

Royal Institute of British Architects

Response to *Planning for the future* consultation October 2020

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's response to the Planning White Paper aims to provide a constructive critique of the proposals contained within Planning for the future based on feedback from RIBA members.

The RIBA welcomes many of the objectives of the reforms – particularly the focus on improving the quality of design. Reforms which deliver a properly funded planning system that is able to promote good design in a quicker and less bureaucratic way would be very welcome by RIBA members across the country.

This White Paper also offers the chance to address some of the failings which are often placed at the door of the current system. If we are to increase the number and quality of new homes, address regional economic imbalances and tackle the climate emergency, the planning system will be an essential tool.

Planning for the future must be the start of a wider conversation about how the built environment in England responds to environmental, economic and demographic changes. If the planning system is to act as a catalyst for transformation, more detail on how the new system would work is urgently needed on a range of issues. From details on how the sustainability of new and existing developments will be improved to regional planning, the use of design codes, democratic oversight and the land allocation system, many planks of the reform proposals are currently unclear. We look forward to working with the Government on the development of more detailed proposals.

Pillar One – Planning for development

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

In general, there is a recognition from RIBA members that the planning system would benefit from reforms aimed at making the system more effective, efficient and accessible. At the same time, the RIBA feels that many of the current challenges faced by the planning system are the result of systematic under-investment in the current system which has affected the delivery and quality of housing, public realm and infrastructure provision.

RIBA priorities

- The Government's commitment to 'bring forward proposals later this year for improving the resourcing of planning departments', is welcome.
- The Government must commit to a long-term programme of investment in planning as well as providing urgent funding to address local capacity issues.
- Funding must also be in place for the transition between the current system and any reforms which emerge from this consultation.
- Given the central importance of increasing local authority planning capacity, it is critical that Government clarifies how the proposed increase in resourcing will be funded, e.g. by raising planning fees or Planning Performance Agreements.

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

N/A

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]

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]

Within our membership there are a wide range of views. Those who support of the proposals in the White Paper see the focus of plan-stage public engagement as a way of creating greater certainty for those looking to bring forward development projects. However, there is also widespread concern about the removal of democratic oversight from individual developments and the impacts that this will have on both public trust and the overall quality of development.

RIBA priorities

- The RIBA strongly welcomes reforms aimed at increasing public participation and engagement in planning and the expansion of the use of digital tools that would make it easier for residents and other stakeholders to visualise and contextualise the implications of a proposed development.
- We note that to date, Government announcements about the proposed changes have not made it clear to the public that engagement in local planning matters will be heavily focussed in the plan-making process rather than at the level of individual developments.

- 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.
- Local and national campaign of broadcasts and advertisements via social media, press and TV demonstrating how to get involved in the plan making process will be vitally important.
- While we recognise that the posting of local notices to inform the public about development plans is outdated, at present the White Paper does not set out an adequate replacement process.

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]

The RIBA is concerned that the proposals in the White Paper appear to focus on housing delivery at the expense of other areas of the built environment. England faces multiple housing crises which all require attention, however, new homes do not exist in a vacuum: they create demand and drive growth, the planning system must be able to accommodate these things effectively it is to be deemed successful.

RIBA priorities

- It is vital that a reformed planning system puts placemaking at the heart of the planning system – not just new homes.
- The number of new homes must not be the sole measure of success for these reforms
- The wording of this question and the potential creation of a hierarchy of planning priorities is concerning. The RIBA would welcome further information on the aims of this question.
- If the Government is to deliver a planning system which is able to meet the demands of current and future residents, it is essential that it adequately considers all of these factors and does not create artificial divides between jobs, growth, housing and the environment.

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

There are a range of views within the RIBA's membership on this question. In general, respondents to our consultation events expressed support for simplifying local plans while also giving them greater weight within development.

RIBA priorities

- It is vital that both local plans and design codes are adequately resourced during their development and are able to reflect the complexity of the built environment that they refer to.
- Simplifying and shortening local plans may be appropriate in some instances, however, the range of local government bodies with planning responsibilities means that it is vital the we avoid a one-size-fits-all approach which these proposals seem to hint at.
- From the management of historic buildings to decisions on greenfield development – a good local plan needs to be rooted in the area it serves and able to respond to local needs and challenges.
- The planning system must stop pitting the environment against other aspects of development. Instead of requiring local plans to “strike the right balance between environment, social and economic objectives”, local plans should focus on how sustainability can deliver social and economic objectives

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.]

