



Historic England

## **National Planning Policy Framework and National Model Design Code Historic England Consultation Response**

Historic England is the Government’s statutory adviser on all matters relating to the historic environment in England. We are a non-departmental public body established under the National Heritage Act 1983 and sponsored by the Department for Digital, Culture, Media and Sport (DCMS). We champion and protect England’s historic places, providing expert advice to local planning authorities, developers, owners and communities to help ensure our historic environment is properly understood, enjoyed and cared for.

We welcome the opportunity to submit a response to the *National Planning Policy Framework and National Model Design Code: consultation proposals*.

### **Key Points**

- Historic England welcomes the strengthening of environmental policies and commitment to pursue UN Sustainable Development Goals in Chapter 2.
- The proposed changes in respect of Article 4 Directions in Chapter 4 are of some concern. The combined effect of the amendments alongside expanded permitted development rights is to risk negative and disproportionate impacts on heritage. Historic England would welcome the retention of local amenity, flexibility over the spatial scale, and continued rigour when making Article 4 Directions.
- In the *Promotion of Healthy and Safe Communities* (Chapter 8), Historic England would support the use of, and investment in, open spaces which emphasise local context, accessibility to all and sustainability.
- The addition of “*beautiful and sustainable*” in Chapter 12, and the emphasis on good design and the benefits this brings to the historic environment are positive. Clear policy direction specifying the use of local design policies within plans accompanied by design guides and codes prepared by applicants or within supplementary planning documents would be supported.
- Historic England welcomes the actions to address climate change specified in Chapter 14. It is important that policies consider sustainability over the long-term by recognising the benefits of sympathetic retrofit/restoration/repair/retention of historic buildings, and the role they have to play in the circular economy. Historic England has very recently published data on [Reducing Carbon Emissions in Traditional Homes](#) that may be helpful.
- Consistency in terminology between the National Planning Policy Framework (NPPF) and the National Model Design Code (NMDC) is supported to ensure clarity. The definition of “*beauty*” in the NPPF Glossary would also be of benefit.

## Detailed Response

### National Planning Policy Framework

- Historic England has the following general comments in relation to the proposed amendments in the NPPF:
  - The terms used to refer to aspects of the design toolkit appear to be regarded as interchangeable within the NPPF but have different meanings in practice. A clear definition and relationship between local design policies, masterplans, design guides and design codes and the requirement to align these with the National Design Guide (NDG) and NMDC would provide useful clarity.
  - The absence of changes to Chapter 6 *Building A Strong, Competitive Economy*, Chapter 7 *Ensuring the Vitality Of Town Centres* and Chapter 10 *Supporting High Quality Communications* is noted. Design and the notion of beauty and sustainability is relevant to policies within these chapters. Changes to ensure these chapters align with all aspects of the NPPF would be supported.

### **Chapter 2 Achieving Sustainable Development**

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

- Historic England welcomes the strengthening of environmental policies in the NPPF including the fact that Government prioritisation of sustainable development and the response to climate change remains central to national planning policy. Historic England shares these priorities as cultural heritage, which encompasses the historic environment, forms an important part of the response to climate change adaptation and mitigation and the promotion of sustainable development. Understanding and responding to the historic environment can guide sustainable decisions and nature-based solutions to shape places of the future, and also promote cohesive communities.

#### Paragraph 7:

- The NPPF reflects the commitment to pursue the 17 Global Goals for Sustainable Development (SDGs) in the period to 2030. Paragraph 8 goes on to helpfully translate the 17 SDGs into a single, workable concept that can be applied within the planning system. However, the link between paragraph 7 and 8 could be more pronounced to effectively show that the 17 SDGs are integrated into the NPPF via the objectives provided by paragraph 8. This would provide clarity on how the SDGs relate to the achievement of sustainable development within the planning system.

#### Paragraph 8:

- Clarification on the definition of 'places' in paragraph 8b) would be welcomed to take account of the existing building environment. Adding places and place-shaping in the Glossary in Annex 2 would provide this clarity.

- The changes in paragraph 8c) are supported.

