

**M34. Would policies D1 and D2 provide a justified and effective approach to delivering good design? In particular:**

**a) Would the approach to delivering good design meet the good growth objectives set out in policies GG1, GG2, GG3 and GG4?**

- 34.1 Yes, Policies D1 and D2 are key to delivering Good Growth - growth that is economically and socially inclusive, and environmentally sustainable. The 2012 National Planning Policy Framework (NPPF) explicitly sets out the importance of good design stating, *'good design is a key aspect of sustainable development, is indivisible from good planning...'*<sup>1</sup>.
- 34.2 Policies D1 and D2 embed good design principles from the outset of the design process, ensuring that development is appropriate for its location; that land is used efficiently; that development is of good quality and responds to the existing character of the area; and that these design principles are carried through to the completion of the development. The approach taken to the delivery of good design in these policies is fundamental to the delivery of the Good Growth objectives set out in Policies GG1 – GG4.
- 34.3 Policies D1 and D2 seek to deliver the objectives of GG1 AA, C and F which aim to ensure that changes to the physical environment achieve an overall positive contribution to London, creating safe and welcoming places. Policy D1 will also help to deliver the objectives of GG1 B and GG3 E by supporting the delivery of conveniently-located green and open spaces for social interaction, play, relaxation and physical activity.
- 34.4 The Policies help deliver the objectives of GG2A, B, C and E by setting out how to make the best use of land in a sustainable way that establishes early on in the planning process an understanding of existing places, including what is valued about them, and using this to inform future growth, renewal, and place making.
- 34.5 By linking to the Healthy Streets Approach and explaining how the physical environment can be designed to help Londoners to make healthy choices, the approach taken to good design reflects the objectives of Policy GG3, particularly parts B, C and E, to create a healthy city. The Policies will help create places that encourage active travel, with convenient and inclusive routes for pedestrians and cyclists to services and amenities. The efficient use of land will enable the provision of green and open spaces for play, relaxation and exercise that improve mental and physical health, as well as increasing green infrastructure to provide shade and shelter and help cool the city. By linking to air quality, Policies D1 and D2 show how the objectives of GG3 BA can be met through good design.
- 34.6 Policies D1 and D2 will help deliver GG4 by ensuring boroughs are planning proactively to deliver new homes to meet identified needs, that the homes that are brought forward are of a high standard of design and quality, and that development respects and responds to local character and context (parts C and D). Furthermore, requiring that boroughs consider and address these issues at the beginning of the plan-making process will mean that at the development management stage there will be a solid evidence base in place on which to make decisions. This will streamline the

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<sup>1</sup> NLP/GD/03: DCLG, National Planning Policy Framework (NPPF), 2012, Paragraph 56

development management process and help to ensure that more homes are delivered, in line with Policy GG4 and the NPPF.<sup>2</sup>

34.7 The Policies also help deliver GG6 by supporting circular economy principles and explaining how they should be taken into account at the start of the design process, in order to minimise the use of new materials and reduce waste. Development proposals for referable applications need to demonstrate this in a Circular Economy Statement, as required by Policy SI7.

**b) In light of the requirements of policies D1 and D2 would they be effective in achieving the level of growth envisaged?**

34.8 Yes; not only will the Policies be effective, they will be essential in achieving the level of growth envisaged, as they will allow London to make the best use of land and to ensure that development is sustainable. Policy D1 provides the design principles necessary for creating sustainable, well-designed places that optimise development opportunities through the pursuit of Good Growth<sup>3</sup>; Policy D2 sets out the processes involved in taking a plan-led approach to delivering the growth identified in the draft Plan<sup>4</sup>. This is done firstly by using an understanding of an area’s character and context to identify sustainable options for delivering growth that follow the principles set out in Policy D1, and then ensuring that high-quality design is maintained throughout the development process, through the use of analytical tools, design codes and masterplans, design scrutiny and the clear articulation of the design quality required of approved development. As the Government recognises<sup>5</sup>, good design is key to the public supporting new development, and thus vital for the delivery of the growth envisaged in the draft Plan.

