

# Royal Institute of British Architects

## Response to the call for written evidence: Levelling-Up and Regeneration Bill: reforms to national planning policy March 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 consultation on reforms to national planning policy via the National Planning Policy Framework (NPPF). We welcome the focus given to levelling up throughout the consultation – it is key to improving the country, and the Government must utilise the skills of architects, planners and designers in levelling up the built environment.

However, we are concerned that the measures proposed in the text of the revised consultation will not go far enough to build more suitable, affordable and high-quality homes, and therefore will not be an adequate response to the housing crisis.

We are pleased to see that the consultation gives weight to environmental measures, particularly in terms of assessing carbon throughout both plan-making and planning decisions and the acknowledgement of the ever-growing importance of climate adaptation.

The responses below are informed by four consultations held with members of the RIBA. We would be glad to provide further rationale for answers in this consultation, and we look forward to responding to further consultations related to the Levelling Up and Regeneration Bill.

The RIBA recommends that the Government should:

- Actively promote the use of architects in the design of all buildings.
- Invest in building up the capacity of local authority planning departments, particularly with qualified design expertise.
- Retain the requirement for local authorities to demonstrate a deliverable five-year housing land supply.
- Consider issues of infrastructure capacity when undertaking any densification activity.
- Commit to implementing a measure of carbon impact assessment which takes into account plan-making and planning decisions.

**1. Do you agree that local planning authorities should not have to continually demonstrate a deliverable five-year housing land supply (5YHLS)?**

No.

There was near consensus in all member roundtables that local planning authorities should have to continue demonstrating a 5YHLS after the NPPF has been revised. We are concerned that should the 5YHLS be scrapped, it will become difficult to see whether local planning authorities are in fact meeting their targets in terms of ensuring that suitable land will be brought forward for development.

Without a 5YHLS, local authorities which are less likely to be willing to bring forward land for development may become less accountable for meeting their housing targets. Further, neighbouring local planning authorities which are more amenable to development may then experience a knock-on effect in terms of exacerbated levels of densification, potentially without the resource to support it.

Having said this, we are clear that land supplied as part of any 5YHLS must be in areas where necessary infrastructure is either in existence or possible to facilitate; and must ensure that any proposed housing stock is high quality and well-placed for integration with both essential services and amenities and the wider community must apply.

**2. Do you agree that buffers should not be required as part of 5YHLS calculations (this includes the 20% buffer as applied by the Housing Delivery Test)?**

No.

**3. Should an oversupply of homes early in a plan period be taken into consideration when calculating a 5YHLS later on?**

No.

**4. What should any planning guidance dealing with oversupply and undersupply say?**

In addition to looking at issues of oversupply and undersupply, we encourage the revision of the NPPF to include focus on type, tenure and location of supply. Many of our members were resolute that focusing on supply without acknowledging the context of such supply will not create housing that works for the community in which it is situated.

Conversely, by focusing on housing supply as part of a strategic, holistic approach to place and by prioritising community engagement, it is more likely that land can be brought forward for development with the consent of local communities and insight about what additional infrastructure is needed to sustain and manage development in the area.

We would also welcome explicit guidance for local planning authorities in terms of voluntary joint working, where local planning authorities with shared boundaries enter into agreements to deliver sufficient land supply to meet housing targets. With the proposed application of measures such as

the urban uplift, it has become more crucial to look at how local authorities with shared boundaries can work together.

Planning guidance on supply should also consider both changing patterns in terms of demography, the effects of climate change, and ensure it will continue to meet the projected needs of the population of any given area. For example, developments where many of the homes are three- and four-bedroomed may not meet the needs of the increasing population of younger residents, on lower incomes and often without children, coming into an area. As such, we would welcome guidance to clarify and specify responsibilities regarding the suitability of proposed development.

**5. Do you have any views about the potential changes to paragraph 14 of the existing Framework and increasing the protection given to neighbourhood plans?**

We support the proposed measure to increase the protection given to neighbourhood plans in the revised NPPF to five years rather than two years. Given that neighbourhood plans can take a number of years for communities to produce and then to enact in full, it is appropriate that the amount of time that they are effective is extended.

However, this support includes the caveat that resource is allocated to local authorities to facilitate such plans being finalised and operationalised within a timely manner. Our members, while broadly supportive of the increase of protection suggested in the revised text, expressed concern that this could exacerbate the existing issue of plans being delayed both at the planning stage and when they are due to come into force. We are aware that this potential change may further impact housing supply should protections be extended to five years in a system where delays are commonplace.

**6. Do you agree that the opening chapters of the Framework should be revised to be clearer about the importance of planning for the homes and other development our communities need?**

Yes.