#### Paragraph 11:

- The emphasis on sustainable development is positive, however, clause a) could be further enhanced as follows:
  - Use of “*sustainable development*” rather than “*a sustainable pattern of development*” to ensure consistency with national policy and guidance, as well as clarify for readers.
  - Reference to “*development and infrastructure*” as opposed to “*growth*” as these terms are better aligned for plan-led delivery of growth.
  - Inclusion of a definition for “*infrastructure*” in the Glossary to clarify the term incorporates physical, social, green and digital infrastructure as per the Planning Practice Guidance (PPG).
  - It is unclear why “the effective use of land” has been coupled as a subsidiary point with climate change mitigation and adaptation. The relationship between climate change mitigation and effective use of land is not established elsewhere in the NPPF. Removing the word “urban” may also be helpful so it is clear that the requirements apply to both urban and rural land. Amending the wording would add clarity, for example: *all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects, and make effective use of land.*
  - The wording “*improve the environment*” could be amended to “*conserve or enhance the environment*” as it is unclear how “*improve*” is defined and what policy outcome is sought. It is vital that environmental impacts and enhancement opportunities are properly considered when planning for sustainable development, and this includes the historic environment as well as the natural environment.
  - Flexibility in relation to planning for sustainable development through retention of “*to be sufficiently flexible to adapt to rapid change*”, as this directs planning to consider and be responsive to future change.

### **Chapter 3 Plan-making**

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

#### Paragraph 20:

- Historic England supports the replacement of “*development*” with “*place*” as this allows for the consideration of existing places and recognition of the important relationship between the old and new.
- The amendment to “*design quality*” in paragraph 20 changes the emphasis of this policy. Firstly, quality considerations extend beyond design and it is important that this broader interpretation is retained, particularly as the quality of place is inherent

within the historic environment. Possible alternative wording could be: “*Strategic policies should set an overall strategy for the pattern, scale, quality, and design expectations of places ...*”

## Chapter 4 Decision-Making

### 3. Do you agree with the changes proposed in Chapter 4?

#### Footnote 23:

- Reference to the original 2012 NPPF is queried. In most cases transition to new local plans is complete and the previous NPPF (2019) is the most relevant.

#### Paragraph 53:

- Article 4 Directions are a long-standing feature of the planning system having been introduced in the *Town and Country Planning (General Development) (England) Order 1948*. The use of Article 4 Directions is well established and the bar for their implementation is set high. Presently, it takes a local authority at least a year to bring in an Article 4 direction, as each one needs to go through a long consultation period; clear identification of the potential harm the direction is intended to address needs to be given; and they need to be supported by evidence. Existing guidance (PPG 037 and 038), and Historic England advice ([Historic England Advice Note 1 \(Second Edition\) Conservation Area Appraisal, Designation and Management](#)) reinforces the need for rigour when considering whether Article 4 Directions are appropriate.
- Article 4 Directions are a valuable tool for local authorities and their use does not preclude planning applications coming forward for residential uses in these locations, thereby allowing assessment of potential impacts – including those upon the historic environment. Article 4 Directions increase the public protection of designated and non-designated heritage assets and their settings, such as conservation areas.
- Whilst supportive of the Government’s housing delivery agenda and streamlining of the planning system, Historic England has the following concerns about the anticipated impact of the proposed changes:
  - The changes proposed in paragraph 53 will curtail the ability of local authorities to apply Article 4 Directions. Alongside expanded permitted development rights, the proposals risk negative and disproportionate impacts upon heritage. This is contrary to the wider heritage and design objectives in the NPPF, as well as having the potential to undermine the aspirations of the BBBB Commission’s “Living with Beauty” report.
  - Historic England would welcome revised policy text which retains the well-established emphasis on local amenity. An alternative suggestion is: “*Where it is essential to protect local amenity or the well-being of the area.*”
  - The use of Article 4 Directions to protect an “*interest of national significance*” counters the current notion of their application for locally important interests. Therefore, the retention of a local focus is supported.

- Notwithstanding the point above, if the option for “*protection of an interest of national significance*” is taken forward it would need to be defined in the Glossary.
- The limitation of Article 4 Directions “...*to the smallest geographical area possible*” presents challenges in terms of the nature of development and the spatial extent of areas which may share characteristics such as conservation areas. The PPG already seeks strong justification when making Article 4 Directions over a large area. If this aspect of the policy is retained, the following amendment: “*Give consideration to limiting use to the smallest geographical area*” would be welcomed.

