

Tall Buildings

Advice on plan-making, submitting, assessing and deciding planning proposals

15 October 2014 (Consultation version)

This advice by English Heritage and Design Council updates previous guidance by English Heritage and CABE¹. It sets out good practice in relation to tall buildings in the local plan and development management process. This advice is for applicants, local authorities and interested parties.

The number of tall buildings proposals approved since 2007 whether through planning applications or on appeal has increased considerably particularly in London but also in other major cities. In addition the planning policy context and legislation has been radically changed. The advice reflects our practical experience of the impact of an increased number of tall buildings on our built environment. We believe this updated advice will help improve the quality of adopted or emerging local plans as well as planning applications for tall buildings and allow better-informed and speedier decisions. It focuses solely on the heritage context and the design.

1. National Planning Policy

1.1 This advice is in accordance with the National Planning Policy Framework (NPPF) which states that the purpose of the planning system is to contribute to the achievement of sustainable development. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment as well as in people's quality of life (para 6). Furthermore the core planning principles (para 17) state that planning should always seek to secure high quality design and ways to enhance and improve places in which people live their lives and conserve heritage assets for this and future generations.

1.2 The NPPF makes it clear that new development should be plan-led (para 154). The NPPF also makes it clear that the Government attaches 'great weight', both to the conservation of designated heritage assets including their settings, and the importance of securing high quality design. Both issues are core planning principles in the NPPF (para 17) with design policies being covered in paras 56 to 68 and conserving and enhancing the historic environment in paras 126 to 141. In addition, the NPPF makes clear that the significance of heritage assets derives not only from a heritage asset's physical presence, but also from its setting (para 132). Other policies in the NPPF may be relevant.

1.3 An up-to-date local plan based on a sound evidence base (paras 169-170) should contain enough detail to allow the significance of heritage assets to be assessed and to secure high quality design. This will help local planning authorities identify in local plans areas where tall buildings would not be appropriate because of the adverse impact (para 157).

2 Why do tall buildings matter?

¹CABE and Design Council merged in 2011 and the functions of CABE have been transferred to Design Council.

2.1 Cities and their skylines evolve. In the right place well-designed tall buildings make positive contributions to city life. They can be excellent works of architecture in their own right; some of the best post-war examples of tall buildings are now listed. Individually, or in groups, they affect the image and identity of a city as a whole. In the right place they can serve as beacons of growth and regeneration, and stimulate further investment.

2.2 However, by virtue of their size and visibility, such buildings can also harm the qualities that people value about a place. What is considered a tall building will vary depending on the scale of each place. One of the principal failings of certain tall buildings is the lack of appreciation or understanding of the immediate and wider context both visually and in terms of impact on heritage. There have been many examples of tall buildings that have had adverse impact on the surrounding heritage as well as being unsuitably sited, poorly designed and inappropriately detailed, and badly built and managed. Once constructed such buildings are likely to be major and very visible features with a long-term adverse impact over a wide area.

2.3 The existence of a tall building in a particular location will not of itself justify its replacement with a new tall building on the same site or in the same area. The same rigorous process of analysis and justification is needed. A single tall building is also unlikely to justify the establishment of a cluster of tall buildings around it.

2.4 There may be good reasons to seek an increased development density. Tall buildings represent only one possible model for high-density development. It is important that the appropriate scale and form of development is assessed as part of the formulation of the local plan. Proposals for tall buildings should reflect a positive approach to development rather than reacting to speculative development applications.

3 Tall Buildings and Local Plans

3.1 Both English Heritage and Design Council urge local planning authorities to identify appropriate locations for tall buildings in their development plan documents. These site-specific policies need to be drawn up through effective engagement with local communities and with proper regard to national planning policies. In the capital local planning authorities will need to take into account policies in the London Plan (2011 and its future alterations) on tall buildings and on the management of views in the *London View Framework*.

3.2 Where a tall building is likely to have an impact beyond a local authority's boundary, there will be a requirement to consult relevant authorities as part of the 'duty to cooperate' (NPPF paras 178-181).

3.3 The advantages of including tall building policies in local plans include:

- identifying the role of tall buildings, where appropriate, as part of an overall vision for a place
- maintaining protection of the historic environment and the qualities which make a city or area special
- identifying areas appropriate for tall buildings in advance of specific proposals
- demonstrating that in selecting areas for tall buildings due consideration has been given to the effects on land outside the local authority's area and the setting of any designated heritage
- the clear expression of spatial scale and quality requirements for new tall buildings
- encouraging an appropriate mix of uses
- ensuring early public consultation on the principles of development in relation to place, context and design
- reducing unnecessary, speculative applications in the wrong places and thereby avoiding wasting resources

- highlighting opportunities for the removal of past mistakes and their replacement by development of an appropriate quality and scale
- setting out ambitious sustainability targets and the requirements for a waste and water strategy
- linking to the transport strategy for the area.