**7. What are your views on the implications these changes [to assessing local housing need] may have on plan-making and housing supply?**

We welcome the proposed changes to the text in the NPPF regarding the Standard Method and calculations for local housing need. As the consultation considers, it is vital that plan-making and ensuring both suitable housing and sufficient housing land supply are not in fact hindered by inconsistencies in the method used to assess housing need.

Our members echoed concerns outlined in the consultation text, particularly around the confusion on when it is acceptable to bring forward a plan that does not meet housing need in full due to recognised constraints. While we welcome any measures that will tackle this, we are clear that as outlined in our answer to Q9, whether or not the Green Belt qualifies as a 'recognised constraint' should be subject to qualitative review of use and status.

Further, we welcome the focus on the relationship between plan-making and development. We are concerned that land banking and slow build-out can mean that there is not a clear relationship between demonstrating an adequate supply of land, and the actual rate and pace with which housing supply is being created. We have been clear that more clarity is needed on build-out rates and that local planning authorities must be empowered and resourced to collect the necessary data to demonstrate these.

As such, we are pleased that the amended draft NPPF text includes the express acknowledgement that the requirement for housing may be higher than identified housing need, particularly if it “includes provision for neighbouring areas, or reflects growth ambitions linked to economic development or infrastructure investment.” However, the revised consultation text also highlights the urgency with which more accurate data collection measures are needed with regards to number of units built.

We hope that the proposed revisions act to provide clarity on what is expected with regards to local housing need, and also adds a much-needed contextual element, looking at factors such as affordability and demographic pressures while upholding the primary aim of ensuring an adequate supply of suitable housing stock.

**8. Do you agree that policy and guidance should be clearer on what may constitute an exceptional circumstance for the use of an alternative approach for assessing local housing needs? Are there other issues we should consider alongside those set out above?**

Yes.

We welcome the attention that the consultation gives to exceptional circumstances where local housing need may differ due to the demographic make-up of a particular area, such as a high percentage of older residents or university towns with large student demographics.

Members also raised that where rapid flux in population make-up and density have started to occur, this can impact on the way that local housing need is assessed and addressed. We would welcome measures in the policy and guidance that take into account that ‘local housing need’ should be responsive to demographic changes.

**9. Do you agree that national policy should make clear that Green Belt does not need to be reviewed or altered when making plans, that building at densities significantly out of character with an existing area may be considered in assessing whether housing need can be met, and that past over-supply may be taken into account?**

The RIBA is concerned that by grouping these concerns into one question, there is not adequate space to discuss the implications of each measure on wider housing and planning policy. We have as such responded to the question on the Green Belt alone here.

In terms of the Green Belt, we have previously argued that given the scale of the housing crisis, a qualitative review of its use and status is justified. Land use should always be periodically reassessed,

and it is evident that some parts of the Green Belt offer greater amenity, and are more accessible, than others. Some protected areas could be released for development with little or no adverse consequences while other land, not currently designated, could be worthy of inclusion.

No one should be prepared to sacrifice Green Belt land lightly, and public concern about the quality of new housing development and the capacity of local services to support an increase in the population has understandably increased resistance. This strengthens the need to ensure that the quality of new development will be exemplar, that important habitats will be protected, and that funding is made available for new transport and social infrastructure to provide tangible benefits to the existing community as well as new residents.

Our views on building at density that is out of character with the existing area are covered in the response to Q10, and our views on taking into account past over-supply are shared in our response to Q4.

**10. Do you have views on what evidence local planning authorities should be expected to provide when making the case that need could only be met by building at densities significantly out of character with the existing area?**

The RIBA is not satisfied that the proposed focus on retaining the character of an area is conducive to the aims of the NPPF.

We are concerned that the use of descriptive words such as character and beauty are problematic in the context of the proposed revisions of the NPPF; what constitutes such attributes remains a matter of subjectivity. While the NPPF stipulates that principles in local design guides or codes will be one measure of character or beauty, we are not fully satisfied that these will provide the level of definition necessary to ensure that character is not used as a reason to refuse necessary and otherwise high-quality development.

Members have raised that for people living in areas which are characterised by poor quality development and lack of amenities, building in the existing character of the area will prove counterproductive to the levelling up agenda and the wellbeing of the inhabitants of the area. Character is also a temporally and culturally situated asset, which should be fluid and flexible to changing circumstance, and this should be acknowledged within any definition of character furthered by the text of the NPPF.