The RIBA feels that greater detail and consultation on how decisions relating to the allocation of land will be made are required in order to accurately assess the implications of streamlining development management content.

RIBA priorities

- We are broadly supportive of the aim of streamlining the development management content of local plans.
- Resourcing of post-permission oversight should be prioritised to ensure that negotiated quality is realised post-permission.
- In order to deliver a faster local plan making process, the Government should quickly issue a revised NPPF incorporating primary policies for development management to make it clear that Local Plan Making is about site or area specific requirements and not general policies.

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.]

Getting the ‘sustainable development test’ right is one of the most important tasks the government faces. The wrong decisions at this stage would be catastrophic. We are concerned that the merging of Environmental Impact Assessments with Sustainability Appraisal will oversimplify what is a complex interrelationship of issues, and will not, as hoped, drive up local environmental and ecological standards.

The development of a consolidated test of sustainable development also offer that opportunity to broaden how we assess the environmental performance of new buildings. The RIBA welcomes a 75% reduction in emissions for housing by 2025, but quite simply this will not be enough to avert the climate emergency. We need to go further.

RIBA priorities

- Government’s response to the White Paper and Future Homes Standard should provide a clear road map of intention linked to building regulations and the UK carbon budgets
- Operational energy should be the key metric for measuring energy efficiency and should be calculated before carbon conversion and offsetting
- New regulation should include a commitment to use a revised design for performance energy model to replace the Standard Assessment Procedure (SAP)
- Ensure new homes meet embodied carbon, water, health metrics and biodiversity standards set out in the RIBA 2030 Climate Challenge
- Government should specify strict back-stop u-values, thermal bridging, airtightness, and shading for new homes
- The sustainable development test should be:
 - Holistic and based on the UN Sustainable Development Goals that relate to the built environment, including but not limited to: affordable clean energy, sustainable cities and communities, responsible consumption and production, and climate action
 - Ambitious and flexible. It should also allow exemplar local councils to go further and faster
 - Together with local design codes, the mechanisms for assessing development must drive innovation rather than reinforcing the status quo.

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

While we recognise that to date, the duty to cooperate has not worked as effectively as was hoped, it does have the benefits of requiring local cooperation and providing safeguards against developments in one local authority whose primary impacts may be felt in another. Reforms to the process of cross-boundary cooperation need to be based on an examination of the duty to cooperate and previous policy tools. Whatever option is pursued by the Government, an effective approach to strategic planning needs to be introduced.

RIBA priorities

- The Government should carry out a detailed impact assessment on the abolition of regional spatial strategies and the potential for a replacement model.
- We note that the White Paper lacks a clear indication of how existing regional planning authorities (such as those in London, Manchester and the West Midlands) will operate alongside local and national policy. In the absence of regional spatial strategies, combined authorities have been one of the few positive forces for cross-boundary decision making. We would urge government to put forward plans for consultation.
- Whatever route the Government decide to take, it is vital that planning system and funding structures are adequately able to account for developments that due to their locations may bring revenues and employment into one area at the expense of higher traffic and increased demands on public services in another.
- In our policy report Closer to home, the RIBA called for significant devolution of power to local authorities to raise resources and respond to local demand; without these changes, we believe that the planning system will not be able to effectively mitigate cross-boundary issues.

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.]

Whatever system is introduced, England needs a better way of delivering high-quality homes in the right places. At present, we are failing on almost all counts. Given the importance of an effective tool for assessing housing need, we feel that the Government must urgently clarify their plans to address political and public concerns.

RIBA priorities

- The Government must set out and consult on detailed proposals well in advance of draft legislation being published.
- It is vital that any system is
 - Transparent;
 - based on clearly communicated principals that reflect local circumstances;
 - driven by housing need and demand rather than party politics.

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.]

Affordability and the extent of existing urban areas are important indicators of the quantity of development to be accommodated but they are insufficient as a basis for ensuring that new development has a beneficial impact on a local area.

RIBA priorities

- Existing and planned infrastructure, local employment and sustainability also need to be considered at a very minimum to allow effective planning.
- A mechanism for considering regional and national planning considerations needs incorporating into these considerations.

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.]

