

Royal Institute of British Architects

Response to the call for written evidence: Technical consultation - Stronger performance of local planning authorities supported through an increase in planning fees April 2023

The Royal Institute of British Architects is a global professional membership body driving excellence in architecture. We serve our members and society in order to deliver better buildings and places, stronger communities and a sustainable environment. Being inclusive, ethical, environmentally aware and collaborative underpins all that we do.

The RIBA welcomes the opportunity to respond to the technical consultation on stronger performance of local planning authorities. We have long made it clear that planning departments are under-resourced, and that this creates a number of significant issues both in terms of the quality of the built environment and the pace at which planning applications can be considered. As such, this decision to consult on changes to planning fees is welcome.

We are also pleased to see that the consultation focuses on skills and recruitment within local planning authorities, particularly with regards to encouraging more applicants from different demographic backgrounds into the sector.

The RIBA recommends that the Government:

- Invests in building up the capacity of local authority planning departments, particularly with qualified design expertise.
- Ringfences any income from proposed planning application fee increases for use within planning departments.
- Works with institutions and local authorities to diversify the paths through which people can qualify as planning professionals.
- Ensures that measures to widen community engagement with the planning process are appropriately funded to allow for meaningful and equitable participation.

1. Do you agree that fees for planning applications should be increased by 35% for major applications?

Yes.

As we will extrapolate on elsewhere in our response to this consultation, planning departments do not currently have the resource available to a) recruit and retain the workforce they need to ensure best practice and clear planning application backlogs, and b) to minimise said backlogs. This leads to bottlenecks within the planning system and raises the possibility of poor quality design being approved.

With this in mind, we agree that for major applications a 35% uplift in fees is reasonable. Major developers will also experience the benefit in the long run, as a better resourced planning system is likely to lead to faster decision-making on their proposed schemes.

2. Do you agree that fees for all other planning applications should be increased by 25%?

Yes.

3. Do you consider that the additional income arising from the proposed fee increase should be ringfenced for spending within the local authority planning department?

Yes.

As we have outlined in our response to Q6, planning departments have experienced one of the most severe cuts in terms of real terms budget allocation in recent years. This has had a clear impact on planning departments with regards to both a) capacity and relatedly, delays to the processing of applications and b) the recruitment and retention of qualified design professionals. We therefore view it as vital that income raised from any fee increase should be ringfenced for sole use within planning departments.

4. Do you agree that the fee for retrospective applications should be doubled, i.e. increased by 100%, for all applications except for householder applications?

Yes.

5. What do you consider to be the greatest skills and expertise gaps within local planning authorities?

Resolving the issue of poor-quality development requires investment in the planning system and a greater role for expertise in the development of new housing. Lack of qualified design expertise in planning departments is of great concern to the RIBA – indeed, as the role of architects in the delivery of mass-market housing has declined, it is not just design standards that have suffered. We

have also seen growing challenges around the sustainability, safety and quality of new homes. Many of these factors are currently disconnected from the planning system, and this needs to change.

Planning departments must employ qualified architects to help define and interpret policy and assess applications. As we have previously recommended in our response to the 2020 'Planning for the future' consultationⁱ, in the short term, new staff will likely have to be recruited from the private sector due to the volume and skills required. Thought therefore needs to be given to how these can be appointed and competitively remunerated.

6. In addition to increasing planning fees, in what other ways could the Government support greater capacity and capability within local planning departments and pathways into the profession?

There are wider questions to be answered with regards to how planning departments, like many local authority departments, should be sustainably resourced in the long-term. Research by the Institute for Government has shown that local authority spending power has fallen by 16% between 2010 and 2020ⁱⁱ, having a clear knock-on impact on the ability of local authorities to deliver core services.

Planning services experienced a more severe cut than many other local authority services – evidence suggests that councils across England disproportionately cut 'housing, cultural and planning services'ⁱⁱⁱ in comparison to cuts to other departments. As such, providing additional resource is clearly an overarching priority for planning departments to have adequate capacity.

One step towards ensuring that planning departments will have this capacity is through ensuring that there will be enough future qualified planning professionals. As outlined in our answer to Q7, we support the creation of varied pathways into the planning profession and welcome the work of the Royal Town Planning Institute (RTPI) in creating apprenticeships as an alternative to undertaking a traditional degree course. Further to this and as articulated in our answer to Q11, planning departments must employ qualified architects.

7. How do you suggest we encourage people from under-represented groups, including women and ethnic minority groups, to become planning professionals?

We have been clear that there needs to be architectural involvement in the process from the earliest stage and are committed to working towards a more accessible, inclusive and diverse architecture profession. In January 2023, the RIBA released its Education White Paper^{iv}, and in April 2022, RIBA was one of six professional membership body signatories to a Memorandum of Understanding (MoU) to improve Equality, Diversity and Inclusion in the built environment.

There is an obvious need for more work to be done across both the architecture and planning professions to ensure that all demographics are represented. In terms of architecture, recent data

from the Architects Registration Board (ARB) shows that only 31% registered architects are women, while 88% respondents are white.^v With regards to planning, the RTPI has reported that in a 2020 survey undertaken by Women in Planning, of 379 planning consultancies surveyed, only 17% of Chief Executives and Directors were women^{vi}. 2022 research by the RTPI also showed that while the number of students from diverse communities studying town planning in higher education is similar to the profile of the general population, this level drops noticeably amongst graduates taking up roles in the planning profession^{vii}.