34.9 The Policies require an understanding of an area’s capacity for growth, prior to development being brought forward, through analysis of the existing character and context of an area (Policy D2 A). This process will enable the identification of sustainable opportunities for future growth, taking account of the appropriate location and scale of growth (Policy D2 B&C). This provides an effective approach to delivering the growth envisaged in the draft Plan, allowing for informed consideration of development options that ensure that the most efficient use is made of land and that the most appropriate growth options are planned for. The Policies link directly to the implementation of other policies in the draft Plan, in particular Policies D6 Optimising density, D8 Tall buildings, and H1 Increasing housing supply. For example, the understanding of an area’s capacity for growth established through Policy D2 A-C is needed to determine the optimum density of a site, which locations are suitable for tall buildings, and how to identify and allocate sites to meet boroughs housing targets.

34.10 These policy requirements will ensure that boroughs develop a robust evidence base and an effective plan to assess development decisions against<sup>6</sup>, providing certainty to

<sup>2</sup> MHCLG, NPPF 2018, Paragraph 122

<sup>3</sup> MHCLG, Planning Practice Guidance (PPG), Paragraph: 001 Reference ID: 26-001-20140306 Revision date: 06 03 2014

<sup>4</sup> MHCLG, PPG, Paragraph: 003 Reference ID: 26-003-20140306 Revision date: 06 03 2014

<sup>5</sup> In the Building Better, Building Beautiful commission – Draft Terms of Reference 2018 state that *“The purpose of the ‘Building Better, Building Beautiful Commission’ is to tackle the challenge of poor quality design and build of homes and places, across the country and help ensure as we build for the future, we do so with popular consent”*. <https://www.gov.uk/government/publications/building-better-building-beautiful-commission-draft-terms-of-reference>

<sup>6</sup> NLP/GD/03: DCLG, NPPF 2012, Paragraph 158

the community and developers about the type and scale of development that would be acceptable. This approach will support a more effective development management process and help the best use to be made of all available land.

**c) Would policies D1 and D2 provide an effective framework to protect the distinctiveness of different parts of London, with particular regard to their social, economic, cultural and residential characteristics?**

- 34.11 Yes. The approach set out in Policies D1 and D2 recognises that London is a diverse city and that character varies widely across London, therefore an understanding of the character of a place at the local level is essential to being able to determine how different places may develop in the future (D2 part A). An evaluation of the current characteristics of a place, how its past social, cultural, physical and environmental influences have shaped it and what the potential opportunities are for it to change will help inform an understanding of an area’s capacity for growth.
- 34.12 In response to comments received during consultation, Policy D1 has been amended to include a new paragraph (3.1.2A)<sup>7</sup> that sets out that as well as the distinctive social, economic, cultural and residential characteristics of different parts of the city, change is – and always has been – a fundamental characteristic of London, and that the role of planning should be to establish a place’s sensitivity to change and ensure that those elements that are valued or that positively contribute to a place inform appropriate change.
- 34.13 The Policies require boroughs to take account of the character of different areas at an early stage in the plan-making process, which is the most effective point in the development process to ensure that the valued local character is taken into account and can actively inform new development. This plan-led approach to development is in accordance with national policy<sup>8</sup>.
- 34.14 Policy D2 identifies a number of tools and process that that should be utilised to ensure that development responds to the existing character of a place. These include an initial evaluation that boroughs should undertake when preparing Development Plans and area-based strategies. This evaluation should consider the demographic make-up and socioeconomic data, housing type and tenure, urban form and structure, transport networks, air quality and noise levels, open space, green infrastructure and water bodies, historical evolution and heritage assets, topography and hydrology, land availability, existing and emerging development plan designations and existing and future uses and demand for new development, including housing requirements and social infrastructure.
- 34.15 Other tools include the use of 3D digital models to analyse the impact of development options, and design codes to bring forward appropriately-designed development. 3D modelling can also be an effective tool to assess how a proposed development will relate to the local character and context. The design scrutiny required by the Policy and the London Quality Charter will ensure that there is a consistent approach to design review.