- The RIBA welcomes the Government's consideration of a zonal approach and can see many potential benefits. However, it is currently unclear how automatic approval in growth areas will address site specific constraints and opportunities such as sensitive habitats or heritage assets. It also is unclear how important views or topography can be considered.

RIBA priorities

- At present we feel that the proposals lack the detail needed to make an assessment of the potential positive and negative impact of automatic outline permission for areas for substantial development.
- Before any further policy is development on regulations relating to zones, much more detailed criteria for the allocation of land to a zone need to be brought forward.
- it is critical that zones are decided with appropriate assistance from architects and other professionals.

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.]

Please see answer to Question 9a.

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.]

There is a clear need to improve the links between large-scale national projects and local development. At the moment, too many large-scale infrastructure projects fail to deliver the level of local benefit they could because of a failure to take local issues into account or to provide resources for local investment.

RIBA priorities

- In our report *Joining the dots* the RIBA set out a decision making framework that would allow for stronger local involvement in national level projects in a way that would ensure that benefits of investment are maximised by
 - ensuring that housing and employment are given greater importance in the decision-making processes for transport infrastructure projects;
 - deepening the devolution of power and resources over infrastructure and housing to local and regional leaders;
 - raising the bar for design by including design guidance in national and local infrastructure policies.

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

The RIBA is supportive of the aims of the reforms. A faster, more certain decision making process would be hugely beneficial for planning and many other areas of Government. However, we are concerned that at present, the proposals do not contain the necessary level of detail to accurately assess whether they will indeed deliver better decisions while also providing communities with the tools they need to shape their areas.

RIBA priorities

- The RIBA sees the use of design codes as set out in this White Paper as an example of an initiative that could deliver benefits if the right supporting mechanisms are put in place.
- However, without an appropriate level of oversight, a reliance of design codes could also lead to a further dumbing down of design standards and aspirations and reward those developers who are prepared to focus solely on quantity at the expense of quality.
- Zoning will require joint-up thinking at a national and regional level to ensure that investment is focused in parts of the country which most need it, or where it can contribute to wider regeneration benefits.
- Local authority targets must be based on national-scale strategic thinking and local circumstances – rather than a purely automated process.
- Zones for ‘Renewal’ will involve a presumption in favour of pre-specified forms of development. Consent will be automatically granted assuming adherence to design codes and other prior approval requirements. It is still unclear how developments that are not ‘pre-specified’ will be assessed. Again, this will need clarification.
- It is unclear how a deliverable development brief will support effective deployment of design codes. Considering the time and cost of such work, it seems unlikely that detailed capacity

studies can be carried out on all sites for inclusion in the policy plan. It furthermore is unclear how enforcement will work in the new system. Government must clarify what mechanisms will be put in place to ensure compliance, for instance on schemes that receive automatic consent.

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

Yes – the RIBA strongly supports greater use of digital tools to increase awareness and engagement of local plans. The new planning process will involve consulting more closely with local communities. This is sensible as local communities know their locality best. However, engagement processes must be 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.

RIBA priorities

- The nature of consultation will be critical. Consultation must not be reduced to a digital tick-box process which would be of limited use.
- The resourcing of consultation exercises needs careful consideration as they could become a significant drain on capacity in planning departments.
- Consultation exercises should be facilitated by qualified architects. To ensure high-quality design outcomes are delivered in accordance with community aspirations, it is critical that architects are involved in the consultation processes.
- It is critical that otherwise technical discussions – such as those related to zero carbon and other measures relating to the sustainability of the scheme – are included in conversations. Sustainability must be integral to designs from the outset and cannot be covered by Building Regs alone.
- 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.

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.]

Yes – the RIBA is supportive of a 30 month statutory timescale provided that the Government ensures that sufficient resources are made available for the preparation of local plans and that the Government is able to commit to making timely decisions on the approval of plans.

RIBA priorities

- Government should set out a clear pathway for the development, approval and review of plans to give local authorities and communities an idea of what they should expect.
- Adequate resources and expert advice should be available to examine new design content.
- Guidance and funding to support local communities and LPA’s prepare Model Design Codes/Guides during the 30 month plan making period along with training and support to planning committee members will be important.

