

# UKGBC response to “Planning for the Future” White Paper consultation

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## Introduction

The UK Green Building Council (UKGBC) is an industry network with a mission to radically improve the sustainability of the built environment, by transforming the way it is planned, designed, constructed, maintained and operated. As a charity with over 450 member organisations spanning the entire sector, we represent the voice of the industry’s current and future leaders who are striving for transformational change.

We welcome many of the measures presented in the White Paper to promote quality in the built environment, simplify the planning system and improve accessibility. Planning has to date been part of a wider system that has not delivered the standards of development we need in order to effectively tackle the built environment’s contributions to both climate change and biodiversity decline, or promote social value. Proposals to specify essential design standards through the likes of design codes and accompanying statements are a welcome step towards addressing this, provided they encompass both building performance and sustainability, not just aesthetics. It is vital that these contain sufficiently ambitious and strong sustainability requirements to deliver a robust baseline of environmental standards across the country. At present, there is little detail on how many of these proposals, such as design codes or new Local Plans, will specifically support or enhance sustainability across the sector. In addition, despite references to achieving net zero ready buildings by 2050 and introducing the Future Homes Standard, there is not a comprehensive recognition within the White Paper of the role of the planning system as a key strategic vehicle for decarbonising the economy and enhancing climate resilience. As we highlight in our response, this must be rectified by ensuring that these reforms align clearly with the Climate Change Act, and that the planning system helps drive a strategic approach to tackle the climate crisis, enhance climate resilience and reverse biodiversity decline.

A crucial point that has emerged from our engagement with UKGBC members is that it is vital that we have a system which integrates both up-front public consultation at the plan-making stage with an opportunity to constructively shape development at the project level. Removing consultation from the project stage risks undermining not only the democratic process and local accountability, but also the considerable work and investment in delivering social value underway across the industry, and would negatively impact both public trust and developer certainty.

Furthermore, it is important to note that previous changes to planning alone have not dramatically improved environmental or social performance across the built environment. The [Housing Design Audit for England project](#), published in January 2020, conducted a nationwide audit of 142 major new housing schemes and found that three quarters were mediocre or poor with regard to key design criteria. It was found that one fifth should never have been given planning permission, as the design was so clearly contrary to advice given in the National Planning Policy Framework (NPPF). Less affluent areas were found to be ten times more likely to suffer poor design.

A crucial driver of change will be how design standards are delivered and enforced in practice. We therefore especially welcome consideration within the White Paper of both increased resourcing for local authorities and new enforcement powers, as both of these elements will be of paramount importance in ensuring that ambitious design standards are delivered on the ground.

We welcome the opportunity to respond to this consultation – and below are our responses to individual questions which fall within our organisational remit.

***Responses to individual consultation questions:***

**1. What three words do you associate most with the planning system in England?**

N/A

**2. Do you get involved with planning decisions in your local area? [~~Yes~~ / No]**

No

**2(a). If no, why not? [~~Don't know how to / It takes too long / It's too complicated / I don't care~~ / Other – please specify]**

Other

UKGBC does not comment directly on individual planning applications. As well as our national policy and advocacy, we support local authorities on planning policy and bring our network of built environment experts together to inform and influence the sustainability aspirations of a small number of very large regeneration and development schemes.

**3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future? [Social media / Online news / Newspaper / By post / Other – please specify]**

N/A.

**4. What are your top three priorities for planning in your local area? [Building homes for young people / building homes for the homeless / Protection of green spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street / Supporting the local economy / More or better local infrastructure / Protection of existing heritage buildings or areas / Other – please specify]**

N/A

**Proposal 1: The role of land use plans should be simplified. We propose that Local Plans should identify three types of land – Growth areas suitable for substantial development, Renewal areas suitable for development, and areas that are Protected.**

**5. Do you agree that Local Plans should be simplified in line with our proposals? [~~Yes~~ / ~~No~~ / Not sure. Please provide supporting statement.]**

Not sure.

We welcome proposals to ensure that appropriate land uses are clearly defined upfront in Local Plans. The emphasis on strategic, clear digital mapping has been welcomed by our members, as this will help deliver greater certainty for developers by clearly defining what types of development are permitted in different locations at the start of the development process. However, despite recent changes to permitted development, the majority of planning applications are still small-scale proposals by individual homeowners. It is therefore important that these reforms do not just focus on new development zones and new buildings, but also use this opportunity to raise sustainability standards in projects that involve existing buildings (see Q.6.). Furthermore, consideration of sustainability must be comprehensively factored into these proposals to ensure that the new system is both underpinned by robust environmental data and puts strategic action to address both climate change and biodiversity decline at the heart of the planning system.

It is crucial that this new mapping system supports progress towards the goals of the Government's 25-Year Environment Plan. The greater emphasis on mapping and spatial designations in Local Plans represents a vital opportunity to join up the planning system with the various spatial measures proposed in the Environment Bill, such as biodiversity baseline mapping, Local Nature Recovery Networks and Local Nature Recovery Strategies. All these new measures designed to enhance nature must be comprehensively factored into the planning land use designation process, to ensure nature's recovery is safeguarded and forms part of the environmental basis for broader strategic planning. New, specific protections and additional safeguards must be created to ensure that measures such as Nature Recovery Networks etc. proposed in the Environment Bill are given sufficient legal protection under the new system, as the new 'protected' zone does not currently confer any additional legal protections. In particular, there is currently a lack of clarity about the status of irreplaceable habitats, such as ancient woodland, in terms of whether they qualify for additional protections and how current NPPF policy and guidance, including that on buffers, will be effectively implemented. To successfully protect these vital habitats, any new system must provide clear protections for such irreplaceable habitats and be clear that these areas are a 'no go' area for developers as part of a 'highly protected area'. Furthermore, we support the Wildlife Trust's call for new 'Wild Belts' to be introduced as a new designation with additional protections to safeguard vital nature recovery areas from development.

It has been highlighted by our members that successful, analogous zoning systems used abroad are guided by broader, overarching strategic thinking to help inform any zoning designations. In these systems, designations are guided by - and form part of - a comprehensive overarching regional or national planning priority strategy. These strategies ensure progress is delivered across a broad range of strategic priorities, such as achieving climate resilience or delivering net zero, alongside economic development. Any new UK local designation system must be underpinned by the same overarching strategic thinking, with national and regional strategies to ensure that planning forms part of a coordinated process to deliver across multiple strategic government priorities. These should, crucially, include delivering nature's recovery, climate resilience and net zero by 2050. We support efforts by the HBF and Broadway Initiative to produce a strategic roadmap for the delivery of key environmental targets and objectives that relate to home building, but this must form part of a wider national strategy - with relevant component regional strategies - to ensure that both housebuilding and wider development planning form part of a comprehensive national plan for the delivery of net zero, climate adaptation and nature's recovery.