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<sup>7</sup> NLP/CD/09: GLA, Table of Changes – Minor Suggested Changes to the Draft new London Plan, August 2018, MSC.3.13

<sup>8</sup> NLP/GD/03 DCLG, NPPF 2012, Paragraph 17; MHCLG, NPPF 2018, Paragraph 9

34.16 The outcomes of these processes and use of the tools set out in Policy D2 link to other policies in the draft Plan, including D6 Optimising Density and D8 Tall Buildings. The development of a clear understanding of a borough’s character and context and the identification of sustainable options for growth are the basis for establishing what the most appropriate forms of development are for an area in terms of scale, height, density, layout and land uses, which in turn will allow for the most efficient use of land to be made. These processes are therefore an essential part of determining the optimum density of a site and which areas are appropriate for tall buildings.

**d) Would the approach taken to design scrutiny be justified and effective? Would the proposed use of masterplans and design codes, as set out in Policy D2D, help to bring forward development and ensure high quality design? Would the proposed use of design review, as set out in Policy D2F, be justified and effective? In this regard, would the policies deal with strategic planning matters?**

34.17 Design codes ‘simplify the processes associated with new development to give more certainty to all those involved’<sup>9</sup>, and their use by local planning authorities is supported by the 2012 NPPF<sup>10</sup>. Design codes often link to masterplans, and both play an important role in the process of delivering good design, as set out in Policy D2. They should clearly communicate what the most appropriate forms of development are for an area; this can be established through the application of Policy D2 A-B. The proposed use of masterplans and design codes (Policy D2 D) will help move the development process forward from the plan-making stage to the delivery of high quality designed development that optimises the site.

34.18 The approach taken to design scrutiny is justified. Poor-quality design can have long lasting implications for people’s health, well-being and quality of life, and the achievement of Good Growth. For these reasons it is important to ensure that design is considered early in any planning process. The policies provide a consistent approach to ensuring that high-quality design is delivered throughout London.

34.19 The Policy will be effective because it clearly explains the technical information required for boroughs to be able to implement the processes outlined and apply the required design-related tools that are set out in the Policies. It also allows for flexibility at the local level so that local authorities are able to determine how implementation is achieved in practice. For example, design review does not need to be undertaken by external panels; if boroughs follow the processes set out in the Policies, this can be done in-house. In response to comments received during consultation, Policy D2 F has been amended through minor suggested changes to clarify this point.

34.20 The use of design review is justified, being consistent with national planning policy.<sup>11</sup> It will be an effective planning tool, as it will help improve design and ensure that assessment of the design quality of development is carried out consistently, with Policy D2 setting out the process that boroughs across London should take to the implementation and application of design review. The Mayor is also promoting this consistent approach across London’s design review sector, with a particular focus on

<sup>9</sup> MHCLG, PPG, Paragraph: 036 Reference ID: 26-036-20140306 Revision date: 06 03 2014

<sup>10</sup> NLP/GD/03: DCLG, NPPF 2012, Paragraph 59

<sup>11</sup> NLP/GD/03: DCLG, NPPF 2012, Paragraph 62; MHCLG, NPPF 2018, Paragraph 129

transparency of process<sup>12</sup>. The design review requirement only applies to strategic schemes that are referable to the Mayor, although it is encouraged for all development schemes. The purpose of the design review process is not to dictate the design of a scheme, but to guide better design outcomes; in response to consultation comments, this point has been clarified through minor suggested changes to Policy D2 paragraph 3.7.2A.