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

There was a broad range of opinions from RIBA members on the future of neighbourhood plans. As such the RIBA will not be taking a position on this question

RIBA priorities

- Any decision on the future of Neighbourhood Plans must be taken in concert with aspirations to reduce the size of local plans.
- It is vital that plans at all levels leave room for an appropriate level of detail to reflect local circumstances,
- Local plans should allow for reasonable adjustments to make the most of new opportunities for development and respond to new challenges.

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?

The RIBA strongly supports the use of tools that can help improve the quality of design and the ability of local residents to understand proposed developments. The use of digital tools must be more than just a marketing tool for new developments – it should allow developers and architects to understand and respond to local priorities We note that at present there is a lack of data about community design preferences- and that much of the data which does exist lacks rigour or transparency and focusses solely on external appearance.

RIBA priorities

- The architectural language of new developments must not be reduced to pastiche.
- New approaches are necessary and desirable, and where reliance on pre-approved designs and overly prescriptive policy on architectural style risks precluding innovation and functionality.
- We would welcome further details on how the Government proposes that community preference should be assessed.
- It is important that reforms do not place significant burdens on small developments through requirements to produce or update digital tools to reflect developments unnecessarily.

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.]

Yes, the RIBA strongly supported the conclusions of the Letwin review and we welcome the proposals published alongside this consultation to increase transparency on land control. The lack of competition in the housing market and the monopoly powers of large developers have been one of the key drivers of the housing crisis – a problem which has been exacerbated by the retreat of the public sector.

RIBA priorities

- We would urge the Government to go further and promote an increased role for the public sector as a developer. In report *Homes for all: putting council housing at the heart of the*

local recovery the RIBA sets out how local authority delivery can benefit the quality of new housing and placemaking across a region in addition to producing significant economic and employment benefits.

- We are pleased to see the support given to self and custom build in the white paper and believe that this could be expanded to address the issue of slow build out rates.
- The RIBA strongly supports proposals to increase transparency in the control of land.

Slow build out and market dominance are a huge issues and we would urge the government to consider how they can address them through policy incentives and penalties.

Pillar Two – Planning for beautiful and sustainable places

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]

Too many new developments lack connection to local circumstances. From the use of generic template plans to the exploitation of permitted development, the current system does not effectively deliver good design in many cases.

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

- We note that many low quality and ill-designed developments have benefited directly from significant government support through schemes such as help-to-buy and indirectly through stamp duty holidays. The Government should demand more from private companies in receipt of substantial government assistance.
- We are concerned at the expansion of Permitted Development and the potential for this to undermine the quality and design of new homes.

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]

The creation of a national sustainable development code is a once in a generation opportunity to reset our planning system to fully align with net zero carbon, biodiversity, and sustainable best practice guidance.

To be truly transformational, the White Paper should focus on the interrelatedness of sustainability and its mutual restorative benefits. It is vital that the government consults with sustainability expert groups across the construction industry in the development of this code – something which was notably absent in the development of the White Paper.

One of the most significant features of the White Paper is the lack of detail about how the government intends to deliver an urgent step change in sustainability that fundamentally addresses climate change. The failure to address – or even mention – the declaration of a climate and biodiversity emergency by the government in 2019 is deeply concerning. We hope that the Government's response to the consultation will address this omission.

The headline target of a 75% reduction in carbon emissions for new homes by 2025 is welcome – however, when it comes to the bigger picture, as it stands we are highly concerned that the White Paper lacks the urgency required in an emergency. The White Paper focuses on new homes, but we will not meet our carbon reduction target by building new homes, and therefore the policy should extend to include a National Retrofit Strategy to sustainability retrofit our existing housing stock.

Even the most sustainable new homes can be hugely damaging to the environment if they are built in the wrong places. Too many new developments in England lack an alternative to car usage – this must change. As land which had previously been used for industrial and commercial development comes forward, it is essential that the opportunity is seized to promote sustainable behaviour as well as development.

RIBA priorities

- Government must urgently address the lack of any substantive detail in the White Paper on the new ‘sustainable development code’ before drafting legislation
- Government should consult with key sustainability organisations to provide the correct level of detail and priority to align with the climate and biodiversity emergency
- To avoid perpetuating low density zoned suburbia, sustainable development should be mixed use at a density close to existing public transport to support local amenities and walkable to avoid the continued reliance of personal car use (this includes electric vehicles)
- New developments should embed resilience to climate change impacts such as flooding and overheating
- New developments should be prioritised on existing developed land in urban areas and ensure that all developments significantly enhance local biodiversity

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.]