3.4 As part of plan making, the assembly of the evidence base provides the opportunity for a more thorough upfront heritage assessment and urban design analysis which will be tested through the options appraisal, environmental impact assessment, consultation and the duty to cooperate where relevant. This will create a stronger and more realistic policy base which is beneficial to the applicant and local authority alike. A heritage assessment and urban design framework will help to identify the potential locations for tall buildings and can be adopted as supplementary planning documents.

3.5 It is recommended that the potential impact of buildings of various heights and forms is modelled to assess their effect on context and more widely including neighbouring areas beyond the local authority boundary.

3.6 A successful Urban Design Framework will:

- identify those elements that create local character and other important features and constraints, including:
 - natural topography
 - urban grain
 - significant views of skylines
 - scale and height
 - streetscape and character assessment including the history of the place
 - landmark buildings and areas and their settings, including backdrops, and important local views, prospects and panoramas;
- identify opportunities where tall buildings might enhance the overall townscape
- identify sites where the removal of past mistakes might also achieve such an enhancement .

4 Making a planning application

4.1 Before making an application, English Heritage and Design Council encourage applicants to discuss proposals, with the local planning authority and other relevant parties (NPPF para 188-195) in order to:

- identify the zones of visual influence of a proposal which then help determine which heritage assets are likely to be affected.
- utilise established mechanisms in which good design can be achieved as set out in the Government’s Planning Practice Guidance including the timely use of Design Review. This is an established tool at the pre-planning and planning application stage set out in NPPF para 62 to agree what information will be required in the Design and Access Statement to demonstrate impact. The greater the impact, the more detailed and comprehensive the heritage assessment and Design and Access Statement needed.
- understand what illustrative material is likely to be needed in terms of the quality, clarity and detail, so that the impact of a tall building can be properly and objectively assessed.
- meet the requirement to produce a statement of community involvement. Here it will be necessary to engage local communities that could be affected by the proposal².

² This requirement may change with the passing of the Deregulation Bill (2014).

4.2. Submitting a detailed planning application will require the applicant to provide the necessary level of information to assist a local planning authority in taking a decision. Outline applications are only likely to be justified in exceptional cases where the principle of a tall building is to be established as an important element within a robust and credible masterplan to be developed over a long period of time. If an outline application is sought in these circumstances it is important to ensure that the parameters for development are derived from a thorough urban design analysis to demonstrate impact. In order to avoid risk of harm to the historic environment a full heritage assessment is also needed as part of the masterplan.

Applicants may find paragraphs 4.3 to 4.7 a useful checklist of issues to address when preparing an application:

4.3 A Design and Access Statement should accompany all tall buildings proposals. The principles established within the Design and Access Statement will need to demonstrate excellence in urban design and architecture in sufficient detail as well as respond to and take full account of the evaluation of the heritage assets.

4.4 The applicant will need to demonstrate a thorough understanding of the site and its context including the **relationship to:**

- topography
- character of place
- heritage assets and their settings
- height and scale of development – immediate and wider
- urban grain and streetscape
- open spaces and
- rivers and waterways
- important views including prospects and panoramas
- the effect on the skyline

4.5 Careful assessment of any cumulative effects in relation to other concurrent tall building proposals may be needed. Where a proposal is promoted as part of a cluster, it should have a positive relationship within the cluster and the cluster itself needs to be considered in its widest context. The use of modelling and visuals aids is recommended to fully assess a proposal's impact on the surrounding area.

4.6 Planning applications for tall buildings are likely to require an environmental impact assessment (EIA), which would be expected to address matters including:

- accurate and realistic representations of the proposal
 - consideration of the settings of heritage assets
 - consideration of impact on significant views
 - consideration of impact on townscape and public realm,
- and other relevant environmental issues, particularly sustainability and environmental performance.

Further information about the EIA procedure is available in Planning Practice Guidance: *Environmental impact assessment*)

<http://planningguidance.planningportal.gov.uk/blog/guidance/environmental-impact-assessment/>

4.7 Applicants seeking planning permission for tall buildings should ensure that the following criteria are fully addressed:

4.7.1 The **architectural quality** of the building including its:

- scale
- form and massing

- proportion and silhouette
- facing materials
- relationship to other structures
- effect on the skyline
- effect on streetscape and near views

4.7.2 The **sustainability of the design and construction**: Tall buildings need to set exemplary standards in design and environmental performance because of their scale, mass and impact. It is therefore critical that social and environmental impacts are assessed.

4.7.3 The **credibility of the design**, both technically and financially: To ensure a good quality outcome it is important that the required high standard of architectural quality is maintained throughout the process of procurement, detailed design, and construction through the use of conditions and reserved matters.

4.7.4 The **contribution to public space and facilities**, both internal and external, including the provision of a mix of uses, especially on the ground floor of towers, as part of a well-designed public realm.

4.7.5 The **effect on the local environment**, including microclimate, overshadowing, night-time appearance, light pollution, vehicle movements and the environment and amenity of those in the vicinity of the building.

