

Housing & Land Delivery Board

Date	21 February 2019
Report title	Regional Design Charter: Options and Next Steps
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Report has been considered by	This report was considered by the Housing & Land Delivery Steering Group on 1 February 2019, its contents agreed, subject to amendments, and approved for submission to this Board. The report has been amended in light of feedback from Delivery Steering Group.

Recommendation(s) for action or decision:

The Housing & Land Delivery Board is asked to:

- 1) Consider the purpose, proposed elements and application of a Regional Design Charter following the commitment in the Housing Deal, and at the meeting of the Housing & Land Delivery Board in December 2018, for WMCA to develop and implement a new Regional Design Charter in 2019 and thereby continue to improve design quality and placemaking across the West Midlands.
- 2) Note that this paper has been considered, and the broad contents endorsed, for submission to the Housing & Land Delivery Board by the Housing & Land Delivery Steering Group.

1.0 Purpose

- 1.1 The purpose of this paper is to provide context for the preparation of a Regional Design Charter and some initial thoughts on its purpose and application. The principle of securing improved design quality is a key part of WMCA's role in housing delivery, inclusive growth and place-making and the preparation of a Regional Design Charter was agreed as a key deliverable for 2019 by the Housing & Land Delivery Board at its meeting in December 2018.

2.0 The role of a Regional Design Charter

- 2.1 Establishing new quality and design benchmarks to enable a step change in the pace, quantum and quality of housing and employment development in the region are recognised as being essential to economic growth and regeneration. More generally, research shows that good place-making can have significant beneficial impacts and quality design can support bids for national funding in terms of Benefit Cost Ratio (BCR) compliance.
- 2.2 The proposed charter is intended to support and fit with more detailed design documents which have been, or will be, prepared by local planning authorities: it is neither a 'guide' nor 'plan', but a clear statement of WMCA's commitment to raising design quality on all development sites across the region and, in particular, on sites in which it has an interest e.g. as a landowner or investor.
- 2.3 Unprecedented levels of investment and development over the next decade will shape the future of this region. With this comes a real opportunity to pitch the West Midlands as '*best in class*' for place-making and design quality, showcasing genuine investment opportunities to new providers and developers, particularly on brownfield sites, corridors and town centres where a quality agenda has the potential to make a transformational impact.
- 2.4 The West Midlands needs to rise to this challenge: making quality places as the default will be essential as we look to compete on the global stage. Retaining and attracting a diverse, skilled workforce, competing for foreign real estate investment, guaranteeing economic growth for this region and making better the lives of our citizens all depend on our ability to measure up with those international pioneers who have historically embraced exceptional design.
- 2.5 Members have already committed to setting new quality benchmarks for the region, and this is an ambition shared not only by WMCA and the West Midlands authorities: the Ministry of Housing & Local Government (MHCLG) is already demanding a step-change in the standard of what we build through the revised National Planning Policy Framework, which places new emphasis on 'good design'; Homes England has

prioritised the adoption of the well-known '*Building for Life*' standards and the use of design quality assessments in their most recent strategic plan. Private sector partners whose commitment to the region is pivotal to our success are also identifying 'quality' as a criterion for investment.

- 2.6 There is clear, and essential, value to building better. Through the Housing Deal (March 2018), WMCA and local authorities have committed to planning and delivering 215,000 new homes by 2031; improving the quality of new development will be fundamental to meeting this ambitious target and leaving a positive legacy. Research by Savills identified the value of place-making in achieving higher sales rates and sales values, with additional early spend on place-making raising sales value by up to 20% and land values by up to 25%. Any investment in quality is therefore linked to the amount of investment available for recycling. This is important because the continuation of WMCA's housing and regeneration programme is dependent on the ability to re-invest enhanced values, narrow the viability gap on future schemes and support new infrastructure and economic growth.
- 2.7 The design agenda is echoed in existing and emerging national policy. The National Planning Policy Framework sets out standards to ensure that developments create a strong sense of place and function well. The Social Housing Green Paper highlighted the importance of good place-making to overall wellbeing and quality of life, and how poor design can exacerbate feelings of isolation and neglect. There is growing recognition of the contribution which excellent place-making plays in achieving inclusive growth. So the message from WMCA is intended to be clear: in securing future funding for this region, the quality of what is built will be as crucial as the pace at which it is built.
- 2.8 Importantly, we must also ensure that our residents are able to live in places that support their health and wellbeing, and allow them to access the amenities, skills and jobs they need to lead fulfilling lives. Good place-making can support active lifestyles, community engagement and encourage more sustainable travel choices. It considers the safety and security of residents in the way streets and homes are planned and how old and new development can contribute to community cohesion. It supports WMCA's commitment to making the West Midlands a '*happier, healthier, better connected and more prosperous*' region for all of our residents and reflect policies in development plan documents. Good place-making puts people first and for this reason we must see quality as a priority.
- 3.0 Preparing a Regional Design Charter**
- 3.1 In WMCA, we have already committed to improved design, new sustainability standards and better place-making in our wider policy documents. Specific reference to the importance of high quality design can be found in:

- The Strategic Economic Plan which details a new approach to planning and urban design that will improve the ‘environment and quality of life for everyone who lives and works in the West Midlands’.
- The report of the Land Commission which notes the importance of providing high quality homes to attracting and retaining skilled workers.
- The 2017/18 Corporate Plan which states WMCA’s commitment to raising the ‘*quality and standard of housebuilding in the West Midlands*’, and
- The emerging Local Industrial Strategy which states how we can deliver on this, specifically referencing a ‘*West Midlands wide design standard*’.

3.2 The tools available to secure improved design come in a variety of forms and can be used by both public and private sectors. Many local authorities have published design documents as part of their plan-making processes. Most reflect a hierarchy ranging from the very general (setting out overarching principles) to the very detailed (specifying space standards and architectural details). WMCA recognises the crucial role Local Authorities play in promoting good design through their plan-making and development management functions.

3.3 As an organisation with a clear investment and delivery role, it will be important to impress upon potential investors and developers the need to consider good design from the outset and provide a clear statement of our expectations. The proposed Charter would provide the region with a cohesive ask for better quality benchmarks and, with support from Local Authorities and WMCA partners, articulate just what ‘quality’ means in this region.

3.4 In Appendix 1, we review a range of typical design documents that have been used elsewhere and an understanding of these helps us define the space which any document produced by WMCA might fill. The terminology is not clearly defined and there is significant overlap between the various documents but the general principles (and the roles which different documents fulfil) appear to be:

- **Design Codes:** Prescriptive, precise and detailed guidance, often featuring mandatory elements. May consider detail down to architectural features.
- **Design Frameworks:** As above, but most often applied to areas undergoing change or where regeneration is required. Often features ‘codes’ for each phase of development.
- **Design Guides:** Provides advice on how to achieve exemplar development in line with planning requirements. Detailed but not mandatory, though may be certificated.
- **Design Charters:** A series of principles to promote exemplar design with less detail on the route to achieving this. Shorter than other documents and often used as a ‘pledge’.

- 3.5 The Housing & Land Delivery Board has committed to the preparation of a Regional Design Charter. This appears to be the most suitable form of document to sit alongside existing Local Authority guides, codes and other design documents whilst demonstrating the WMCA's commitment to quality. As such, the Regional Design Charter will not set local design policies, nor a new 'regional design policy'. Instead it will focus on those principles which are necessary to try and ensure delivery at pace, at scale and with a new quality which embraces Advanced Methods of Construction. At the same time, these key principles will be used to guide WMCA investment and interventions. If designed to focus on a limited number of key principles (rather than standards or codes), a Regional Design Charter provides the best opportunity to align Local Authority, WMCA and developer aspirations and to articulate a shared ambition to increase design quality.
- 3.6 A Regional Design Charter could also be produced quickly and could take its lead from exemplary documents which are already in the public realm, e.g. the Building for Life standards and the Manual for Streets. To ensure that the Charter fully meets the needs of the West Midlands, and supports the wider objectives of the WMCA's inclusive growth agenda, some further principles might be included e.g. those relating to energy and sustainability, density and Advanced Methods of Construction.
- 3.7 In reality, development schemes are already being put in place, investors are expressing clear interest in the region and Local Plan proposals are being developed as a result of intervention by collaborative action on the part of WMCA and local authorities. Time is therefore of the essence if we wish to ensure as much new development as possible aspires to new quality benchmarks.
- 3.8 It is likely that the Charter's influence would depend on both its quality and the level of endorsement from partners. WMCA might therefore wish to consider the appointment of a Design Champion with the necessary expertise and networks to guide the charter's development. Any Design Champion would need to have extensive experience in relevant fields such as planning, urban design, architecture, landscape design, etc. and demonstrate a commitment to exemplary place-making in the West Midlands. Additionally, the Design Champion would need to have knowledge of both the public and private sectors and be able to lead a '*hearts and minds*' approach, securing buy-in from key stakeholders across the region.

