sharing, review and discussion.

Note: It is likely that the local authorities will seek to recover officer costs associated with Design Code processes in future, given the significant time and resource implications. Charges will therefore be agreed on a case by case basis.

3.3 Amending and Reviewing a Design Code

It is likely that the circumstances in which codes operate will change over time and it is therefore essential that a code is capable of evolving throughout its lifetime. Reasons and circumstances that will trigger a review of a code will vary, however government guidance outlines that legitimate reasons might include:

- Outstanding innovative design
- Demonstrated changes to the local market.
- Changes to the policy framework (for example, national policy).
- Technical improvements.
- Experience in use (for example where known problems exist).
- Unforeseen factors which the Design Code could not have addressed.

(Preparing Design Codes – A Practice Manual, DCLG, 2006, p.106)

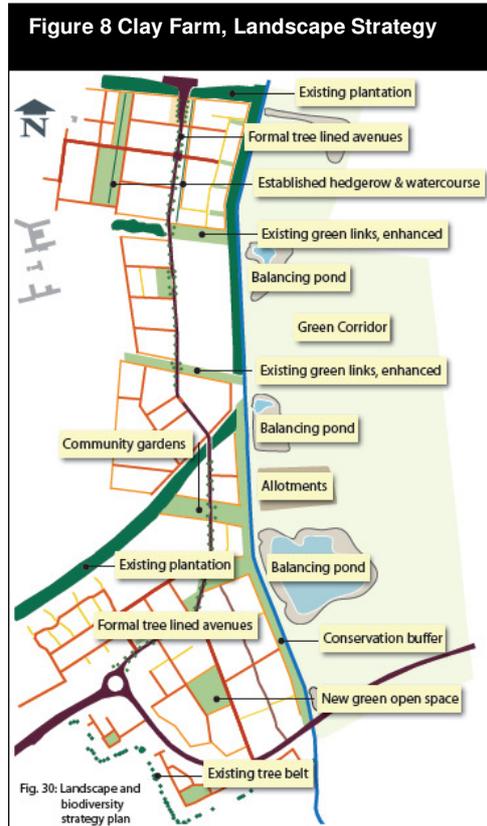
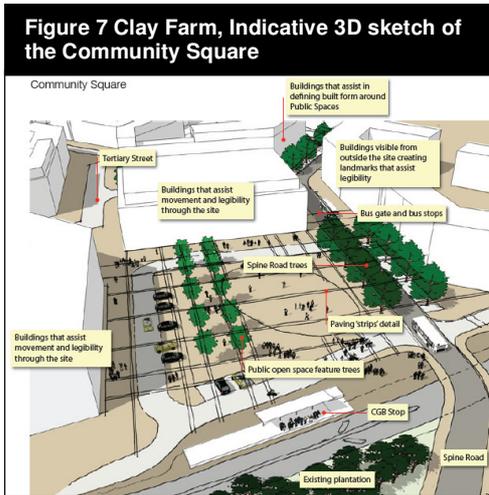
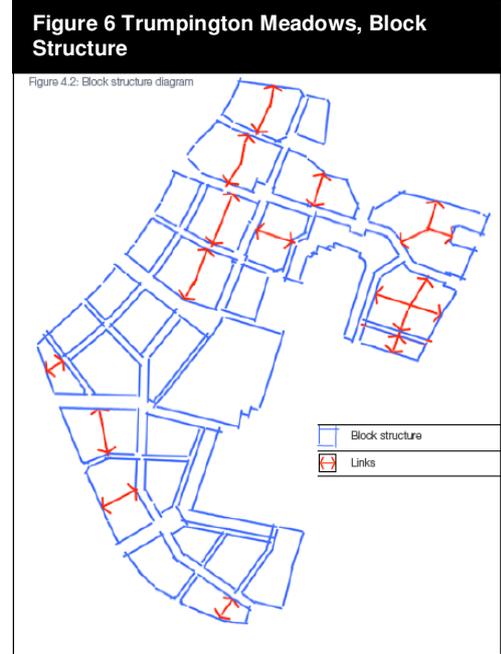
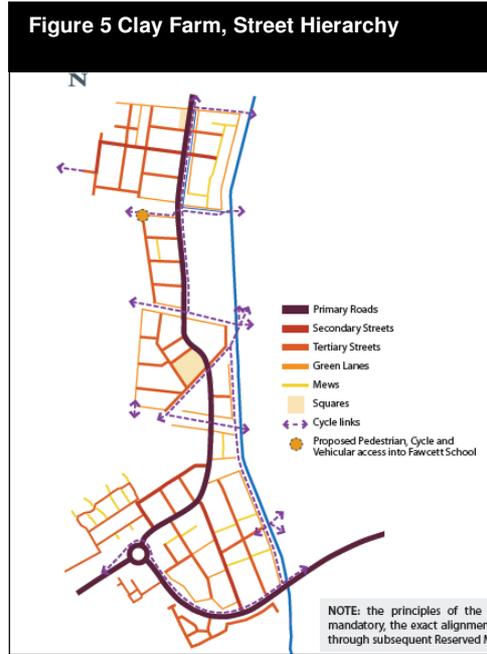
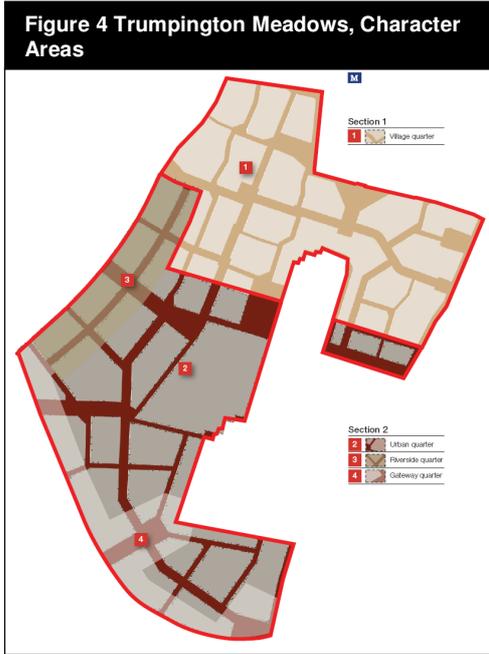
The provision for evaluating and amending the code has been incorporated within the design coding process (refer to figure 1), which states that a possible review of a code may take place after commencement of development. Either the local authority or the lead developer will be able to request a review of the design code after two years from commencement of the first reserved matters on the larger development. This was the trigger date agreed in the Trumpington Meadows and Clay Farm Design Codes referred to earlier. A review is considered an important step and will help establish if the code is performing a useful role or needs to be updated.

3.4 Monitoring and Enforcement

Monitoring and enforcement is crucial to the long-term success of design codes. Without the appropriate enforcement, the effectiveness of codes can be significantly undermined. Government advice (DCLG, 2006) outlines that monitoring and enforcement can be undertaken by both Local Authorities and private stakeholders (or a combination of both). Where the Local Authority takes on this role it will be mainly through exercising normal planning control and highway adoption powers.

Monitoring of compliance to a code will be provided by ensuring that reserved matters approvals and discharges of relevant conditions are in accordance with the code or are clearly justified in terms of any key areas of non-compliance and that there is always a statement to this effect attached to any such approvals. On site monitoring will be focused around ensuring that development is being constructed in accordance with the reserved matters and discharge of conditions approvals.

Examples of coding elements (Source: Trumpington Meadows and Clay Farm Design Codes)



FURTHER READING (* Documents containing glossary of terms)

DCLG (2006) *Preparing Design Codes – A practice Manual* *

DCLG (2006) *Design Coding in Practice: An Evaluation* *

DCLG (2006) *Planning Policy Statement 3 (PPS3) Housing*

CABE (2005) *Design Codes, Testing its use in England* *

CABE (2003) *Building Sustainable Communities: The Use of Urban Design Codes*