It is also important to note that nature recovery mapping will almost certainly be an iterative process, as species recover and spread. We therefore welcome provisions for a regular review process for Local Plans every five years. It is vital that this process contains a formal requirement for decisions to be informed by the latest robust ecological and environmental data relating to measures in the Environment Bill, to ensure evidence related to delivering nature's recovery directly shapes spatial planning. This will require investment in updating key datasets, such as the Ancient Woodland Inventory, Open Mosaic Habitats Inventory, Ancient Grassland Inventory and Priority Habitat Inventory, in order to help speed up the process and provide a stronger deterrent to damaging development in these areas. Mapping other irreplaceable habitats, such as peatlands, shallow and degraded peat, will also be necessary to ensure these are protected. In addition to mapping and up-to-date data, there is also a need for clarity on how 'unidentified' nature – e.g. unmapped ancient and veteran trees – will be dealt with if they are later found in a growth or renewal zone. As such cases illustrate, there remains a need for site-specific assessments to ensure such trees and vulnerable habitats remain protected, and that the nuances of specific sites' ecology are accommodated. Support must be provided to ensure that Local Planning Authorities possess both the ecological expertise and strategic planning capacity to ensure robust ecological assessment and strategic environmental planning are part of their plan-making process. This support must also ensure that local authorities have the capacity to deliver broader environmental monitoring, enforcement and site-specific ecological assessments, so that progress towards the goals of the Environment Bill can be effectively delivered on the ground, and important habitats, likely to be missed by mapping, are not inadvertently compromised.

As the proposals suggest that the majority of general development policies will be removed from Local Plans and replaced by 'just a core set of standards and requirements for development, with only broad requirements on height and density, identifying site and area specific requirements', it is vital that these core standards include sufficient environmental specifications to determine what land use designations are appropriate in key locations. Currently, the only environmental requirement specified up front for growth areas is that they are not in areas of flood risk, unless this can be fully mitigated. We would like to see more robust environmental requirements in the process for determining all areas, but especially in growth areas given the scale of development likely to take place. This should include delivering biodiversity net gain, alongside measures to ensure that buildings are sufficiently prepared for the impacts of climate change and that what is built is compatible with reaching our national net zero emissions target. These requirements should also be supported further in revisions to the NPPF, guidance for local authorities in the drafting of Local Plans, any accompanying texts and in the design codes. To ensure any land allocations do not contribute negatively to the climate resilience of a locality, greater powers should be given to Catchment Partnerships to ensure holistic consideration of flooding and drainage issues as part of the planning process. These bodies should act as a statutory consultee to the planning process and ensure that flooding and drainage issues are considered holistically across the catchment.

Given the extension of permission in principle and presumption in favour of development in the growth and renewal zones respectively, it is vital that the related standards - from the accompanying texts, Building Regulations, and the local design codes - are sufficiently robust to ensure these designations promote, rather than inhibit, efforts to tackle climate change and enhance biodiversity. Please also see our answers on design codes (Q.17) and development management policies (Q.6).

The White Paper currently makes no mention of the existing requirements/statutory duties for Local Plans to pursue carbon emission reductions, in line with the Climate Change Act, and is silent on how carbon emissions data will be used to inform local policy and planning decisions under the new system. We are concerned that proposed changes to Local Plans will remove this duty and lose the impetus it generates for climate action on a local level. This duty is vital in binding the planning system to the ambitions of the Climate Change Act. In any new Planning Act, or changes to the NPPF, we need an updated, strengthened duty which applies to all relevant parts of development. The duty must apply to the development management system which acts in all three zones outside the remit of plans and design codes and of course to PDR. The duty should explicitly link to the Climate Change Act and ensure that plans to pursue carbon emission reductions are integrated comprehensively into planning. National guidance should set out a clear methodology for accounting for carbon emission in the local plan preparation and the development management process. This should include developing guidance on a process for local authorities to record and report on development-related emissions data. This should be backed by sufficient funding for local authorities and other stakeholders such as Natural England and Environment Agency, and ultimately include both operational and whole life carbon data.

Finally, we support proposals in the paper to ensure that accessible, map-based Local Plans are available online in a way that is both transparent and accessible. However, whilst digitization can greatly improve engagement overall, it is important to note that it can also decrease engagement with hard-to-reach and vulnerable groups that do not have access to, or sufficient skills in using, digital methods. Furthermore, the design of the digital process itself is crucial for ensuring meaningful engagement. Complex, protracted and inaccessible means of digital engagement can result in sub-optimal levels of public engagement and result in poor quality feedback. In line with the latest thinking and investment across the industry in delivering social value, it is vital that the consultation process is suitably engaging and comprehensive, as this provides developers with certainty, helps to build trust and can produce high quality feedback to shape proposals. Whilst accessible digital methods can increase the quantity of responses, our work has found that the highest quality engagement, particularly with hard to reach groups, will only come through a combination of offline and online engagement. There should be a strategy in place to engage with traditionally hard to reach groups, i.e. those where there is a language barrier, or members of the community who struggle to (or chose not to) engage digitally. For further comments on public engagement in planning, please see Q.10.

**Proposal 2: Development management policies established at national scale and an altered role for Local Plans.**

**6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally? [~~Yes~~ / ~~No~~ / Not sure. Please provide supporting statement.]**

Not sure.

We would potentially support the proposal for setting general development management policies nationally, provided that these are sufficiently ambitious to deliver a robust national baseline of requirements to deliver for climate mitigation, adaptation and biodiversity enhancement. However, the proposals do not currently make clear whether suitably robust provisions in these areas would

be developed. The NPPF currently is not ambitious enough in terms of sustainability requirements to drive the progress needed on addressing emissions, biodiversity decline or climate adaptation. Furthermore, as the [Housing Audit](#) project has indicated, housing developments are still being built that should be rejected under the NPPF's current provisions. If the specifications within the NPPF are to be made the national baseline, in conjunction with the national design code, then it must be revised to include stronger requirements on climate adaptation, climate mitigation, social value and biodiversity enhancement in new development. For example, the NPPF simply states that developments should 'look to' address climate change adaptation through the use of green infrastructure - this should be strengthened to "must". Likewise greater ambition must also be integrated across all the sources of applicable development standards.