There is also a clear sustainability angle to intimations of character in relation to density. We cannot discount the importance of wider concerns such as the technical performance of buildings and the environmental benefits of making use of locally sourced materials. Some members also expressed that character is the wrong angle to be focusing on given the severity of the climate emergency – and instead, the same level of focus should be given to making buildings more sustainable, long-lasting and suitable in terms of climate adaptation.

We would be pleased for the NPPF to include an explanatory note on the precise definitions of character and beauty and justifications as to the agreed upon definitions, including a justification

specifically related to how proposed best practice in terms of density will impact on the production of a more sustainable housing stock.

**11. Do you agree with removing the explicit requirement for plans to be ‘justified’, on the basis of delivering a more proportionate approach to examination?**

No.

We are concerned that measures to remove the requirement for plans to be justified will lead to a lowering of standards for new development. While we recognise that there will still be protections in terms of meeting local need and ensuring development considers principles and policies in the NPPF, upholding the highest standards in terms of quality must be an absolute priority.

With this in mind, we understand that part of the rationale for removing the requirement for justification is to speed up the planning process. However, we would urge the Government to alleviate pressures on the system by providing more resource to planning departments, rather than softening tests to ensure high quality, suitable development.

**12. Do you agree with our proposal to not apply revised tests of soundness to plans at more advanced stages of preparation?**

No.

As above, we are concerned that the proposal to not apply revised tests of soundness to plans at more advanced stages of preparation may have a negative impact on the ability of these plans to fully meet objectively assessed housing need. As such, there is the potential for the plans to be less robust.

As iterated in the answer to Q11, we understand that given the housing crisis it is vital that unnecessary barriers to building new homes are removed. However, this cannot be at the expense of ensuring high-quality housing stock that is able to stand the test of time. We look forward to further updates later in 2023 as outlined in the consultation.

**13. Do you agree that we should make a change to the Framework on the application of the urban uplift?**

Yes.

The RIBA supports the application of the urban uplift on the grounds that many of the towns and cities which would be affected by its application already have at least some of the infrastructure capacity to manage densification of the immediate area via the uplift.

With that in mind, we are also clear that in locales where health, education, employment and transport infrastructure is already operating within the upper limit of its capacity prior to potential population growth, such places must receive resource to adequately increase infrastructure capacity.

Members have raised concerns that applying such an uplift may act in a way which is contrary to aims of the levelling up agenda, as the population will gravitate to cities and towns with the infrastructure to accommodate them. Some members stated that they felt this would stymie the ability for smaller towns and villages to successfully acquire permissions for affordable housing.

**14. What, if any, additional policy or guidance could the department provide which could help support authorities plan for more homes in urban areas where the uplift applies?**

The application of the urban uplift must be supported by guidance which details the importance of ensuring that the areas subject to the uplift have sufficient infrastructure in place to manage the projected increase in population. In consultation with members, it was repeatedly raised that communities experience frustration when infrastructure and amenities are provided in the last stages of development.

Several members spoke of personal experience with development schemes where not accounting for infrastructure prior to development being approved led to opposition from existing residents. As such, we are clear that considering infrastructure – both existing, and the ability to expand or provide additional infrastructure in a given area – is a non-negotiable element of applying the urban uplift.

**15. How, if at all, should neighbouring authorities consider the urban uplift applying, where part of those neighbouring authorities also functions as part of the wider economic, transport or housing market for the core town/city?**

We welcome the acknowledgement that the consultation gives to the impact that the urban uplift will have on surrounding areas which may have less capacity within their infrastructure, and potentially less local authority resource, to alleviate the impacts of an increase in density and the associated population increase.

We envisage that the application and implications of the urban uplift to neighbouring authorities will be contextual; looking at factors such as history of joint working between respective local authorities and the historic over- or under-supply in the given area. Some places will have far more existing capacity to either absorb the impact of the urban uplift or the secondary impact from neighbouring areas being affected by the urban uplift.

In light of the proposed application of the urban uplift, we are keen to respond to the upcoming consultation on the replacement of the duty to cooperate with the alignment policy as this will have clear implications for future joint working. Suggestions from members include a return to an approach characterised by strategic ‘masterplanning’ principles rather than siloed approaches characterised by different local authorities’ positions on densification.

**16. Do you agree with the proposed four-year rolling land supply requirement for emerging plans, where work is needed to revise the plan to take account of revised national policy on addressing constraints and reflecting any past over-supply? If no, what approach should be taken, if any?**

No.

We are concerned that the move to proposing a four-year rolling land supply requirement will act, in practice, to reduce the amount of new housing stock being built during the time that national policy is being revised. We also do not feel that it is the best mechanism by which to protect communities against speculative development being enacted.