## Chapter 5 Delivering A Wide Choice Of High Quality Homes

### 4. Do you agree with the changes proposed in Chapter 5?

- Historic England considers there is the opportunity to extend policy in Chapter 5 to address points on climate change: emphasising the sympathetic re-use and retrofit of buildings for residential use by applying a whole building approach, rather than focusing on provision through new build development, and considering approaches for sustainable construction to deliver high quality homes. Historic England’s recently published data on [Reducing Carbon Emissions in Traditional Homes](#) provides more detail.

#### Paragraph 73:

- The definition of beauty is omitted from the NPPF Glossary and the NDG. The inclusion of a definition would assist with the interpretation and application of the policy in paragraph 75 and other policies within the NPPF which make reference to beauty or beautiful places.
- Historic England would encourage the reference to design tools such as “*masterplans and design codes*” in clause c) to be framed within local plan making and used to inform decision making on applications in order to “*secure a variety of well-designed and beautiful homes...*”.
- The emphasis on master planning for large scale development in clause c) is supported. It is important to ensure analysis relating to local context, setting, character and identity for the historic environment are included within master plans for large scale development.

## Chapter 8 Promoting Healthy And Safe Communities

### 5. Do you agree with the changes proposed in Chapter 8?

#### Paragraph 92:

- It would be useful for the NDG and NMDC to be referenced in clause b) to clarify the notion of “*attractive*” pedestrian and cycle routes and how this differs from the term “*beautiful*” used elsewhere in the NPPF.

#### Paragraph 97:

- The policy focuses on opportunities for new provision rather than the re-use and enhancement of under-utilised green spaces. For example, provision from historic parks and gardens can offer important green spaces for the health and well-being of communities. Enhancement, management and maintenance of existing green spaces can provide a more accessible network within the built environment rather than seeking new provision which may be less accessible.
- Historic England would encourage the use of, and investment in, open spaces which emphasise local context, accessibility to all, and sustainability.

## Chapter 9 Sustainable Transport

### 6. Do you agree with the changes proposed in Chapter 9?

#### Paragraph 105:

- It would be useful for the NDG and NMDC to be referenced in clause d) to clarify the notion of “*well-designed*” pedestrian and cycle routes and how this differs from the term “*attractive*” used in paragraph 92.

#### Paragraph 109:

- Inclusion of reference to the Manual for Streets is important due to the relevance of this guidance in relation to the design of streets and parking areas. Any related changes to practice guidance may also usefully cross-refer to Historic England’s [Streets For All](#) publication.
- The level of detail required in relation to clause c) may not be available at the site assessment stage prior to allocation. It may be appropriate to include a footnote to confirm this level of detail would be included in a masterplan supporting the proposed allocation.
- The paragraph could also make reference to the design and standards reflecting local design policies and codes along with national guidance.

## Chapter 11 Making Effective Use Of Land

### 7. Do you agree with the changes proposed in Chapter 11?

#### Paragraph 124:

- The policy could be enhanced to specify how the ‘*tools*’ can also be used to inform the density of development.
- Rather than using area-based assessments, reference to assessments being undertaken at the appropriate geographical scale would be supported. This aligns with the approach in the NMDC and addresses nuances within the historic environment relating to local character and distinctiveness.
- The use of “*area-based character assessments*” does not appear to align with the terminology of the NMDC which refers to “*area types*” and “*character studies*” within its Glossary. Consistency in terminology between the NPPF and the NMDC is encouraged to ensure clarity: this could be reinforced through inclusion of these terms in the NPPF Glossary.
- The terms *character assessments*, *design codes* and *masterplans* appear to be used interchangeably within the NPPF, but each “*tool*” actually has a specific purpose and function within the design process. In this policy it would be preferable to make a direct reference to the design toolkit as specified in the NDG and NMDC.

## Chapter 12 Achieving Well-Designed Places

### 8. Do you agree with the changes proposed in Chapter 12?

#### Paragraphs 125 and 126:

- Historic England supports the addition of “*beautiful and sustainable*” to paragraph 125. A definition of beauty is however absent from the NPPF, NDG and NMDC. It is presumed the definition would be based on the Building Better, Building Beautiful Commission *Ask for Beauty* in the *Living with Beauty Report (January 2020)*. Addition of the term to the NPPF Glossary would be a welcome clarification.
- The commitment for neighbourhood planning groups to engage in the local authority design process in paragraph 126 is also welcomed although clarification would be useful regarding how these groups differ from the neighbourhood planning forums which have to be formally designated and set up to prepare a neighbourhood plan.
- It would be useful for the accompanying PPG to clarify the relationship between design policies and guides associated with neighbourhood plans and those prepared by local authorities.