It has been suggested that the primary means by which sustainability standards are determined under these reforms will be through national Building Regulations, which are highlighted in relation to the proposed Future Homes Standard. We support setting national minimum standards through Building Regulations, - however, we firmly believe that local authorities should maintain the ability to go further by setting stronger energy performance and carbon emissions standards in their Local Plans or through the likes of design codes, in order to set, for example, more ambitious green infrastructure standards. As per our recommendations to the Building Better Building Beautiful Commission, the use of Urban Greening Factors should be considered as a means to deliver significant greening in areas where biodiversity net gain enhancements may not be satisfactory.<sup>1</sup> The Greater London Authority has introduced an Urban Greening Factor through Policy G5 of the new London Plan.<sup>2</sup> It requires new developments to include a quantum of green infrastructure that addresses local needs rather than always focusing solely on biodiversity net gain. This addresses the issue of requiring biodiversity net gain where the net gain would be negligible. It is vital that these proposals join up and integrate with the work being done by Natural England and partners (of which UKGBC is one) to produce definitive green infrastructure standards. These standards, and requirements to deliver them, must be integrated into the planning system via either design codes or national requirements. It is especially important that the industry develop with government a consistent metric for measuring the climate resilience/adaptation of buildings. This would also provide much needed data for guiding the Government's own adaptation plans, strategies and targets. Key to ensuring that these requirements can be realised will be support for Local Planning Authorities to develop their ecological and strategic environmental planning expertise. This will help to ensure that they possess the skills needed to ensure any development plans are both ecological sound and support nature's recovery. It is critical that local authorities are adequately resourced to ensure that they can effectively monitor and enforce the delivery of environmental requirements in practice.

We strongly believe that local authorities should retain the ability to set standards above the national minimum on energy performance, carbon emissions and biodiversity net gain. Some local authorities have set net zero emissions targets and/ or declared climate emergencies in advance of the national goal of 2050 and others have declared ecological emergencies. In order to meet these targets, local authorities must have the flexibility to set more ambitious sustainability requirements where necessary. A national trajectory should be developed for energy efficiency requirements, so that local authorities may progress at different speeds, but follow consistent steps along a single trajectory. This would help deliver certainty for developers and the wider industry, by ensuring local

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<sup>1</sup> <https://www.landscapeinstitute.org/blog/urban-greening-factor-london/>

<sup>2</sup> [https://www.london.gov.uk/sites/default/files/intend\\_to\\_publish\\_-\\_clean.pdf](https://www.london.gov.uk/sites/default/files/intend_to_publish_-_clean.pdf)

authorities move along the same set of consistent steps, rather than producing a patchwork of different standards. Current proposals for a standardised set of Development Management Policies imply that Local Planning Authorities may have to provide an 'exceptional circumstances' argument to reduce or increase requirements, although it is not currently clear whether this would apply to energy efficiency. If this approach is taken forward, a climate emergency declaration, or an earlier net zero target, should be considered sufficient to enable the adoption of higher standards, in line with a national trajectory. Whether or not further evidence would be required as per 'current practice', the option to set higher standards should absolutely be available as part of the plan-making process. For biodiversity net gain, councils must also retain the ability to set requirements of more than 10% in their local design requirements.

In terms of addressing both emissions and climate resilience nationally, there is much more to do to ensure that Building Regulations provide an adequate baseline of standards for meeting the White Paper's stated ambition to avoid new homes that add to the cost of retrofitting the existing building stock. As highlighted in our response to the recent Part L Consultation<sup>3</sup>, the Government must set out a trajectory for tightening Building Regulations to ensure that all new buildings in 2030 operate at net zero carbon for regulated and unregulated energy. At the next Building Regulations uplift it should adopt the proposed 31% improvement in Part L and retain a Fabric Energy Efficiency Standard (FEES) as a metric of compliance to minimise energy demand and ensure an improvement in fabric performance compared with current levels.

To ensure that new development is suitably resilient to the impacts of climate change from the outset, Part C of building regulations should also be updated to require all properties at risk of flooding to include property flood resilience measures. These measures should be specified and installed in accordance with the industry Code of Practice for property flood resilience. The use of Sustainable Drainage Systems (SuDS) should also be made mandatory for all development, where applicable, and updates to Non-Statutory Technical Standards for SuDS should include a requirement for multi-functional environmental benefits, such as biodiversity enhancement. Part G of Building Regulations should be updated to use a 'fittings-based' approach only, underpinned by a mandatory water label for all fixtures, fittings and water-using products, visible at the point of sale (similar to the existing energy consumption label). This label should be linked to minimum standards for water efficiency, which could be tightened over time. Minimum product standards should be set to achieve 100lpppd initially and be tightened over time to achieve 85lpppd by 2050.<sup>4</sup>

A net-zero compatible planning system must not only require higher construction standards, but also address the issue of how buildings operate. The Hackitt Review of Building Regulations and Fire Safety identified that compliance with current building regulations is currently poor, and extensive studies have highlighted the 'performance gap' between how a building is modelled to perform (as-designed) and how it operates (as-built). Requirements for the measurement and disclosure of in-use performance should be phased in to address this, and options introduced for alternative compliance with Part L based on in-use performance. The ultimate aim should be to transition towards in-use energy performance as the basis of compliance and this should be reflected across planning. Local authorities must also be empowered to demand remedial action

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<sup>3</sup> <https://www.ukgbc.org/wp-content/uploads/2020/02/UKGBC-Response-to-MHCLG-Future-Homes-Standard-Consultation-FINAL.pdf>

<sup>4</sup> [https://www.policyconnect.org.uk/sites/site\\_pc/files/report/1335/fieldreportdownload/raa40673ipcibrickswater2reportidjlif2page.pdf](https://www.policyconnect.org.uk/sites/site_pc/files/report/1335/fieldreportdownload/raa40673ipcibrickswater2reportidjlif2page.pdf)

for buildings with higher than permitted emissions. In addition, Building Control Bodies must be adequately resourced and upskilled, with fines for non-compliance significantly increased.

On the national level, clear guidance should set out a methodology accounting for carbon emissions in relation to new development, in both the local plan preparation and development management process. This should include developing guidance on a process for local authorities to record and report on development-related emissions data, ultimately to include both operational and whole life carbon data.

To prevent further retrofitting costs, stringent transitional arrangements should be introduced as soon as possible, to ensure that homes not commenced within a reasonable period following building notice, initial notice or full plans must comply with the latest Part L. We recommend that this 'reasonable period' should be 3 years to align with the planning cycle. Likewise, the Government must also consult far sooner than 2024 (as proposed in the consultation) on Future Homes Standard implementation, as the market needs as long as possible to innovate, develop the relevant expertise and supply chains.

Furthermore, currently the proposed reforms do not include any reference to addressing the issue of whole life carbon, namely emissions across the entire building's life cycle including through construction. The Government should phase in national requirements for the assessment of whole life carbon, starting with larger developments, as is already the case for example in the New London Plan.<sup>5</sup> From 2025, it should be a requirement that all developments assess and disclose whole life carbon impacts, and targets for reductions should be phased in, starting with larger developments. From 2030, targets should be introduced for all developments for reductions in whole life carbon.