While we understand the issues that are caused by speculative development, we do not judge a reduction of the rolling land supply requirement to be the best solution to the issue. The increased protection that will be afforded to neighbourhood plans under the proposed revisions is a better tool with which to tackle issues of speculative development.

Some of our members felt that developers should be further incentivised to engage with neighbourhood plans as a mechanism to protect against speculative development, and we would welcome any recommendations on potential incentivisation in the revised text of the NPPF.

**17. Do you support adding an additional permissions-based test that will ‘switch off’ the application of the presumption in favour of sustainable development where an authority can demonstrate sufficient permissions to meet its housing requirement?**

No.

RIBA members raised concerns over the proposal to add a test to ‘switch off’ the application of presumption in favour of sustainable development should ‘sufficient permissions’ (proposed to be 115% of local housing need) be met.

This was for two main reasons: the first being where members felt that the sustainability element of new development should be baked in; and the second where given the scale of the housing crisis, there was disagreement regarding the principle of having a figure by which the presumption is ‘switched off’.

While members did raise that the nature of what has previously been supplied should be taken into account when looking at future development, this should not be achieved via a blanket test such as the one proposed in the draft text.

**18. Do you consider that the 115% ‘switch-off’ figure (required to turn off the presumption in favour of sustainable development Housing Delivery Test consequence) is appropriate?**

No.

**19. Do you have views on a robust method for counting deliverable homes permissioned for these purposes?**

It is clear that the current system of only collecting data on the numbers of decisions on planning applications submitted to local planning authorities, rather than the number of homes included in each application, does not provide sufficient insight to plan holistically. We are particularly



concerned at the impact that this will have on the provision of amenities to communities which are experiencing densification.

While the RIBA agrees that there must be a robust method for counting deliverable homes, and that collecting appropriate data has a large part to play in this, we would caution the department against looking at amount of housing units delivered in isolation from wider infrastructure concerns.

**20. Do you agree that the government should revise national planning policy to attach more weight to Social Rent in planning policies and decisions?**

Yes.

**21. Do you agree that we should amend existing paragraph 62 of the Framework to support the supply of specialist older people's housing?**

Yes.

We are pleased to see the revised text of the NPPF include a clause to support the supply of specialist older people's housing. As a member of the Housing Made for Everyone (HoME) coalition<sup>i</sup>, we have long been working to ensure that housing meets the needs of both current and future generations.

This includes campaigning for raised accessibility standards for new homes, and we welcome the Government's recent decision to raise mandatory minimum accessibility standards for new homes. Instituting the standards stipulated in Part M4(2) will raise living standards for people occupying these homes throughout the life course.

**22. Do you have views on the effectiveness of the existing small sites policy in the National Planning Policy Framework (set out in paragraph 69 of the existing Framework)?**

Paragraph 69 of the existing NPPF notes that "Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly."

While we agree that these sites do make an important contribution to addressing housing need, our members have raised concerns that there are several factors that affect build-out rates on small and medium sized sites. Members have spoken of viability concerns that they have faced when looking at developing smaller sites, alongside experiencing more constraints on what they are able to do with the sites. Examples of this can include requirements to align with existing local vernacular without adequate space to do so, requirements around access for emergency services and waste and refuse collections, and difficulties in bringing existing communities onsite given that there will likely be closer physical proximity to new development.

We also question the effectiveness of the blanket requirement for planning authorities to accommodate at least 10% of their housing requirement on sites no larger than one hectare unless strong mitigating factors as to why this cannot occur are articulated. We would be pleased for the

revised NPPF to reconsider the application of this requirement, allowing for the size of the planning authority to be taken into account when calculating the percentage allocation for small sites. We are clear that this should not be conceived as a justification to lower the overall housing requirement for a local planning authority but could provide some flexibility in terms of where housing is located, ensuring best use of existing amenities and infrastructure.

**23. How, if at all, do you think the policy could be strengthened to encourage greater use of small sites, especially those that will deliver high levels of affordable housing?**

Members raised the subjectivity of what small sites look like across the country, and expressed that the current small sites policy would be strengthened by acknowledging that what a small site is in a dense urban area will be very different to what one will look like in a rural or semi-rural location.

Further to this, members from across the country reiterated that local authorities need to be adequately funded in order to deliver good quality, affordable homes. The RIBA has long been clear that this is a vital part of the levelling up agenda as well as vital to being able to supply high-quality homes, and we urge the Government to ensure that local authorities throughout the country are able to deliver such homes.