4.0 Next Steps

- 4.1 In terms of programme and actions needed:
- If the Board agrees that this is an appropriate course of action, and dependent on feedback, the Housing & Regeneration team will establish a Design Charter Working Group in February 2019.

- A working draft Charter will be brought to the Housing & Land Delivery Board in April 2019 and approval of the final Charter will be sought in June 2019.
- Following its publication, monitoring and review of the Charter's impact will take place in Q3 and Q4 of 2019.

4.2 Presuming that the Board is content to move forward with the Design Charter, consideration will need to be given to the extent to which the WMCA mandates its recommendations as criteria for funding. As part of this developing work, the conversation must be opened to our Local Authorities and the private sector to guarantee widespread support for the Charter's principles.

5.0 Financial Implications

5.1 There are no direct financial implications as a result of the recommendation to develop a Regional Design Charter.

6.0 Legal Implications

6.1 Section 113A(1)(a) of the Local Democracy, Economic Development and Construction Act 2009 gives the CA a power of competence appropriate for the purposes of carrying-out any of its functions. Part 4 of The West Midlands Combined Authority Order 2016 (2016 No 653) confers that the functions relating to any Economic development and regeneration in the constituent councils are exercisable by the CA. Part 3 of The West Midlands Combined Authority (Functions and Amendment) Order 2017 confers functions corresponding to the functions of the Homes and Communities Agency has in relation to the combined area. Paragraph 10 (2) (a) of the 2017 Order confers the function of improving the supply and quality of housing to the Combined Authority with 10 (2)(d) conferring the function of contributing to the achievement of sustainable development and good design.

6.2 The principles for the Design Charter will be incorporated into the relevant grant funding agreements and Legal will advise further when instructed to advise on any grant agreements where the principles apply.

7.0 Equalities Implications

7.1 The Design Charter will need to take into account key accessibility design principles to ensure inclusivity is achieved for a wide range of groups.

8.0 Inclusive Growth Implications

8.1 The Design Charter proposal is focused on improving quality of life for all residents of the West Midlands through better place-making and design. The value of the Charter will be determined by its backing and adoption on as much new development as possible, including those sites where the cost of delivering better development would normally be considered prohibitive. The Charter's reach and, subsequently the extent to which it promotes inclusivity, will therefore be critical to its success.

9.0 Geographical Area of Report's Implications

9.1 The proposed Regional Design Charter would be used to guide WMCA investment decisions across the whole geography of the WMCA area, including the 3 LEPs and non-constituent Member authorities.

9.2 The Charter would be available to all Local Authorities within this area to use in addition to their existing and future design documents.