#### Paragraph 127:

- The emphasis on good design – and the benefit this brings to the historic environment – is welcomed. The following minor amendments to the policy in paragraph 27 would support the successful implementation of this policy:

- As noted above, the use of the terms character assessments, design codes and masterplans seem to be interchangeable within various sections of the NPPF and would benefit from greater consistency. We suggest reference is made to “*local design guides and codes*” in paragraph 127. It would be useful to have a clear understanding of the relationship between these various tools which form the design toolkit, either through additional terminology in the NPPF Glossary or direct reference to the definitions in the NDG.
- A proportionate and tailored approach to the preparation of design guides or codes is supported.
- Variation in design is an important aspect of place-shaping, however reference to “*a suitable degree*” means the extent of this variation is subjective. Historic England’s preference would be to allow variety where this is justified. Variation would then be subject to the parameters in paragraph 130b) and take account of the context and identity of places, as specified in the NDG and NMDC.
- The amended policy provides clear direction that all local authorities should prepare design codes or guides. This expectation has implications for local authority resources and further detail would be welcomed on:
  - The status of existing masterplans, design guides and codes prepared prior to the introduction of the NDG and NMDC.
  - Details of transition arrangements to allow for suitable resourcing, and the up-skilling of local authority officers.

Paragraph 128:

- The scale at which design codes would be applied is crucial to their success. A district-wide design code prepared in isolation may be insufficient to reflect the variety of locally distinct areas and settlements within it, unless such a document is supported by further codes for locally distinctive areas. An amendment to the policy text to replace “*or*” is proposed: “*Design guides or codes can be prepared at an area wide and site-specific scale.*”
- The proposition that design guides and codes “*should be produced either as part of a plan or as supplementary planning documents*” in order to carry weight in decision-making could result in inconsistency due to the different status of a plan compared to a supplementary planning document.
- Clear policy direction specifying the use of local design policies within plans (in line with NPPF paragraph 133), with accompanying design tools (such as guides and codes) being prepared by applicants or within supplementary planning documents would be supported. This establishes a clear decision-making framework for design policy, guidance and codes.

Paragraph 130:

- The positive impact tree planting has on air quality and in relation to local amenity and street scenes is welcomed. It would be helpful for related guidance to clarify how the historic environment is taken into account regarding the following matters:
  - Cases where street trees would be excluded in relation to “*clear, justifiable and compelling reasons*”.



- Considerations regarding tree species and siting in relation to historic setting and views, the structural stability of designated and non-designated heritage assets, and archaeology below ground.
- The reference to working with tree officers is supported as it is important to consider the siting and species of trees, taking account of the historic environment. Extending the consultation to Conservation Officers would also be appropriate for proposals relating to the historic environment.

Paragraph 133:

- The addition of “*well-designed*” to the NPPF Glossary would be welcomed, aligned to the NDG definition, as this would provide clarity on the basis for refusing “*development that is not well designed*” and simplify the decision-making process. An alternative approach would be to specify refusal based on the failure to reflect local design policies and Government guidance on design, taking account of local design guidance and supplementary planning documents.
- Paragraphs 133b) and 127 specify parameters which could be subject to wide interpretation and may not result in such high standards of design. Giving significant weight to “*help raise the standard of design more generally in an area*” (paragraph 133b) and “*allowing a suitable degree of variety*” (paragraph 127) sets out a degree of flexibility which appears to counter the design provisions elsewhere in the NPPF.
- Historic England understands the importance of diversity in the design and use of places (see the comments on paragraph 127, above). An alternative approach for paragraph 133b) would be to make direct reference to the NDG to provide clear direction on innovation and outstanding design. For example, paragraph 44 states: “*well-designed places do not need to copy their surroundings in every way. It is appropriate...to include innovation or change*” and paragraph 47 states: “*Sensitive re-use or adaptation adds to the richness and variety of a scheme...It helps to integrate heritage into proposals in an environmentally sustainable way.*”.
- Reflecting on changes to the General Permitted Development Order, the extension of permitted development rights and change of use also counter the notion of compliance with beautiful design as set out in the NPPF Chapter 12. Such permissions result in the risk of places in the future having poor-quality design.