It is important to note that, despite recent changes to permitted development, most planning applications brought before local planning officers are still small-scale proposals by individual homeowners, such as substantial conversions or projects involving existing buildings. It is therefore important that these proposals do not just focus on new development zones and new buildings, but also seize this opportunity to raise standards in projects that involve existing buildings. UKGBC support the extension of requirements for consequential improvements to dwellings as a condition of planning permission, such as upgrading heating, cooling or air handling systems, installing energy efficiency measures, smart metering and/or on-site renewable energy generation. Where possible, urban greening factors should also be applied to such projects. It is crucial that requirements for substantial sustainability improvements in small-scale projects - such as in energy efficiency, low carbon heat and biodiversity enhancement - are a key component of the requirements in 'renewal' areas.

Finally, we support proposals to ensure that neighbourhood plans retain an influence on local design, as neighbourhood planning is a vital element of ensuring community support for development through meaningful engagement. We also support measures to digitise the system, so long as this is designed in a way that promotes accessibility and is accompanied by a strategy to meaningfully promote engagement with hard to reach groups that choose not to, or cannot easily, engage digitally.

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<sup>5</sup> <https://www.london.gov.uk/decisions/add2363-london-plan-whole-life-cycle-carbon-assessments>



**7(a). Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of “sustainable development”, which would include consideration of environmental impact? [Yes / No / Not sure. Please provide supporting statement.]**

Not sure.

Whilst UKGBC and our members appreciate the administrative case for consolidating the existing tests for Local Plans, our primary concern is that the rigour with which environmental impacts are considered should not be diminished. The White Paper does not currently provide adequate details of the new system, beyond implying that it will be simpler and more streamlined. We are therefore concerned that the new test may reduce the level of consideration given to environmental impacts. We therefore cannot, at present, support this proposal due to the lack of detail and concerns regarding whether this may result in a reduction in the level of consideration given to the environmental and sustainability implications of Local Plans.

Any new, consolidated sustainable development test must embed a genuine, robust consideration of environmental sustainability at its heart. It should support the delivery of key environmental objectives, both nationally and regionally, as part of a wider, overarching strategic approach. These should include priorities such as net zero, nature’s recovery and climate adaptation. (See Q.5. on Local Plans). To do this, the process must be designed to ensure that it is underscored by the latest, comprehensive environmental data, such as that which is central to the provisions of the Environment Bill.

Existing Government tools currently used to identify the key impacts of policy options relevant to sustainable development, such as the Treasury’s Green Book, could form the basis of the new Sustainable Development Test. It should crucially include the natural capital approach - designed to assess the value of the natural environment for people and the economy.<sup>6</sup> This would effectively encompass the Environment Bill’s four target areas: air quality, biodiversity, water, waste reduction and resource efficiency; and ensure that these areas are reflected in the way that development proposals are assessed. It is vital that measures to assess the sustainability of Local Plans connect directly with achieving the aspirations of the Environment Bill and are guided by robust environmental data.

It is also notable that the White Paper does not make a specific reference to social value, despite the status of the concept as a fundamental element of good placemaking and associated policy. The 2018 Civil Society Strategy considered how the Public Services (Social Value) Act could be applied to other areas of decision-making, including planning, although this work does not appear to have been carried forward into the present White Paper. There is clearly potential for social value to be part of the Sustainable Development Test, as this would help ensure that delivering social value is given a stronger, more consistent focus across Local Plans.

The White Paper makes an explicit mention of infrastructure provision in relation to the new sustainability appraisal. However, it does not specify that this should be ‘sustainable or climate resilient infrastructure’ such as low or zero carbon transport solutions, biodiversity enhancement or climate-resilient water infrastructure. In order to support both the transition to net zero, biodiversity recovery and the Government’s national adaptation programme, it must be specified

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<sup>6</sup> <https://www.gov.uk/guidance/enabling-a-natural-capital-approach-enca>

clearly that infrastructure provision must support the Government's national net zero target and biodiversity engagement, and ensure that communities are resilient to the impacts of climate change. In particular, robust consideration of the climate resilience implications of new infrastructure and development must be central in determining the soundness of Local Plans. In order to be sustainable, new development must not aggravate current or anticipated pressures on both local drainage and water supply systems.

**7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?**

Whilst our members raised issues with how "Duty to Cooperate" currently functions, it was also recognised that a level of strategic coordination is necessary where developments cross local authority boundaries and it is unclear as to what would replace the current system. It was highlighted that local authorities should coordinate regionally in order to pursue a joined-up approach to delivering net zero, nature's recovery and climate adaptation. This will be necessary to prevent development plans from creating a 'spill over' effect of environmental pressures negatively impacting neighbouring areas, such as demand for water infrastructure, traffic congestion or air pollution.

The White Paper currently acknowledges that further consideration is to be given to the way in which strategic cross-boundary issues could be adequately planned for. This must confirm the scale at which plans are best prepared in areas with significant strategic challenges, with the expectation that some level of regional planning is required. A vital missing element without a Duty to Cooperate will be appropriate identification and mitigation of cumulative effects which is recognised as a key purpose of Strategic Environmental Assessment (SEA), driven by an interdependency between various sustainable development objectives and sufficient understanding of the cause-and-effect relationships that connect them. If regional planning is not reintroduced, there must be a 'layer' within the proposed Sustainable Development Test to address this where it is no longer likely to be scrutinised by an SEA methodology and where the Duty to Cooperate is formally removed. It should also be noted that complexities surrounding sustainability and climate resilience are not entirely attributable to existing process, and simplifying this will not address a fundamental skills gap within the LPAs in these areas, which may ultimately lead to a failure to consider and plan for strategic and cross-boundary issues.

Overall, this highlights the need for a broader, overarching strategic approach to ensure that planning is part of a broader national strategy (that includes spatial considerations) designed to deliver progress across multiple government objectives, including net zero, climate adaptation and nature's recovery. This strategic approach could be sub-divided into key regional areas, according to geographical and environmental considerations. This would help ensure that local authorities that are likely to impact on one another can coordinate to ensure their Local Plans do not negatively impact progress towards achieving their respective environmental objectives. This will be a necessary step in joining up the local recovery networks proposed in the Environment Bill to deliver a national recovery.

**8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced? [Yes / No / Not sure. Please provide supporting statement.]**

N/A

**8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated? [Yes / No / ~~Not sure~~. Please provide supporting statement.]**

No.

Whilst we recognise the importance of affordability and existing urban density as key indicators in ensuring new development is both sustainable and equitable, we believe there should be a greater emphasis on other environmental factors in relation to the quantity of development to be accommodated. Focusing primarily on affordability risks creating perverse incentives in which ecologically sensitive areas, which may have high house prices but lack net-zero ready or climate resilient infrastructure, are highlighted for significant development when this is not suitable or sustainable.