Many members expressed that the imbalance between local authorities, especially given current funding concerns, and large developers, is hindering the possibility of redeveloping small sites. Evidence was provided of large developers being unwilling to take on small sites due to the relatively low return on investment, and planning departments being too poorly resourced to sanction developers who do not deliver the promised level of affordable housing.

We are also concerned about the Government's current definition of affordable housing, and as such would welcome a review of the suitability of the current definition.

**24. Should the definition of "affordable housing for rent" in the Framework glossary be amended to make it easier for organisations that are not Registered Providers – in particular, community-led developers and almshouses – to develop new affordable homes?**

Yes.

**25. Are there any changes that could be made to exception site policy that would make it easier for community groups to bring forward affordable housing?**

There is clear social benefit to delivering affordable housing on exception sites, and many members spoke of the benefits of empowering community groups to do so. One example of best practice provided by a member is the Lewisham Council Small Sites Supplementary Planning Document (SPD)<sup>ii</sup> which provides detailed design guidance to promote the delivery of high-quality, sustainable homes in accordance with the area's local plan.

We would welcome similar, national guidance that can be adapted to local plans to ensure that community groups have access to information that allows them to provide housing within the

framework of the NPPF and in accordance with National Development Management Policies (NDMPs).

**26. Is there anything else national planning policy could do to support community-led developments?**

Members have raised issues regarding the chasm between the potential for community-led development and the challenges that community groups can face when registering interest in developing exception sites.

Feedback included instances where community groups were left to manage the delivery of housing on small, hard to develop sites which larger developers felt were not sufficiently lucrative. While many members agreed that community empowerment was a net positive and increased engagement both with the wider community and the planning process, it was raised that often the necessary resources (such as legal expertise) were not accessible.

The wider application of affordable housing policy also has clear links to the potential for community-led developments to be undertaken. Implementing measures to increase access to secure tenancies and genuinely affordable housing so that residents are not priced out of areas and feel secure enough to have a long-term stake in the success of their neighbourhood would be welcome.

**27. Do you agree in principle that an applicant's past behaviour should be taken into account into decision making?**

Yes.

**28. Of the two options above, what would be the most effective mechanism?**

Option 2.

**29. Do you agree that the three build out policy measures that we propose to introduce through policy will help incentivise developers to build out more quickly? Do you have any comments on the design of these policy measures?**

Yes.

We are pleased that this consultation has recognised the problem of slow build-out rates. The RIBA has been clear that the lack of competition in the housing market and the monopoly powers of large developers has been one of the key drivers of the housing crisis – a problem which has been exacerbated by the retreat of the public sector.

We support the three measures as outlined in the draft text of the consultation. In particular, we welcome the move to publish data on large developers where they fail to build out according to their commitments as we agree that it will increase transparency and accountability.

We also support the move to require developers to explain how they propose to increase the diversity of housing tenures to maximise a development scheme's absorption rate. However, we

would encourage making data on the failure of developers to build out at appropriate pace publicly available and accessibly presented for any stakeholders or residents who wish to access it.

While we welcome these moves, we note that in many planning authorities, the resourcing of planning departments has been significantly reduced in recent years due to cuts in funding. We would hope that with these increased requirements, the Government will commit to increasing the funding available to planning departments. Alongside this, we encourage the Government to consider grant funding for local authorities to allow them to build new social housing stock.

**30. Do you agree with making changes to emphasise the role of beauty and placemaking in strategic policies and to further encourage well-designed and beautiful development?**

As we have articulated in our response to the 2021 NPPF and National Model Design Code consultation, there can be a level of ambiguity surrounding the definition of the word ‘beauty’ and what this will mean in practice. As emphasised in our response at the time, we are concerned that centring ‘beauty’ will mean that design will not drive innovation in terms of accessibility, sustainability or utility.

The revised text of the consultation places further emphasis on ensuring that new development should maintain the distinctive character of the area in which it is occurring. As can be seen in paragraph 126e of the draft text for consultation, this is linked explicitly to the production and maintenance of ‘beautiful’ places.

RIBA members have raised concerns that the concepts of beauty and character are not sufficiently defined and as such, emphasis on these concepts may lead to schemes which meet the needs of the local community, are popular and sustainable may be refused, while schemes that are of poor material quality or do not serve existing populations and contribute to infrastructure may be approved should they be deemed to be beautiful.

In this context, the emphasis on ‘beauty’ alone will not allow for the successful delivery of the quality or quantity of accessible and inclusive homes, neighbourhoods and places that the population needs. Local context is also crucial in determining what will be considered beautiful in a particular area, meaning designs should be developed in conjunction with local communities to ensure that local insight is embedded into new development.