RIBA support the use of Codes and Guides in planning, particularly site/area specific codes to direct and manage quality in major housing developments. Architects are leaders in the design of the built environment and therefore best are placed to deliver quality.

Community involvement is referred to in the creation of Codes and Guides and it is important to ensure that such engagement is managed professionally to avoid stifling innovation in design.

RIBA priorities

- There is no mention in the White Paper of design review panels. Design review is an important mechanism for improving schemes before application, offering advice to support the constructive development of designs. The RIBA endorse the continued use of design review.
- Design codes should be based on clear principles and concepts – developed through a design process – and must not become tick-box exercises. The White Paper talks about ‘machine readable’ code requirements that ‘can be used by digital services to automatically screen developments and help identify where they align with policies and/or codes’. We advise against such a rule-based approach which risks promoting mediocrity rather than facilitating good design.
- Design Guides or Codes only work if they: (i) are based on genuinely sound, suitable and well-researched design principles, (ii) are not overtly prescriptive, and (iii) are properly enforced by Development Management during a planning application or Reserved Matters process; iv) are site specific, i.e. responding to the opportunities and constraints of the site in question.
- Design codes may secure new, improved minimum standards, but are unlikely to achieve excellence or innovative responses without good designers interpreting the code in context, and good governance able to accept site-specific variation to achieve overall design quality.
- A template for successful coding should be published covering key criteria including
 1. Codes must be embedded in the Local Plan and be approved at the same time as the Plan itself. The preparation of Codes must not add further to time taken.
 2. Should focus on the Ten Characteristics for Placemaking published by Government.
 3. Must avoid style, and must focus on quality and allow for the variety of stylistic interpretations that has made British Architectural design amongst the best in the world.
 4. Design codes must use plans and illustrations over words, i.e. be visual, contextual and 3 Dimensional.
 5. Must be clear, concise and easy to understand.
 6. Must state what is regulatory vs discretionary and allow creative designers an opportunity to meet regulatory standards using alternative methods (i.e. like deemed to satisfy Building Regs vs alternative means to satisfy).
 7. Must be professionally prepared by experienced practitioners.
 8. They must have support from the local community they are designed to serve. (Community means not only residents but business and professions locally).
 9. They should showcase the good and demonstrate the bad. Good design codes like Essex Design Guide and Trumpington Meadows at Cambridge and the resulting architecture.
 10. Design codes should promote the way that people actually live and interact with the built environment, not how cars, trucks and busses interact. Highway engineers must not take

control of the design and masterplanning process. Design codes need status to provide a new order over highways legislation which is currently an over-riding influence and determinant across placemaking.

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.]

RIBA strongly endorse the proposal to appoint a Chief Officer for Design and Placemaking in every local authority. Both zoning and coding system can work well for new developments, but without appropriate resourcing and supervision, there is a danger that they will further erode local influence over design.

RIBA priorities

- It is critical that Chief Officers for Design and Placemaking have direct experience of design and design governance. They must understand how to prepare and implement design guidance and participatory methods – such as design review and public consultation – and should have a track record of delivering projects of genuine quality.
- The role of experts in complex urbanized areas where bespoke design approaches are needed will require appropriate funding.
- Planning departments must employ qualified architects to help define and interpret policy and assess applications. 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.
- Government must allocate funding for design resources to local authorities that are proportionate to their proposed housing allocation. In areas identified for growth, Government should encourage authorities to create small teams under the Chief Officer to ensure adequate delivery. Government should consider directly funding posts for a fixed term of 5 years to support the long-term development of design capacity.

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.]

We strongly support proposals to give greater emphasis to design in the strategic objectives of Homes England. However, it is important that these objectives are not solely focussed on the appearance of new homes. With the right framework in place, Homes England has the power to positively shape the quality, sustainability and safety of new homes.

RIBA priorities

- Home England should consult with industry on a definition of good design and how it can be supported.
- This should include a focus on sustainability, building safety, liveability, the urban realm and the procurement of products and services.
- Homes England should also be required to restrict access to funding from developers whose products fail to meet quality, safety and sustainability standards.
- Post occupancy evaluation should be mandated on new developments as part of the assessment process for future funding programmes.