The White Paper rightly recognises that land constraints in an area should be considered to ensure that the requirement figure takes into account the practical limitations, such as the presence of designated areas of environmental and heritage value, the Green Belt and flood risk. It rightly cites the example of National Parks, where affordability can be an issue, but that the whole purpose of National Parks would be undermined by multiple large-scale housing developments so a standard method should factor this in. It does not provide any details of additional environmental limitations designed to ensure that progress towards achieving key environmental priorities, such as net zero or biodiversity recovery, is not compromised by housing allocations. It is crucial for the Government's objective of reversing biodiversity decline that the amount of land required for effectively securing nature's recovery should be factored into determining requirement figures, as all local authorities in England will be required to produce local nature recovery strategies under the Environment Bill. In addition, long-term climate resilience must also be considered as a key factor in determining the quantity to be accommodated, beyond just flood risk. This includes the limitations of ensuring a sustainable water supply for new developments, particularly in regions where drought has led to rising incidences of supply interruption for existing residents.

Furthermore, it is important to note that affordability is determined by more than just the number of new homes built. It is also determined by the type, tenure, occupancy and size, as well as local market pressures. It is clear that other measures will be needed to tackle the nuances of the affordability crisis, beyond just housing numbers. Many councils have produced comprehensive housing needs or market assessments<sup>7</sup>, which explore in more detail the housing needs and market dynamics of their local area. These assessments also benefit Local Authorities who are considering how to retrofit their existing building stock, in terms of mapping what stock is currently present. Local housing needs or market assessments should be given central consideration in determining the quantity of homes to be accommodated, so that the full range of factors determining affordability is captured.

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<sup>7</sup> For example: <https://www.conwy.gov.uk/en/Resident/Housing/Information-for-Developers/Local-Housing-Market-Assessment.aspx>

Finally, we support the proposal that the requirement figure will require that opportunities for using existing brownfield land and greater densification will have to be fully utilised before land constraints are taken into account.

**9(a). Do you agree that there should be automatic outline permission for areas for substantial development (Growth areas) with faster routes for detailed consent? [~~Yes~~ / ~~No~~ / Not sure. Please provide supporting statement.]**

Not sure.

We agree in principle with proposals to allocate land for growth, with permission in principle for development, provided that the process for allocation sufficiently incorporates key sustainability considerations and environmental safeguards, and is sufficiently detailed in scope so as to allow meaningful consultation with all local stakeholders. The process for land allocation must be underscored by broader strategic planning, in order to ensure that progress is delivered towards our multiple national and regional environmental objectives (see our answer to Q. 5). It is important to note that many Local Planning Authorities currently lack in-house ecological or environmental strategic planning expertise. In order for decisions on allocating growth zones to be sufficiently well-informed and compatible with the objectives the Environment Bill, it is vital that this skills gap is addressed, and that both robust ecological evidence and expertise underpin the plan-making process.

As mentioned, our members have stressed the importance of ensuring that meaningful public consultation and feedback is present at both the land allocation stage and at the project stage. Zoning systems can create considerable controversy over development and land values, as a consequence of zoning designations which are then legally binding. This can lead to an increase in appeals or judicial reviews, as landowners, communities and developers may see sites as being allocated unfavourably. It was also felt that removing public consultation and feedback from the project stage was at odds with the industry's substantial work and investment in delivering social value, in line with the Social Value Act. Substantial engagement at the project stage was considered not only useful from a design perspective, in terms of troubleshooting key issues, but also of considerable benefit in building trust, securing community buy-in and providing certainty for the project. We therefore support the integration of a site- and project-specific public consultation into a reformed reserved matters or Local Development Order process, where local residents can help meaningfully shape the site-specific design of schemes. This would ensure the Planning System continues to align with the considerable focus of large sections of the industry on delivering social value, through co-creation and meaningful engagement with local communities.

We would support linking Local Development Orders to the production of site-specific codes or master plans. Our members were concerned that there is a risk that the use of generic design codes or parameters will emulate the ineffective generic design guides/pattern books that we currently have. Likewise, it was highlighted that it will be difficult to ensure that these codes are comprehensive enough to encompass or predict all the relevant site-specific considerations that may emerge in the course of the development process. It was suggested that without a mechanism to ensure codes and standards are applied creatively and sensitively to the nuances of sites (large and small), with community input, there is still a danger of delivering substandard outcomes. Our members therefore proposed that it would be better to combine general design codes and

specifications with a process of producing ‘propositional site-specific design codes’, to be followed by design review when applicants seek their as-of-right consent. This is in effect what occurs in the most effective and sophisticated zoning systems in places like Germany, the Netherlands and parts of the USA and Canada. It has the advantage that the detailed codes are produced via a site-specific creative process, providing a tangible and visual basis for real participation. The detailed proposals are then subjected to the scrutiny of design review. This is exactly what the recent [Housing Audit](#) project, where UKGBC partnered with Place, HBF and others, identified as delivering the best outcomes. Likewise, it was stressed that the use and production of site-specific codes and masterplans was an area in which our members and the wider industry have significant experience, in addition to delivering proven results.

The White Paper already commits to legislate for site-specific codes as a condition of permission in principle in growth areas. We recommend that this should be extended to all significant development sites with, at the very least, a Coordinating Code produced for all sites over ten units through a process of site-specific, meaningful community engagement. With the body of the industry’s work on delivering social value in favour of both stronger community engagement and involvement across the development lifecycle, it is crucial that incentives remain for engaging the community in both a positive and meaningful way at the project stage. Keeping the threat of planning permission being denied on the basis of community objections at this stage allows the community to play a role in holding the developer to the standards of the local design code and encourages a meaningful reflection of the community’s immediate preferences through the site Coordinating Code. They are in essence a free resource in enforcing the local code itself. Removing the powers of the community to stop inappropriate local development at the stage when the detail of the development will be much clearer could have a significant negative impact on local wellbeing and greatly harm trust in the industry.

(See Q. 17 for more detail on Coordinating Codes)

A particular concern for growth areas, given the potential scale of development, will be the need to consider climate resilience. Pressure on both local water and drainage networks is rising considerably, as a consequence of climate change, and this will generate significant problems for substantial development if no action is taken.<sup>8</sup> It is vital that the process for determining growth zones integrates a robust consideration of achieving climate resilience, and connects to a strategic level of planning designed to deliver resilient development. Greater powers should be given to Catchment Partnerships to ensure that holistic consideration is given to flooding and drainage issues as part of the planning process, alongside consultation with local water companies.