Further, some of our members have articulated that protection to heritage assets must be explicitly embedded in the text of the revised NPPF in relation to beauty and character.

**31. Do you agree to the proposed changes to the title of Chapter 12, existing paragraphs 84a and 124c to include the word ‘beautiful’ when referring to ‘well-designed places’, to further encourage well-designed and beautiful development?**

As articulated above, beauty is a contested concept which is too subjective to ensure that the revised NPPF fully prioritises the creation of sustainable, affordable and accessible places that meet

the needs of the population. While beauty is an objective of architecture, it is only one element of creating a successful building or place.

While the RIBA is committed to the creation of ‘well-designed places’ and actively promotes the integral role of architects in this process, emphasising the role of beauty alone does not create a suitable prerequisite for good design. Beauty must be incorporated into a broader definition - quality design - which is focused on securing positive outcomes for the people that will use and interact with the place. This in turn can only be achieved through the improvement of the wider planning and development process, rather than overtly prescriptive guidance on the style of new development.

Members also noted that discussions of the importance of beauty without commitment to include architects and qualified designers in planning departments feels short-sighted. Wider issues surrounding the lack of resource available to planning departments was also raised while discussing beauty. Members raised concerns that a specification around beauty without incorporating requirements for architects to be involved in the design process is counterproductive and may encourage development considered ‘beautiful’ but which will not withstand the test of time, which is more vital than ever in the context of the climate emergency.

**32. Do you agree greater visual clarity on design requirements set out in planning conditions should be encouraged to support effective enforcement action?**

Yes.

**33. How do you think national policy on small scale nature interventions could be strengthened? For example, in relation to the use of artificial grass by developers in new development?**

The RIBA is clear that the climate emergency demands urgent action and leadership by the Government, architects, developers and the wider construction industry. Part of this includes actively undertaking measures which prioritise biodiversity and supporting wildlife recovery. We welcome the measures already taken by the Government to ensure that policy and design guidance fully support habitats beneficial to biodiversity and are pleased to hear that the reforms currently underway will further promote such measures.

Efforts to reduce energy demand and carbon consumption as part of the response to the climate emergency are critical, but we must also limit the worst effects of unavoidable future climate extremes. Embedding nature-based solutions (NbS) within the planning system now will help to limit the negative impact of increasingly intense and frequent weather events on people, the economy and the environment in the future.

NbS are often cost-effective ways to build resilience against climate-related threats, such as flooding. But they also have additional benefits, supporting social infrastructure and local economies, improving air quality and boosting biodiversity. Historically, the planning system has failed to

incentivise the uptake of NbS, despite them being a relatively simple way to boost our local defences against inevitable climate change.

Alongside measures to increase biodiversity – which is discussed in response to Q35 – small-scale interventions can also bring huge benefits to urban areas. Urban green space is declining, and decision makers should recognise the importance of reversing this trend. Given that these areas are less likely to have accessible green space within a suitable distance, they will benefit from it the most – particularly as access is currently highly unequal. We have provided a relevant case study in our answer to Q35, and we would recommend that the Government set a national target for increasing the area of urban green space.

**34. What method or measure could provide a proportionate and effective means of undertaking a carbon impact assessment that would incorporate all measurable carbon demand created from plan-making and planning decisions?**

With almost 40% of carbon emissions stemming from the built environment, the sector has a key role to play in addressing the climate emergency. Therefore, we welcome the Government's acknowledgement of this and the importance of undertaking a carbon assessment which measures the carbon from new developments.

The RIBA has long been calling on the Government to introduce a mandatory requirement to undertake whole life carbon assessments for buildings. While several different tools exist for this, an agreed methodology is crucial to ensure consistent results across the sector. We recommend the whole life carbon assessment methodology outlined in the Royal Institute of Chartered Surveyors (RICS) Professional Statement, 'Whole life carbon assessment for the built environment 2017'. We support the use of this methodology on the grounds that it is the most comprehensive and consistent approach available to UK industry.<sup>iii</sup>

While we support this methodology, we are clear that 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. 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.

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, including electric vehicles. New developments should embed resilience to climate change impacts such as flooding and overheating and ensure that all developments significantly enhance local biodiversity.

Further, while we support embedding the measurement of whole life carbon into the planning system, it cannot be at the expense of its inclusion in the building regulations. Any inclusion in the NPPF must be complementary to this.

**35. Do you have any views on how planning policy could support climate change adaptation further, specifically through the use of nature-based solutions that provide multi-functional benefits?**

We have outlined the benefits of adopting nature-based solutions in our response to Q33 with regards to small-scale nature interventions. Further to this, we are clear that there far more applications for nature-based solutions.