**e) Bearing in mind the resource implications for boroughs in carrying out Policy D2A1-11, would it be effective?**

- 34.21 The Policy’s plan-led approach is consistent with the 2012 NPPF, which states that the planning system ‘*should be genuinely plan-led*’<sup>13</sup> and should streamline the later stages of the development delivery process to make it more efficient and less resource intensive for all parties<sup>14</sup>. The Policy sets out how these requirements of the 2012 NPPF should be delivered in London, ensuring there is a consistent approach to plan making across London to make the best use of the city’s land.
- 34.22 The evidence base requirements of Policy D2 A are essential for informed plan making. Many boroughs will already have some or all of this evidence in place<sup>15</sup>, and once it is collected most of it will require little updating for future plans.
- 34.23 The Mayor is providing additional resources to support the implementation of this Policy. This includes the Homebuilding Capacity Fund, which will provide up to £10 million of revenue funding for councils. This can be used to fund borough-wide characterisation studies that cover the elements set out in Policy D2 A, or recruiting and training staff to undertake this work, which can then be used to inform local plan growth options and development capacity studies.
- 34.24 Public Practice is a not-for-profit social enterprise established by the Mayor that brokers year-long placements for built environment professionals in local authorities. The bespoke placement programme offers an alternative route for authorities to access high-quality planning and design expertise, which can support the implementation of Policy D2.
- 34.25 Additional supplementary planning guidance (SPG) is currently being developed, which will include guidance on understanding character and context, and housing design guidance. This new SPG will take into account concerns raised by boroughs during consultation about how to achieve the policy requirements by providing guidance on preparing and implementing design codes and how to meet the requirements of Policy D2 part A Initial evaluation, and part B Determining capacity for growth.

**f) How would the policies be monitored, given the nature of many of the requirements?**

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<sup>12</sup> Recommendations that have come out of the Mayor’s Design Advocates Group Shaping London report NLP/DE/004: MDAG, Shaping London, 2016

<sup>13</sup> NLP/GD/03: DCLG, NPPF 2012, Paragraph 17 & 188; MHCLG, NPPF 2018, Paragraph 15

<sup>14</sup> MHCLG, NPPF 2018, Paragraph 39

<sup>15</sup> NLP/DE/005: LUC for Historic England, London Plan Review Project No.3 – Characteristics of London’s Historic Environment, August 2016

- 34.26 The Mayor will monitor the Policies in a number of ways, including through borough local development document review, through Opportunity Area Planning Frameworks (OAPFs), and through his role in assessment of referred applications.
- 34.27 Boroughs' local development documents have to be 'in general conformity' with the London Plan.<sup>16</sup> Whenever a borough updates or brings forward a new local plan, the Mayor assesses it to determine if it is in general conformity with the London Plan. As part of this process the Mayor will assess if the requirements of the London Plan Policies are being met, including how effectively the boroughs are implementing the evidence base requirements and options appraisals required by Policy D2A-C for local plans and area strategies.
- 34.28 The Mayor works closely with the boroughs and other stakeholders to provide support and leadership in preparing and implementing Opportunity Area Planning Frameworks (OAPFs), which serve to help realise the potential of these areas. Through this involvement in OAPFs, the Mayor can monitor how the policies are being applied to the planning and delivery of development in these areas.
- 34.29 The Mayor is consulted on all planning applications that are of potential strategic importance (PSI) to London, commonly known as 'referred' applications. Through this process the Mayor can monitor how effectively the design scrutiny and quality requirements of Policy D2E-H are being met in these developments and ensure that development proposals are delivering the requirements of Policy D1.

**g) Overall, would the policies provide an effective and justified strategic framework for the preparation of local plans and neighbourhood plans and development management in relation to this matter?**

- 34.30 Yes, Policies D1 and D2 provide a clear, effective framework for preparing local and neighbourhood plans and for development management. In accordance with the 2012 NPPF paragraph 58, Policy D1 sets the required quality of places that development in London should meet, and Policy D2 provides a series of processes that should be followed to ensure that this design quality is delivered. The Policies help guide the planning process by ensuring that there is a robust, evidence-based plan in place to assess development proposals, as well as articulating the importance of design scrutiny during the development management process.
- 34.31 Policies D1 and D2 together provide the strategic framework for boroughs to use as a starting point to address detailed design-related matters that would be more appropriately dealt with through local policies and neighbourhood plans or other local policies.<sup>17</sup> This framework establishes a consistent approach to the consideration of the strategic design priorities of London, and of what the most appropriate form of development for a particular location is, in the development of local and neighbourhood plans, as well as through the development management process. The policies achieve a balance between supporting a consistent approach to ensuring that good design is delivered, and recognising that the detailed understanding required to deliver the requirements of the policy sit at the local level.

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<sup>16</sup> Planning and Compulsory Purchase Act 2004, Section 24(1)(b)

<sup>17</sup> MHCLG, NPPF 2018, Paragraph 21