We strongly oppose the use of the Nationally Significant Infrastructure Projects regime, as this currently omits the requirement to deliver biodiversity net gain. It is vital for securing nature’s recovery that significant development enhances, rather than harms, biodiversity. This is crucial for delivering on the White Paper’s aim to move from of a system of ‘no net harm’ to one that promotes wider net gains. (see Q. 9.c for more detail)

**9(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas? [Yes / No / Not sure. Please provide supporting statement.]**

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<sup>8</sup>[https://www.policyconnect.org.uk/sites/site\\_pc/files/report/1335/fieldreportdownload/raa40673ipcibrickswater2reportidjilif2page.pdf](https://www.policyconnect.org.uk/sites/site_pc/files/report/1335/fieldreportdownload/raa40673ipcibrickswater2reportidjilif2page.pdf)

Yes.

For renewal areas, we welcome the prospect of an additional level of oversight for local authorities, as is mentioned in relation to prohibiting development of residential gardens. Where existing places are designated for renewal, an additional level of local oversight would be beneficial in order to ensure a sufficient degree of continuity with the existing environment and to help maintain local support.

As most planning applications brought before local planning officers are small-scale proposals by individual homeowners, which involve existing buildings, it is vital that the permission requirements for such developments in renewal areas promote the delivery of ambitious sustainability enhancements. We support the extension of requirements for consequential improvements to dwellings as a condition of planning permission for such projects, such as upgrading heating, cooling or air handling systems, installing energy efficiency measures, smart metering and/ or on-site renewable energy generation. Where possible, urban greening factors should also be applied<sup>9</sup>, alongside measures to enhance climate resilience.

As with growth zones, we believe it is important to reconcile up-front engagement with land classification and design codes with maintaining public input at the project level. This will be no less important in renewal areas, with established existing communities and residents, in order to ensure that their views are heard and they can genuinely shape what development is delivered in their area. Faster forms of approval for either pre-specified forms of development - such as the redevelopment of certain building types - or a development in line with a Local Plan description for what development the site is appropriate, must still accommodate stringent sustainability requirements and due site-specific public engagement. (See Q.s 9a, 10 and 17)

For protected areas, as mentioned in our response to question 5, we support the introduction of new statutory protections to ensure that the measures proposed in the Environment Bill to deliver nature's recovery are given additional legal protections. Likewise, it is vital that the stipulations in the NPPF and national requirements to deliver climate resilience, net zero and biodiversity enhancement are all strengthened in line with securing greater progress towards the Government's ambitions (See Q. 6).

**9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime? [Yes/ No / ~~Not sure~~. Please provide supporting statement.]**

No.

Currently, Nationally Significant Infrastructure Projects are exempt from the requirement to deliver biodiversity net gain. The scale and placement of new settlements will mean that they will have significant implications for biodiversity and therefore progress towards the Government's goal of reversing decline in the UK.

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<sup>9</sup> <https://www.landscapeinstitute.org/blog/urban-greening-factor-london/>

Whilst we support the stated preference for using brownfield sites, this can often have significant implications for biodiversity. As highlighted in our response to the Defra consultation on biodiversity net gain, some brownfield sites, such as disused airfields, can have considerable biodiversity value, such as supporting numerous rare species. This loss, where it cannot be avoided, should be mitigated by net gain. In addition, the scale of new settlements means that it is vital that they deliver biodiversity enhancement, with habitat loss from new development identified as a major driver behind species decline in the UK. To maintain progress towards achieving the goals of the 25-year Environment Plan, new settlements should not be exempt from the net gain requirement.

**10. Do you agree with our proposals to make decision-making faster and more certain? [~~Yes~~/ No / ~~Not sure~~. Please provide supporting statement.]**

No.

Whilst we support several of the proposals to make decision-making faster and more certain in planning, we have significant objections to key elements that mean we cannot currently support the proposals as a whole.

We support efforts to digitise the system and improve transparency and data availability, as this will be crucial for delivering progress on our national environmental objectives. Proposals to provide greater standardisation of technical supporting information, for instance about local highway impacts, flood risk and heritage matters, should crucially include consideration of climate resilience. We support the development of clear national data standards and templates in conjunction with statutory consultees in order to integrate detailed consideration of climate resilience into the development process and ensure that progress is delivered in line with the Government's National Adaptation Strategy. Developing a clear metric for climate adaptation or resilience in the built environment in particular is a crucial step to enable the industry to measure, disclose and act to improve the climate resilience of its assets, in order to avoid 'stranded asset' risk and ensure that development is future-proofed.

It is crucial for delivering social value and community engagement that proposals to digitise the planning system also ensure that it remains accessible to all, including those less able to use or familiar with technology and typically hard-to-reach groups. (see Q. 11)

Beyond digitisation, we have significant concerns about proposals on statutory time limits for scheme approval and the automatic rebate of planning application fees if appeals are successful. Our members have raised concerns that this will add undue pressure to local authorities to rush through and approve schemes without due consultation. The rebate of planning application fees if appeals are successful will disincentivise councils from challenging poor design. Our members have emphasised the importance of ensuring public consultation at the project stage, and therefore raised concerns about the delegation of detailed planning decisions entirely to planning officers where the principle of development has been established. There should be an opportunity for site-specific public consultation, such as on a site-specific design code. This should then be subject to a design review panel (see Q. 17).

**11. Do you agree with our proposals for accessible, web-based Local Plans? [Yes / No / Not sure. Please provide supporting statement.]**

Yes.

We support proposals in the paper to ensure accessible, map-based Local Plans are available online in a way that is both transparent and accessible. However, whilst digitisation can greatly improve engagement overall, it is important to note that it can also decrease engagement with hard-to-reach, vulnerable groups that do not have access to – or sufficient skills in using – digital methods. Furthermore, the design of the digital process itself is also crucial for ensuring meaningful engagement. Complex, protracted, and inaccessible means of digital engagement can result in sub-optimal levels of public engagement and involvement, and result in poor quality feedback. In line with the latest thinking and investment across the industry in delivering social value, it is vital that the consultation process is suitably engaging and comprehensive, as this provides developers with certainty, helps to build trust and can produce high quality feedback to shape proposals. The digital engagement process must therefore reflect this and ensure that it is sufficiently robust and accessible in order to deliver social value outcomes, accompanied by a strategy for reaching hard-to-reach groups. (For further comments on public engagement in planning, please see Q.10.)

**12. Do you agree with our proposals for a 30-month statutory timescale for the production of Local Plans? [Yes / No / Not sure. Please provide supporting statement.]**

No response.

**13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system? [Yes / No / Not sure. Please provide supporting statement.]**

Yes.

We support the retention of Neighbourhood Plans in the planning system. The level of local involvement and co-creation involved in Neighbourhood Plans means that they are a vital means by which social value outcomes can be maximised in local planning. The feedback from our members has been that neighbourhood planning has been proven to work, delivers growth with more public support, and has shown many local authorities how they need to engage when it comes to their Local Plans. However, how to overcome the barriers for non-established groups to create neighbourhood plans needs to be examined further. At present, it is far easier for Parish Councils as they are already formed. Furthermore, in order for these benefits to be realised, it is vital that Neighbourhood Plans have real teeth in the new planning system to determine local development. It is also important for neighbourhood planning to continue to be able to deal with the full range of spatial planning activities, including allocating sites and local development management policies.