For example, one type of NbS, sustainable drainage systems (SuDS), helps to manage flood risks by mimicking natural drainage processes. They can help to reduce the amount and speed of rainwater entering into sewers preventing the risk of surface water flooding. There are different types of SuDS techniques that can be considered, from greening and permeable surfaces to water storage.

Drainage solutions, including permeable paving, rain gardens and swales, are types of SuDS involving green space. Green space has demonstrable adaptation benefits like supporting biodiversity through the promotion of natural habitats, but also positive mental and physical health benefits for those living in and around these areas. People living in areas with more green infrastructure, are statistically more likely to live happier, longer lives. When designed well, they can improve the image of open public spaces and promote community cohesion.

The Mayfield project in Manchester restores degraded ecosystems to improve the resilience of human habitats against climate change with NbS. The approach will also improve the resilience of non-human habitats and the species that depend on them. The teams are exploiting bioengineering techniques to manage natural flooding and planting with native species to create attractive multifunctional spaces. It is a clear example of good practice, increasing access to nature in a highly densely developed area.

**36. Do you agree with the changes proposed to Paragraph 155 of the existing National Planning Policy Framework?**

Yes.

**37. Do you agree with the changes proposed to Paragraph 158 of the existing National Planning Policy Framework?**

Yes.

**38. Do you agree with the changes proposed to footnote 54 of the existing National Planning Policy Framework? Do you have any views on specific wording for new footnote 62?**

Yes.

**39. Do you agree with our proposed Paragraph 161 in the National Planning Policy Framework to give significant weight to proposals which allow the adaptation of existing buildings to improve their energy performance?**

Yes.

The RIBA has long been calling on the Government to introduce a National Retrofit Strategy to improve the energy efficiency of our existing housing stock. Such a strategy must be long-term, set clear targets, based on substantial and sustained government funding and address incentives.

Improving the energy efficiency of the built environment will generate tangible reductions in energy use and drive the nation towards its net zero targets while aiding economic growth. 48% of emissions from the UK built environment are produced by energy usage within the existing housing stock.

A National Retrofit Strategy is the “no regrets” solution to the energy crisis, climate crisis, and levelling-up agenda. Energy efficiency improvements reduce household energy bills, resulting in a sustained boost to the economy and consumption through increased disposable incomes in the long term. Retrofitting homes also improves health outcomes and is integral to reaching net zero.

To help realise these benefits the RIBA recommends a National Retrofit Strategy must include all housing tenures. Focusing on low income and vulnerable households who cannot afford to upgrade their homes and heating systems must be a key part of the Strategy.

**40. Do you agree with the proposed timeline for preparing neighbourhood plans under the future system? If no, what alternative timeline would you propose?**

Yes.

**41. Do you agree with the proposed transitional arrangements for supplementary planning documents? If no, what alternative arrangements would you propose?**

Yes.

**42. Do you agree with the suggested scope and principles for guiding National Development Management Policies?**

No.

While the RIBA understands that duplication and replication between local plans and national planning policy can cause frustration and delays in the adoption of local plans, we are also concerned that the application of NDMPs will stifle local areas from being able to innovate effectively in key areas which require urgent action.



The Royal Town Planning Institute (RTPI) has raised concerns that NDMPs will hinder the ability of new ideas being implemented, giving the example of Merton Council's early adoption of climate action<sup>iv</sup>. We share this concern, as outlined in our answer to Q43.

Further, we disagree with the clause in the text of the Levelling Up and Regeneration Bill which states that a Secretary of State may revoke or modify NDMPs following "consultation with, and participation by, the public or any bodies or persons (if any) as the Secretary of State thinks appropriate"<sup>v</sup>. Instead, we support the recommendations of the RTPI which would require full public consultation on national policies and any changes or modifications to them.

**43. What other principles, if any, do you believe should inform the scope of National Development Management Policies?**

In terms of the scope and principles of NDMPs, we would be pleased for there to be provision in the guidance to stipulate that should local authorities already undertaking best practice on a national issue, the application of the relevant NDMP would not force them to 'lower the bar' with regards to the work that they are already carrying out. Conversely, we view best practice for the application of NDMPs to illustrate and support existing exemplary work in the areas that they cover nationwide.

**44. Do you agree that selective additions should be considered for proposals to complement existing national policies for guiding decisions?**

Yes.

**45. Are there other issues which apply across all or most of England that you think should be considered as possible options for National Development Management Policies?**

We accept that as per the text of the consultation, issues that are covered by NDMPs will be those which are limited to key nationally important issues commonly encountered in making decisions on planning applications throughout England, and solely address issues pertaining to the development and use of land.