<b>Chapter 13 Protecting The Green Belt</b>
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**9. Do you agree with the changes proposed in Chapter 13?**

Paragraph 149:

- The amendment to paragraph 149f) is supported as long as any proposals brought forward under a Community Right to Build Order or Neighbourhood Development Order do not conflict with the purposes of the Green Belt including “*to preserve the setting and special character of historic towns.*”

## Chapter 14 Meeting The Challenge Of Climate Change, Flooding and Coastal Change

### 10. Do you agree with the changes proposed in Chapter 14?

- The consultation document emphasises the strengthening of environmental policies with the updated NPPF. Historic England supports actions to address climate change. It is important that policies consider sustainability over the long-term by recognising the benefits of sympathetic retrofit/restoration/repair/retention of historic buildings, and the role they have to play in the circular economy.
- We are keen to work with sector stakeholders to illustrate how conservation is part of addressing climate change, and, with this in mind, would welcome the opportunity to discuss further potential changes to Chapter 14, in support of earlier high-level policy references to climate change and mitigation and adaptation (specifically in relation to appropriate adaptations and energy efficiency measures).

#### Paragraph 160:

- The inclusion of all sources of flood risk is supported so that the response to flood risk management is not based on a narrow definition. The emphasis on natural flood management techniques in paragraph 160c) is also welcomed and can be further supported by traditional land management techniques and skills developed through the management of historic natural landscapes.
- The inclusion of the Flood Risk Vulnerability Classification to Annex 3 of the NPPF is supported as this integrates the classification with the planning for flood risk process and elevates its importance.

## Chapter 15 Conserving And Enhancing The Natural Environment

### 11. Do you agree with the changes proposed in Chapter 15?

- Historic England's response to the Glover Review [Landscapes Review: National Parks and AONBs](#) (September 2019) welcomed and encouraged further exploration of how enhancement would be pursued and what this would mean in relation to the historic environment. Reflection of the Glover Review's recommendations in the NPPF would be welcomed.

#### Paragraph 175:

- Further clarification is needed regarding the acceptability of development within designated landscapes:
  - Whilst the NPPF is to be read and considered in its entirety, adding a cross reference to Chapter 12 would clarify overall policy on design matters.
  - The design of development should take account of context and identity in relation to the historic environment to inform the avoidance of adverse impacts within National Parks, the Broads and AONBs.
  - Changes to PPG would be welcomed, to clarify the factors which would determine sensitive locations, in order to avoid impact on landscape characteristics and qualities contributing to the designation.

- Paragraph 175 refers to the “...*conservation and enhancement of wildlife and cultural heritage*...” The use of the term “*historic environment*” in place of “*cultural heritage*” would be supported. It is a fundamental component of landscape and scenic beauty and encompasses wider considerations regarding landscape character and identity, and is consistent with the NPPF, especially Chapter 16.

Paragraph 176:

- Further clarification is needed on the definition of major development in respect of National Park and AONB policy (footnote 59).

Paragraph 179:

- The integration of biodiversity improvements into design and the enhancement of public access to nature in paragraph 179d) is positive. The policy could be enhanced by ensuring design considers the siting and setting of biodiversity improvements in relation to the historic environment and potential impact. For example, within a scheduled area, where archaeology may be present, or within the setting of a designated heritage asset.

<b>Chapter 16 Conserving And Enhancing The Historic Environment</b>
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**12. Do you agree with the changes proposed in Chapter 16?**

Paragraph 197:

- Overall, the inclusion of a policy for historic statues, plaques and memorials, and its location within the chapter after paragraph 196 (previously paragraph 192), is supported.
- Notwithstanding the need for the NPPF to be read in its entirety, a further amendment to the text might help to clarify the way in which significance is still to be considered in these cases, alongside the new policy requirement: “...*local planning authorities should also have regard to the importance of retaining these heritage assets...*”.
- At such time as the PPG is updated to reflect the revised NPPF, we would suggest that the following points of clarification are addressed:
  - Emphasis that the new policy relates to designated and non-designated heritage assets.
  - A reminder that, in addition to the new policy, the existing NPPF Chapter 16 policies relating to designated and non-designated heritage assets also apply.
  - Definitions for statues, plaques and memorials.
  - Confirmation of the need for planning permission, and the associated process.
  - Confirmation of the new notification requirements proposed in the Written Ministerial Statement.
  - Explanation of the ‘historic and social context’.
  - Signposting (including providing a link to the Historic England LPA checklist for dealing with contested heritage).