4.7.6 The provision of a **well-designed inclusive environment** both internal and external taking opportunities to offer improved **permeability**, accessibility and where appropriate, the opening up, or effective closure, of views to improve the legibility of the wider townscape.

5 Assessing proposals

5.1 Any new tall building has to be in an appropriate location, has to be of excellent design quality and has to enhance the qualities of its immediate location and wider setting. It needs to produce more benefits than cost to the lives of those affected by it. It must make a positive contribution to local character and distinctiveness, drawing on the contribution made by the historic environment to the character of the place, and preserve those elements of the setting of heritage assets that better reveal their significance.

5.2 What might be considered a tall building will vary according to context. It is clearly the case that a 10-storey building in a mainly two-storey neighbourhood will be thought of as a tall building by those affected, whereas in the centre of a large city it may not. It is therefore important that the zone of visual influence in an individual proposal is clearly identified as a first step in assessing potential impact (see 3.1 on pre-application considerations).

5.3 The local planning authority will need to be satisfied that a thorough assessment has been carried out as set out in 4.4 and the proposal is in accordance with an adopted or emerging local plan identified locations and policies. The applicant will need to demonstrate the relationship of the development to its context. For the Design and Access Statement, it is essential that the planning authority makes these parameters and design principles a condition of any outline consent to ensure that the commitment to high quality can be realised through active control of reserved matters.

5.4 The LPA will need to be satisfied that Government policy on the **historic environment** has been met (see Section 1 above). The setting to heritage assets may extend over local authority boundaries. Where there is a tall building proposal near the

boundary of a local authority area, consideration needs to be given to cross boundary issues (see 3.1).

5.5 Where relevant the LPA will need to consider the impact **on world heritage sites**. Under the 1990 Planning Acts, the NPPF and Planning Practice Guide, the government has an international obligation to protect the outstanding universal value of world heritage sites as set out at the time of inscription in the statement of significance. Part of this obligation is the adoption of a management plan for each world heritage site by stakeholders, including if necessary a buffer zone or equivalent to protect the setting. The statement of significance and the management plan are material considerations in the planning process³.

5.6 The local planning authority will also need to be satisfied that Government policy on **design issues** has been met. Once the principle of a tall building has been accepted the local planning authority will need to be satisfied that the proposal addresses the key issues set out in paragraphs 4.3 to 4.7.

5.7 **Transport** is important in relation to tall buildings because of the intensity of use, as well as the development density, that they represent. The relationship to transport infrastructure, aviation constraints, and, in particular, the capacity of public transport, the quality of links between transport and the site, and the feasibility of making improvements, where appropriate, need to be part of the wider consideration. It is important that the planning authority is satisfied that the applicant has checked with the Civil Aviation Authority whether flight paths to airports and heliports are affected and if this has then been evaluated and mitigated.

5.8 Where full planning permission for a tall building is to be sought, suitable planning conditions and obligations will ensure the detailed design, materials and finishes, and treatment of the public realm, as well as achieving public and community benefits.

5.9 Tall buildings are projects which offer opportunities to enrich a place. Public benefits could be provided through dedicating substantial parts of the ground floors, and possibly other lower levels, of tall buildings to public uses. However, it may not be possible to achieve all of the desired benefits within the confines of the planning application site. Planning obligations (CIL and section 106 agreements) may be needed to secure these benefits.

6 Consultation with Design Council and English Heritage

6.1 Both English Heritage and Design Council recognise the importance of managing change in the built environment to continually improve its quality. Early discussions with them at the local plan stage and as part of the application process should reduce abortive work and assist the realisation of a better result. Their different roles and remits are complementary, however, there may be occasions on which the two bodies arrive at different conclusions about a particular proposal.

6.2 English Heritage's statutory responsibilities include the preservation and enhancement of the historic environment, and it is a statutory consultee in the planning process. As the government's advisor on the historic environment, its remit will be to assess whether the impact of the proposal is acceptable in terms of its effect on historically significant components of the wider context.

6.3 Design Council is the Government's design advisor and promotes high standards in architecture and the design of the built environment across England. When reviewing

³ Local planning authorities in London will need to have regard to the policies in the London Plan for the management of world heritage sites and the Supplementary Planning Guidance *London World Heritage Sites - Guidance on Settings* 2012.

projects, Design Council provides independent expert advice on whether a tall building proposal, in the round, is an excellent piece of architecture and urban design. Every tall building should be subject to a design review to ensure a high quality outcome, both in terms of the building design and the impact on public space and the skyline.

6.4 More advice on Setting is available at:

<http://www.english-heritage.org.uk/professional/advice/government-planning-policy/national-planning-policy-framework>.

Details of English Heritage contacts are given on www.english-heritage.org.uk and advice on the information we require to be able to assess an application can be found at:

<http://www.english-heritage.org.uk/professional/advice/our-planning-role>.

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