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

As currently presented, the fast-track for beauty is one of the proposals in the White Paper where the potential outcomes are most unclear. We therefore do not believe it is possible to make an informed decision on this question at this stage.

RIBA priorities

The RIBA urges government to work with the RIBA and others to set out concrete proposals for how a fast-track for beauty would operate alongside other reforms before making a decision on this issue.

Pillar Three – Planning for infrastructure and connected places

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]

The RIBA is concerned about the framing of this question. We will not be able to build sustainable, healthy and prosperous new communities without an approach which delivers all of these features and does so in a way which

RIBA priorities

- Government must introduce a form of sub regional planning to assist growth opportunities across LPA boundaries. This is particularly necessary as the Duty to Co-operate is to be scrapped.
- This will need to include guidance on how assessments are made and agreements reached where there are evident constraints on delivering targets eg Green Belt and other protected designations

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.]

The RIBA feels that the proposals for a new infrastructure levy should be the subject of a separate and more detailed consultation. Given the importance of levy based financing to the development of affordable housing and supporting infrastructure, we have focussed on some of the key areas where clarification is needed. Our responses to questions 22a-d also highlight some of the key areas that we believe should be considered in this further consultation.

Replacing S106 and CIL with a single Infrastructure levy would increase certainty in planning and speed up the development management process. Reducing risk in development would have broad benefits. However, the success of levies of this sort is dependent on trust, transparency and a functioning market- all of these factors are currently in short supply.

RIBA priorities

- During future consultations, government should set clear guidelines on the parameters of any levy and in particular the rules relating to the disclosure and calculations of costs, profits and expected returns.
- A new infrastructure levy must not be the exclusive source of funding for new 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]

Without more definitive proposals relating to potential rates, we do not believe that is possible to endorse any of the proposals within this question.

RIBA priorities

- A single nationally set levy may not reflect the wide variation in land and property values across England nor reflect the infrastructure needs of less populated regions.
- At the same time, tiered and regional models would negate many of the simplicity and certainty benefits but may provide more appropriate levels of funding.

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.]

We welcome the comments by the Secretary of State confirming that the intention of the new levy was to raise materially more than the current system of developer contributions.

RIBA priorities

- It is very important that a new levy is also able to capture some of the non-financial returns generated by S106 and CIL at present including employment, training and community investment.

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.]

In principal the RIBA support the ability to borrow against future infrastructure levy. In many cases, infrastructure gaps are a major source of delay in construction projects.

RIBA priorities

- We would welcome clarification on whether the Government would be prepared to consider a direct public sector borrowing model such as repayable cash grants or the Public Works Loan Board to finance borrowing against future levy receipts.
- Given the level of uncertainty that is inherent in construction and development, the RIBA is concerned that borrowing costs from private lenders may prove prohibitive.
- Borrowing against future income will require mechanisms to ensure that local authorities have the ability to deliver infrastructure needed to support new development that may be outside of their direct control.

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.]

Yes – while we welcome the commitment to introduce minimum space standards for homes delivered through permitted development rights, we believe that the whole rationale for the expansion of permitted development to cover the delivery of large-scale housing projects through change of use is misguided and unnecessary.

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.]

The new levy is set to pay for as much – if not more – on-site affordable housing than is presently the case. This is welcome. However, the white paper does not mention how an appropriate proportion of affordable housing for each development will be set. This will clearly need to be addressed.

RIBA priorities

- The RIBA strongly believes that the Government should look at making more funds available for affordable housing development. Whether this is in the form of grants or the removal of restrictions on borrowing, the current system is failing to meet demand and contributes significantly to economic and health inequalities.

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.]

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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.]

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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.]

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

There is a clear need for complete transparency in how and where infrastructure levy funding is spent.

RIBA priorities

- We recognise that local circumstances will dictate how infrastructure levy funds are spent and believe that at a minimum, a requirement to fully detail and explain decisions be proposed.
- While in some areas there will be a clear case for direct investment in new affordable housing, in other areas investment in the renewal of existing housing, the expansion of infrastructure or environmental improvements may be more appropriate.

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

Please response to Question 25

26. Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?

The White Paper does not provide enough detail about the tools by which individual developments which are compatible with local plans but may have implications for people with protected characteristics will be assessed. Without more detail we feel that it is not possible to be confident that there will be no negative impacts on groups with protected characteristics. We believe urgent clarification is required.