**13(b). How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?**

Digital tools have an important part to play in improving the neighbourhood planning process. In particular, this could be around capturing relevant data to inform the process, mapping and improving engagement opportunities. There is also merit in considering the role of neighbourhood



planning in innovative policy development. For example, the first direct link between the Sustainable Development Goals and a planning policy was in a neighbourhood plan. Neighbourhood planning is also pioneering new policies on salient issues, such as air pollution and overheating. The Government should look to disseminate best practice in these areas.

**14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support? [Yes / No / Not sure. Please provide supporting statement.]**

N/A

**15. What do you think about the design of new development that has happened recently in your area? [Not sure or indifferent / Beautiful and/or well-designed / Ugly and/or poorly-designed / There hasn't been any / Other – please specify]**

N/A

**16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area? [Less reliance on cars / More green and open spaces / Energy efficiency of new buildings / More trees / Other – please specify]**

N/A

**17. Do you agree with our proposals for improving the production and use of design guides and codes? [Yes / ~~No~~ / ~~Not sure~~. Please provide supporting statement.]**

Yes.

UKGBC welcomes proposals to develop local design codes, provided that these codes build on the example of the National Design Guide and include sustainability as a key component of good design. They must also be supported by a suitably ambitious baseline of sustainability standards nationally. These were strongly supported across the feedback received from our members in response to the Building Better Building Beautiful Commission, as a basis for the delivery of good design.

However, in order for design codes to be effective, they – and the system for applying them - must satisfy a number of conditions. Firstly, they must include sufficiently robust standards to guarantee good quality design. This includes meaningful specifications on density, climate adaptation, green infrastructure and proximity. Local design codes must incorporate a holistic view of design that focuses on sustainable placemaking, not just aesthetics. In practice, this means that the design of new development should also seek to minimise the requirements for heating, cooling, carbon-intensive transport and power, through a combination of place-making principles associated with density, mix of activities, layout and orientation. Likewise it should seek to maximise environmental net gains and the co-benefits delivered, such as through the use of green infrastructure to promote shading, climate resilience and biodiversity enhancement. The National Model Design Code must provide a robust model for local design codes that builds on the key principles of good, holistic design outlined in the National Design Guide. However, it must go much further to produce clear, enforceable requirements in key areas, such as sustainability, climate mitigation and adaptation

and green infrastructure, rather than loose, generic statements that cannot be enforced. This should include clear green infrastructure standards, such as those currently being produced by Natural England and partners such as UKGBC.

Secondly, if design codes are deployed across the country without effective mechanisms to ensure that they can be enforced properly, as well as a mechanism by which they can be applied both creatively and sensitively to the nuances of sites, then they still risk delivering substandard outcomes. Both the Housing Design Audit and the feedback of our members highlighted that the most effective tools for delivering good design were site-specific design codes and derived masterplans, followed by design review. In the Housing Audit, schemes that used such design codes were five times more likely to appear in the 'good' or 'very good' categories than in the 'poor' or 'very poor' ones; schemes that benefitted from the advice of a design review panel were four times more likely.<sup>10</sup>

Although we welcome plans to develop a baseline of standards through codes, the NPPF and pattern books, such measures alone will not guarantee the delivery of quality development on the ground. As highlighted by our members, particularly in relation to our work on social value, achieving good design that secures positive social and environmental outcomes must go further than the application of a generic list of design parameters. It requires a proactive and site-specific creative process of design coding, community engagement and accompanying peer review. Planning systems that encompass these features are common in neighbouring European countries, and they have the advantage that site-based codes can be produced incrementally, allowing for more comprehensive local engagement as sites come forward for development, rather than being produced all at once during the zoning phase of plan-making.

We believe there is clearly a need to balance a standardised, upfront approach - which moves consultation 'upstream' - with a means to ensure that schemes are genuinely designed for sites in a way that seeks to optimise place value. This approach could use clear, ready-made typologies that feature ambitious sustainability standards, alongside a careful, site-specific, and up-front design process, like the examples used to illustrate the White Paper and those examples of high quality development highlighted by UKGBC members.

The White Paper highlights the idea of local authorities using more detailed 'Coordinating Codes' to establish a clear and concise set of site-based design parameters for sites early in the development process, guiding more detailed design work later on. We welcome this proposal, together with the commitment to legislate to require site-specific codes as a condition of Permission in Principle in growth areas. This matches with the recommendation of our members to ensure that larger site master plans embed ambitious sustainability principles from the outset. This policy should be extended to all significant development sites with, at the very least, a code produced for all sites over ten units. It is crucial that the status of these codes is clarified in the proposed revisions to the NPPF, so that, once prepared, they are fully enforceable by Local Planning Authorities and are not just guidance that can be ignored.

Produced early and in such a clear and accessible manner, Coordinating Codes would provide the ideal basis for the up-front and fundamental participation of communities in the planning process, whilst also delivering consistency for developers. They would also provide the basis for engagement

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<sup>10</sup> <https://indd.adobe.com/view/23366ae1-8f97-455d-896a-1a9934689cd8>

around real development principles which can be understood by all, without the technical detail and language that can often make later consultations unsatisfactory and inaccessible. The production of these site-specific Coordinating Codes should therefore be used as a means to reintegrate local consultation and feedback at the project stage, to ensure local co-creation at the site-specific design process. With the body of the industry's work on delivering social value in favour of both stronger community engagement and involvement across the development lifecycle, it is crucial that incentives remain for engaging the community in both a positive and meaningful way at the project stage. Keeping the threat of planning permission being denied on the basis of community objections at this stage allows the community to play a role in holding the developer to the standards of the local design code, and encourages a meaningful reflection of the community's immediate preferences via the site Coordinating Code. Removing the powers of the community to stop inappropriate local development at the stage when the detail of the development will be much clearer could have a significant negative impact on local wellbeing and greatly harm trust in the industry.

However, ensuring that codes are successful will require meaningful attention to both local authority skills and capacity concerns, alongside a wider culture change. This will be vital in ensuring that design codes do not simply 'rebadge' existing supplementary planning policy guidance, whilst good design is still not delivered on the ground. As the report 'Design Skills in Local Authorities in England' has shown, currently many Local Planning Authorities have capacity issues and a shortage of the skills required, and these concerns have been echoed by members of UKGBC.<sup>11</sup> Ensuring that local authorities are sufficiently equipped to create and enforce these codes will be of paramount importance to their success. In particular, it will be essential that Local Planning Authorities are supported in acquiring the ecological expertise required to ensure that both local codes and development plans are ecologically sound, with both robust monitoring and enforcement. We therefore welcome proposals to consider additional enforcement powers and the commitment in the White Paper to develop a comprehensive resources and skills strategy. Likewise, we support the proposition that each local authority should have a Chief Officer for Design and Place-making, as this will help promote a culture change and embed design considerations more definitively in local authority structures. It is crucial to stress that the ambition of the White Paper will not be delivered until and unless we invest significantly in planning services.