#### Paragraph 193:

- In line with previous responses to consultations on the NPPF, Historic England (endorsed by the sector) strongly encourages the following amendment to paragraph 193 (previously 189) to reflect good practice, address a number of concerns about the implementation of policy, and the burden on both local planning authorities and applicants:
  - *“Before considering change to heritage assets or developing proposals, applicants should first analyse their significance. In determining applications, local planning authorities should require an applicant to provide an analysis of describe the significance of any heritage assets affected, including any contribution made by their setting, and the potential impact of the proposal on their significance. The level of detail in this analysis should be proportionate to the assets’ importance and no more than is sufficient to understand significance and impact the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consultation and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”*

### **Chapter 17 Facilitating The Sustainable Use Of Minerals**

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

##### Paragraph 210:

- The amendment to paragraph 210f), including the removal of ‘small scale’ from this clause, is supported.
- Historic England requests a further amendment to clause f) as follows: *“needed for the conservation of heritage assets, particularly where there are no other sources that are a close match in all respects, taking account of the need to protect designated sites”*. Should it be considered helpful, Historic England would be happy to offer its support in drafting guidance to provide clarification on stone matching to take account of colour, mineralogy and physical properties.
- There is an opportunity to strengthen policy in relation to design and material use in Chapter 17 with the inclusion of a new clause in paragraph 210: *“h) recognise the positive contribution of building and roofing stone to the character of place.”* This emphasises the important contribution made by building stone to beautiful and sustainable places.

### **Annex 2 Glossary**

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

A number of amendments to the glossary are suggested. In most instances these are mentioned in the text above, and are repeated here for ease of reference.

- Defining places and place shaping will assist in the application of policy in paragraph 8.
- Adding infrastructure to the Glossary would be beneficial to ensure consistency and clarity, as the term has been incorporated within the description of “a *sustainable pattern of development*” in Chapter 2, paragraph 11.
- If the policy option is progressed, the inclusion of “*national significance*” would aid understanding regarding the application of Article 4 directions in paragraph 53.
- Defining “*beauty*” would be welcomed, as it is a key change in the NPPF consultation document (see paragraphs 75 and 125).
- If the suggestion for “*area types*” and “*character studies*” in paragraph 24 is applied then definition of these terms, consistent with the NDG and NMDC, would be supported.
- Design Toolkit (paragraph 127):
  - It would be useful to amend the definition of “*design code*” to make it clear whether it is the NMDC or a local design code.
  - Including the definition for “*design guide*” in the Glossary would aid understanding when considering design policies and reference to design guides and / or design codes in the NPPF.
- The term “well-designed” as defined in the NDG would provide clarification in various paragraphs in the NPPF including the grounds for refusal of a planning application (paragraph 133).
- There is the opportunity to extend the amended definition for green infrastructure to include reference to the historic environment to maintain the link between nature, heritage and cultural values: “**Green infrastructure**: A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, heritage, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity”.

### **National Model Design Code**

**15. 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.**

a) *The content of the guidance*

- Historic England looks forward to working with MHCLG, and others, in implementing an approach to place-shaping that puts design quality at its core, and which understands the importance of understanding a place when change is proposed.