While the recommendations contained our Education White Paper are specific to the architectural profession, commitment to flexible models which take into account barriers to opportunity is a key element in terms of diversifying the planning profession more widely. We applaud steps taken by the RTPI to promote apprenticeships as a pathway into the sector, thereby diversifying the paths that can be taken to qualify as a planning professional.

8. Do you agree that the performance of local planning authorities for speed of decision-making should be assessed on the percentage of applications that are determined within the statutory determination period i.e. excluding extension of times and Planning Performance Agreements?

While we appreciate that measures taken to speed up the ability of planning departments to make decisions on outstanding applications should be welcomed, we are concerned that this will not be the best measure on which to assess performance.

The reasons for this are twofold: firstly, we are concerned that this may put undue pressure on local authorities to make decisions quickly without considering the underlying issues facing planning departments with regards to resource and capacity. To speed up the decision-making process, as outlined in our response to Q6, it is vital that planning departments are adequately resourced.

Secondly, there is already a fair incentive for local authorities to approve within the existing determination period, as non-determination within that period is grounds for an appeal which will subsequently take the decision out of the local authority's hands.

There is also the issue that as a mechanism to speed up the delivery of major applications, the suggested measures would not be the most effective. For applicants putting in a large application, there is the likelihood that they will pay for a Planning Performance Agreement (PPA). As such, a suggested assessment measurement that may be more accurate could be the number of applications which have been approved within the timescales agreed in a PPA.

9. Do you support the introduction of a qualitative metric that measures customer experience?

Yes.

While we support the introduction of this measure in theory, it is of limited value to introduce measures without the willingness or capacity to meaningfully analyse the feedback and use it to improve services. With that in mind, we would support the introduction of such a metric should the appropriate resource commitment be allocated to embed it.

10. What do you consider would be the best metric(s) for measuring customer experience?

While the RIBA considers that there are many measures that could be used to measure customer experience, we urge the department to ensure any recommendations take into account accessibility. In order to meaningfully measure customer experience, comprehensive must be undertaken to ensure that no demographic group is left unable to participate meaningfully within the feedback process.

11. Are there any other ways in which the performance of local planning authorities or level of community engagement could be improved?

We have been clear that the performance of local planning authorities would be increased if they are allocated the resource needed to adhere to best practice. This includes resource to recruit and retain qualified designers, including architects, whose expertise is lacking from a large proportion of existing planning decisions.

Numerous assessments have revealed that there is a concerning lack of specialist design expertise within local government^{viii}. This is problematic as local planning authorities are often unable to engage in proactive planning, which is necessary to properly establish an ambition for an area or neighbourhood. Instead of proactively engaging with design teams, local authorities are often reduced to reactively responding to planning applications once submitted. As well as resulting in poorer outcomes in design, it also creates substantial delays to the planning process as issues are identified late.

With regards to community engagement, the RIBA strongly welcomes reforms aimed at increasing public participation and engagement in planning. The expansion of the use of public participation mechanisms such as digital tools would make it easier for residents and other stakeholders to visualise and contextualise the implications of a proposed development. Any visual material used to help communities interrogate proposals and make informed decisions must be different from, and more detailed than, standard marketing material. Design materials – including virtual reality and augmented reality – must be specifically designed to enable community engagement.

However, it is vital that public consultation is not confined to the digital realm, and that a broad range of engagement approaches that allow local plans to reflect the views of all residents, not just those who put themselves forward to be heard. This includes ensuring that measures are undertaken which take into account increasing participation for disabled and marginalised residents

and members of the public, alongside others who are traditionally underrepresented in the consultation process.

Engagement processes must be also carefully managed to help translate the community's aspirations into viable outcomes and facilitate proactive placemaking by architects. The timing of consultation also is of critical importance to allow for meaningful contribution from the local community and to enhance the value of investment.

The resourcing of consultation exercises needs careful consideration as they could become a significant drain on capacity in planning departments. To ensure high-quality design outcomes are delivered in accordance with community aspirations, it is critical that architects are involved in the consultation processes.

ⁱ <https://riba-prd-assets.azureedge.net/-/media/Files/Policy/RIBA-responses-to-consultations-and-inquiries/Planning-for-the-future-consultation-October-2020.pdf?la=en&hash=9C95FC6442AC8738EB797CCD51882F13>

ⁱⁱ <https://www.instituteforgovernment.org.uk/explainer/local-government-funding-england>

ⁱⁱⁱ <https://www.instituteforgovernment.org.uk/sites/default/files/publications/neighbourhood-services-under-strain.pdf>

^{iv} <https://www.architecture.com/knowledge-and-resources/resources-landing-page/riba-education-white-paper#available-resources>

^v https://arb.org.uk/architects-today/?dm_i=GKK,89CGG,B0P04,XXJX8,1

^{vi} <https://www.rtpi.org.uk/new/our-strategic-priorities/equality-diversity-and-inclusion/supporting-a-diverse-and-inclusive-profession/>

^{vii} <https://www.planningresource.co.uk/article/1795321/planning-students-diverse-backgrounds-not-making-industry-graduation-research-claims>

^{viii} https://www.london.gov.uk/sites/default/files/placeshaping_capacity_survey_2018_web.pdf