**18. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making? [Yes / No / Not sure. Please provide supporting statement.]**

Yes.

We support the creation of a new body to support design coding, act as a centre of excellence and perform a wider monitoring and challenge role. In its supporting role, it will be of considerable help to local authorities in terms of providing practical guidance and assistance and sharing best practice in developing codes. In addition, its role to monitor and challenge the industry is also welcome. It is crucial that such a unit run regular [design audits](#), as these are a necessary part of measuring whether good quality, sustainable design is being delivered across the industry.

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<sup>11</sup> <https://indd.adobe.com/view/f2dce345-a265-4c28-9ab3-223ac41110b6>

We also support the creation of a fully funded chief officer for design and placemaking in local authorities to help ensure leadership and promote the consideration of design and suitable placemaking across council functions. It will be crucial that this chief officer role includes qualifications or education on environmental sustainability, as this is a key component in high-quality, future-proofed place-making. To develop sustainable design codes, local authorities must be supported to ensure that they have access to the relevant ecological expertise. This should include trained ecologists, tree officers, environmental data managers and environmental planners. We welcome planned proposals later this year for improving the resourcing of planning departments more broadly, as this will be crucial for supporting the delivery of a strong, sustainable design focus across local authorities.

**19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England? [~~Yes / No / Not sure~~. Please provide supporting statement.]**

Yes.

We support the Government's plans to consider how Homes England's objectives might be strengthened to give greater weight to design quality and assess how environmental standards can be more deeply embedded in all Homes England's activities and programmes of work. UKGBC have long been calling for sustainable design to be given greater emphasis in the strategic objectives of Homes England, specifically in terms of achieving both net zero and climate resilience. It is crucial that sustainability is defined as a key element of this emphasis on design quality, and that the delivery of net zero, climate resilience and biodiversity enhancement is central to any strengthened objectives.

**20. Do you agree with our proposals for implementing a fast-track for beauty? [~~Yes / No / Not sure~~. Please provide supporting statement.]**

No.

Whilst we agree with the emphasis in these proposals on tying a fast-track approval process to clear design quality requirements, this must also be balanced by ensuring due community engagement and local authority oversight, to ensure both local buy-in and that what is specified is delivered.

For all the proposals put forward for how this 'fast track' could be realised, we would reiterate the point that emerged from discussion with our members that public consultation is valuable both upfront in terms of defining design requirements and land allocations, but also at the individual project stage.

We support the first proposal for faster approval via updating the National Planning Policy Framework to support schemes which comply with local design guides and codes, provided these include a strong baseline of environmental standards on achieving net zero, climate resilience and biodiversity enhancement. As we highlighted in our response to the Building Better Building Beautiful Commission, the pursuit of beauty is valuable both for its own sake, in promoting high quality development that people can support and be proud of, and as an opportunity to address multiple social and environmental concerns around new development. Sustainability and beauty

are not - and should not be perceived as – conflicting, but rather are inseparable and interwoven. Truly sustainable places and buildings will need to be beautiful to stand the test of time, with features that deliver for public health, wellbeing and biodiversity. Likewise the integration of nature is a central component of achieving beauty in the built environment, with significant cultural resonance and value in tackling both climate change and biodiversity decline.<sup>12</sup> The use of nature-based solutions to enhance places' climate resilience and biodiversity should therefore be recognised and promoted as a key component of achieving beauty, as part of a holistic approach that delivers truly sustainable placemaking. This should be supported through the NPPF, design codes and associated guidance.

On the second proposal on the use of Coordinating Codes, we support plans to require that a masterplan and site-specific code be produced for sites in growth zones. However, we believe this should be part of, not prior to, detailed proposals coming forward, as a means of providing site-specific public feedback to direct detailed matters. These masterplans and codes could be prepared by the Local Planning Authority with local input, at a level of detail commensurate with the size of site and key principles to be established. (Please see our answers to question 9a, 10 and 17.).

Finally, we oppose the extension of permitted development rights in conjunction with pattern books, in renewal areas. Whilst in principle we support replicable, high quality, sustainable design, our concern is that the permitted development process is inimical to achieving this. Despite existing pattern books and standard specifications, permitted development continues to deliver poor quality development across the built environment.<sup>13</sup> Public involvement at the project stage, design review and local authority oversight were all highlighted by our members as key to delivering good quality design; with a site-specific, collaborative process key to maximising social value outcomes. Permitted development rights should also be reformed to include much stronger sustainability requirements, such as achieving higher energy efficiency and air quality standards, access to green spaces, ensuring climate resilience through mitigating overheating risk, and promoting nature-based solutions and urban greening.

**21. When new development happens in your area, what is your priority for what comes with it? [More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space / Don't know / Other – please specify]**

N/A

**22(a). Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold? [~~Yes~~ / ~~No~~ / Not sure. Please provide supporting statement.]**

Not sure.

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<sup>12</sup> <https://www.ukgbc.org/wp-content/uploads/2019/06/UKGBC-Building-Better-Building-Beautiful-response.pdf>

<sup>13</sup> <https://www.gov.uk/government/publications/quality-standard-of-homes-delivered-through-change-of-use-permitted-development-rights>

Whilst our members acknowledged criticisms associated with the complexity of administering both the Community Infrastructure Levy and Section 106 as they currently stand, it was felt that the ability to link to the specifics of projects was valuable for delivering sustainability outcomes. Any system of developer contributions must retain a site/project-specific link in order to provide tailored community and environmental infrastructure.

**22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally? [Nationally at a single rate / Nationally at an area-specific rate / Locally]**

N/A

**22(c). Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities? [Same amount overall / More value / Less value / Not sure. Please provide supporting statement.]**

N/A

**22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area? [Yes / No / Not sure. Please provide supporting statement.]**

N/A

**23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights? [Yes / No / Not sure. Please provide supporting statement.]**

N/A

**24(a). Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present? [Yes / No / Not sure. Please provide supporting statement.]**

N/A

**24(b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities? [Yes / No / Not sure. Please provide supporting statement.]**

N/A

**24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk? [Yes / No / Not sure. Please provide supporting statement.]**

N/A

**24(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality? [Yes / No / Not sure. Please provide supporting statement.]**

N/A

**25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy? [Yes / No / Not sure. Please provide supporting statement.]**

N/A

**25(a). If yes, should an affordable housing 'ring-fence' be developed? [Yes / No / Not sure. Please provide supporting statement.]**

N/A

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