- The published draft reflects well the important role that heritage plays in the success of places and why it is so important that places are shaped, and new development designed, in ways that enhances the local historic character that has the potential to contribute so much. It rightly highlights the important first stage of understanding a place and its character before the development of proposals for changing it.
- Welcome as the references to heritage are, however, there remains scope to make further improvements and suggestions to support that are outlined below.
- The vital first stage (understanding a place) could be simplified to make the drafting of any design code a more streamlined process. Currently the Glossary includes the following: Character Study; Context Study; Historic Study; and Site Study. Each of those studies is designed to better understand the place so as to better inform change. Quite rightly, the National Model Design Code (NMDC) stresses the importance of understanding as a precursor to change, but there is scope to rationalise this process so as not to place an excessive burden on local authorities and communities. Whilst there are a number of elements involved in the understanding of a place, they are all inextricably linked and so there is clear logic in their understanding being covered in a single document. We therefore propose that Historic England, working with MHCLG and partners, develops a process by which a single study could be undertaken that reflects each of the different elements covered by these different studies. This would build on both Historic England's recent work on Design Codes in historic areas (shared with MHCLG and soon to be made available on Historic England's website), and existing work on developing both [character studies](#) and [Historic Area Assessments](#).
- There is some confusion as to the meaning of "character" and its relationship to "area types". The draft states that "area types" can be "identified through character studies". Yet the example types are all defined as much by their function as by their character. It would help with clarity if issues relating to function and character (which, though related, are separate) are more clearly delineated and for the NMDC to explicitly state that areas types and character areas are not the same thing.
- Page 16, **Public Space** – there is more to public space than just streets and character is not simply impacted by the area type (see comment above). This reference needs to be broadened to reflect the full breadth of the public realm. Perhaps: "*The character of each **public space** will vary by area type **and will be impacted by the character of the wider area***".
- Page 22, paragraph 53 – the identity of an area does not just come from "*the design of its buildings*", it also comes from both the wider public realm and from the relationship between people and the place. In addition, guidance on identity will not only *vary considerably by area type*. It can also vary considerably within area types (see comment above). Perhaps: "*53. The identity of an area comes not just from its built form and public spaces but from the design of its buildings **as well**. This is not about architectural style, but about key principles of building design. All new buildings should relate to the ~~architectural~~ character and materials of the surrounding area. In local design codes guidance on identity will vary considerably **from area to area**, informed by the worksheet at the*

*appendix of the guidance notes, and may include guidance on the following components.”*

- Page 23, **Detailing** – guidance on materials should not be restricted to just their quality, but also include their suitability, sustainability and their potential impact on local character. There are a variety of different publications that could be referenced in support of this point. The topics covered include: [traditional building materials](#); the [Strategic Stone Study](#); [stone slate roofing](#); and [traditional thatch](#).
- Page 25, **Streets** – *New development should **positively** contribute to the character of the street on which it is located.* All new development will contribute to local character, but it is important to ensure that this contribution is positive. In support of this point, Historic England’s [Streets For All](#) could be referenced here.
- Page 28, paragraph 57 – the word *history* in this paragraph is unnecessary.
- Page 33, paragraph 66 – it would improve the draft if the fact that adaptation and re-use is inherently more sustainable than demolition and rebuilding was made. Perhaps: “**Adapting and reusing is inherently more sustainable than demolition and rebuilding. Therefore, standards relating to sustainability are important and can be incorporated into codes or covered in other policy, and the detail design of inter-related requirements resolved at project level**”
- Glossary – Character Studies should not just be applied at the spatial level of area type. Some area types (e.g. villages) may contain more than one character type and so more than one character study may be necessary.
- What is meant by the term “Heritage areas” (under Coding plan)? This is not a term currently in common use and it would aid clarity if this could build on existing terminology.

*b) the application and use of the guidance*

- The need for local capacity to properly implement a design code-based system remains a key concern. Historic England is in the process of developing its own programme of training to support the development of design codes that fully understand local heritage and reflects its importance in successful places in their treatment. There is an opportunity for different relevant sector partners to work in partnership with both MHCLG in the development and delivery of this capacity building activity. Given the broad scope of design codes, and the variety of topics on which support may be useful (heritage, natural environment, community engagement, etc) any capacity building will benefit from a co-ordinated approach so as to avoid a flood of advice and guidance. Structured support, both in terms of guidance and in terms of training, will help make the most of available capacity.
- Further information is required on both
  - The period of implementation (stretched local authorities will require time, as well as support, to prepare acceptable codes); and
  - The NMDC’s relationship with existing guidance on the issues it covers.

*c) the approach to community engagement*

- It will be important for key sector partners to work with the Office of Place in the development of successful processes that support meaningful community engagement. It will also be important that adequate assessments are made of levels of engagement so levels of success can be understood and lessons learnt.

*Historic England  
March 2021*