As such, we would suggest that issues of accessibility, as pertaining to the development and use of land, are included in the scope of NDMPs. We are aware that there are aspects of accessibility in the housing and the planning process which will fall outside of this scope; however we believe that there is the opportunity within the scope of NDMP application to increase the weight given to ensuring that any development of housing and wider amenities is as accessible as possible.

**46. What, if any, planning policies do you think could be included in a new framework to help achieve the twelve levelling up missions in the Levelling Up White Paper?**

When consulted, our members expressed that they were broadly unsure of whether the NPPF is the right mechanism for enacting policies specifically related to the Government's levelling up missions. However, where members did feel that there was space to bring these in, it was from a 'systems change' perspective that would encompass more than just the scope of the NPPF.

One example that was raised multiple times was the ability of the NPPF to promote access to green space and nature. Members across several roundtables expressed concern about the relationship between experiencing socioeconomic disadvantage and access to open space. Members were clear that such access did not need to necessarily be walkable; but that transport infrastructure must be improved in order for more people, especially those in dense, urban areas and those in sprawling suburbs, to conveniently reach green space.

Further to this, walking and cycling infrastructure was raised as a levelling up issue that has the possibility of raising living standards. One case study given was the Bee Network scheme initiated by Transport for Greater Manchester, which aims to create an integrated transport system in which cycling and walking are given parity to public transport.

**47. How do you think that the framework could better support development that will drive economic growth and productivity in every part of the country, in support of the Levelling Up agenda?**

In order to meaningfully level up across the country, it is vital that the Government prioritises not just building high quality, sustainable and accessible affordable homes, but also commits to providing the infrastructure to sit around new housing provision.

While we support the application of measures such as the urban uplift which will further densify already denser urban areas, on account of the reasons outlined in our answer to Q13, we are also aware that unless applied with care and consideration, it may have implications for the levelling up agenda.

Some RIBA members, particularly those with experience of living and working in more rural areas, expressed concern that concentrating densification and resulting infrastructure in particular areas will lead to economic and social decline, particularly including more rural locations and smaller towns and villages, where there is less likely to be a thriving employment market and accessible, fast transport links.

As such, it would be beneficial if the revised NPPF could outline what measures will be undertaken to ensure that necessary, sensible densification of existing urban areas does not happen at the expense of places experiencing industrial or population decline, or which have not seen significant investment for a long period of time.

**48. Do you think that the government could go further in national policy, to increase development on brownfield land within city and town centres, with a view to facilitating gentle densification of our urban cores?**

Yes.

The RIBA welcomes plans to utilise existing brownfield land to provide homes and amenities for local communities. Having said this, we encourage the Government to bear in mind that many brownfield sites will need expensive remediation. Crucially, larger sites will need a range of new local services to

ensure that incoming residents do not feel isolated or marginalised, and to encourage communities to develop. It is equally important to ensure that where brownfield land is utilised to provide homes, necessary amenities are also considered in order to mitigate pressure on existing services such as hospitals, schools and transport. As such, we hope that alongside urban brownfield redevelopment, the Government continues to utilise the potential of suburban, rural and semi-rural brownfield sites.

We would also encourage the Government to consider the green potential of brownfield land. In our report 'Ten Characteristics of Places where People Want to Live' we examined the possibility of brownfield sites becoming valuable green infrastructure through full soil remediation, tree planting, biodiverse vegetation schemes and sustainable drainage systems. The redevelopment of brownfield land is a fantastic opportunity to prioritise increased biodiversity and sustainability.

**49. Do you think that the government should bring forward proposals to update the framework as part of next year's wider review to place more emphasis on making sure that women, girls and other vulnerable groups in society feel safe in our public spaces, including for example policies on lighting/street lighting?**

Yes.

**50. Are there any specific approaches or examples of best practice which you think we should consider to improve the way that national planning policy is presented and accessed?**

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. 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.

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<sup>i</sup> <https://ageing-better.org.uk/home-coalition>

<sup>ii</sup> <https://lewisham.gov.uk/myservices/planning/policy/adopted-local-plan/spds/small-sites-spd>

<sup>iii</sup> <https://riba-prd-assets.azureedge.net/-/media/Files/RIBA-Response-EAC-sustainability-built-environment-May-2021.pdf?la=en&hash=2910BB932F1705C1B399B3582D4E7700>

<sup>iv</sup> <https://www.rtpi.org.uk/blog/2022/july/richard-blyth-what-should-we-expect-of-national-development-management-policies/>

<sup>v</sup> <https://bills.parliament.uk/publications/49177/documents/2671>