10.0 Other Implications

10.0 There are no other implications.

11.0 Schedule of Background Papers

11.1 There are no background papers

Appendix 1: Typical Design Documents

Document	Form	Publisher	Advantages	Disadvantages	Comments
Design Code	<ul style="list-style-type: none"> Detailed guidance on development within a defined area Prescriptive and precise, distinguishing between mandatory and advisory elements Combines written and illustrated instructions 	<ul style="list-style-type: none"> Local Authorities Individual scheme promoter/landowner 	<ul style="list-style-type: none"> Sets clear design parameters for what can/cannot be done in evolving neighbourhood fabric Ensures developers who would otherwise disregard community engagement and quality, to care if they wish to build in an area 	<ul style="list-style-type: none"> Require substantial design work up front and associated time to produce Can be so prescriptive as to limit innovation and creativity Sticking rigidly to masterplan could impact on commercial feasibility eg. Location of retail (see Brindleyplace as an example) 	<ul style="list-style-type: none"> Design codes require oversight and detail beyond the remit of the Combined Authority. The mandatory nature of some elements would impinge on Local Authority planning powers. <p>Examples</p> <p>WMCA</p> <ul style="list-style-type: none"> Placemaking in North Solihull (2007), http://www.solihull.gov.uk/Portals/0/Planning/LDF/North_Solihull_Design_Code_-_Place_Making_in_North_S.pdf <p>Elsewhere</p> <ul style="list-style-type: none"> Holbeck Urban Village (2006), https://www.leeds.gov.uk/docs/Holbeck%20Urban%20Village.pdf
Design Framework	<ul style="list-style-type: none"> Guidance for areas undergoing change, OR areas where growth/change needs to be promoted Applied on a development or area basis Combines written and illustrated instructions 	<ul style="list-style-type: none"> Local Authority Scheme promoter/developer Partnerships Regeneration Agencies 	<ul style="list-style-type: none"> Supports shared visions and building consensus where the framework covers multiple developments i.e. ensures developments complement each other Can manage change on specific opportunities and through development phases 	<ul style="list-style-type: none"> Only applicable over a smaller area, such as a single development or regeneration area. Less suitable over a wider area or as general guidance 	<ul style="list-style-type: none"> Design Frameworks are most suitable for a masterplan area and are not broad enough to supply appropriate recommendations for an entire region. <p>Examples</p> <p>WMCA</p> <ul style="list-style-type: none"> Bristol Street and St Luke's Development Framework (2013), https://www.birmingham.gov.uk/downloads/file/732/bristol_street_and_st_lukes_development_framework <p>Elsewhere</p> <ul style="list-style-type: none"> Central Winchester Regeneration SPD (2018), http://www.winchester.gov.uk/planning-policy/supplementary-planning-documents-spds/central-winchester-regeneration-spd

<p>Design Guide</p>	<ul style="list-style-type: none"> Detailed guidance on how to carry out development in adherence with local design policies. Combines written and illustrated instructions 	<ul style="list-style-type: none"> Local Authority Partnerships 	<ul style="list-style-type: none"> Ensures consistency in LA dealings with planning applications Communicates commitment to design Can be used to respond to local, frequent design-related enquiries 	<ul style="list-style-type: none"> Requires significant correspondence with external stakeholders, such as the RIBA, design panels, the Chamber of Commerce, amenity and interest groups etc. to produce a comprehensive and successful guide Requires time to have an impact as users of the guide become familiar with its recommendations 	<ul style="list-style-type: none"> The level of detail in a design guide comes down to local planning concern and appropriate recommendations would be difficult to determine over a wider area Recommendations put forward in a design guide would likely impinge on the autonomy of planning authorities. <p>Examples</p> <p>WMCA</p> <ul style="list-style-type: none"> Designing Walsall (2013), https://go.walsall.gov.uk/ldfsupplementaryplanningdocuments <p>Elsewhere</p> <ul style="list-style-type: none"> Manchester Residential Quality Guidance (2017), https://secure.manchester.gov.uk/downloads/download/6508/the_manchester_residential_quality_guidance
<p>Design Charter</p>	<ul style="list-style-type: none"> List of written principles that state how quality could be achieved, signed up to by stakeholders to set 'rules of engagement'. 	<ul style="list-style-type: none"> Local Authority Partnership Scheme promoter/developer Regeneration agencies 	<ul style="list-style-type: none"> Can be used to guide policy, development practice, urban planning and design- potential to cover all development types under broad criteria Relatively quick to produce and implement due to simplicity and non-mandatory nature Demonstrates commitment to quality but remains non-prescriptive in how this should be achieved. 	<ul style="list-style-type: none"> Less comprehensive than other documents Requires full sign-up from LAs, developers, landowners and communities to realise benefits 	<ul style="list-style-type: none"> Design Charter could be produced at speed and demonstrate commitment to quality whilst ensuring local authorities retain control over planning process. <p>Examples</p> <p>WMCA</p> <ul style="list-style-type: none"> Black Country Garden City Principles (2017), https://www.blackcountrylep.co.uk/regional-growth/black-country-garden-city/ <p>Elsewhere</p> <ul style="list-style-type: none"> The Freiburg Charter (1992), https://www.academyofurbanism.org.uk/freiburg-charter/