

Royal Institute of British Architects

Ministry of Housing, Communities and Local Government consultation on proposed reforms to the National Planning Policy Framework and other changes to the planning system
September 2024

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 Royal Institute of British Architects (RIBA) welcomes the opportunity to respond to this consultation on proposed reforms to the National Planning Policy Framework (NPPF) and other changes to the planning system. To inform our response, we sought feedback from RIBA expert members.

We welcome many elements of this consultation, including the proposal to remove references to beauty throughout the NPPF, measures to support effective cross-boundary cooperation and the decision to release previously developed grey belt land for development.

However, more action must be taken if we are to deliver high-quality, sustainable and accessible homes across the country. To achieve this, RIBA recommends that the Government:

- Actively promotes the use of architects in the design of all buildings and places – including ensuring the use of qualified designers to achieve the best outcomes for design codes.
- Invests in building up the capacity of local planning authorities (LPAs), particularly with qualified design expertise.
- Reinstates the need for local authorities to demonstrate a five-year housing land supply.
- Emphasises the importance of high-quality design in the NPPF and removes references to beauty and paragraph 130 on character and density, and subsuming these within the definition of high-quality.
- Amends the NPPF to further support effective cooperation on cross-boundary and strategic planning matters.
- Ensures that increases to affordable housing provision include facilitating a high proportion of homes for social rent.
- Promotes mixed tenure and type through the NPPF, including adequate supply of housing for older and disabled people to meet current and future identified need.
- Facilitates the release of grey belt land to bring forward high-quality development of both housing and infrastructure while maintaining a “brownfield first” approach.

Planning for the homes we need

Question 1: Do you agree that we should reverse the December 2023 changes made to paragraph 61?

No.

In our February 2023 responseⁱ to the previous consultation on the NPPF, we recommended that attention should be given 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."

This remains our position. However, acknowledgement that there are exceptional circumstances should not be used as a justification to not bring forward necessary, high-quality development. High-quality development is that which is designed proactively and strategically to meet the needs of residents and communities in practice, while adhering to safety, sustainability and accessibility principles.

Question 2: Do you agree that we should remove reference to the use of alternative approaches to assessing housing need in paragraph 61 and the glossary of the NPPF?

No.

The default position should be to deliver as much housing as possible to meet an area's identified housing need. However, some wording should remain to acknowledge that there are circumstances where exceptions will apply.

Question 3: Do you agree that we should reverse the December 2023 changes made on the urban uplift by deleting paragraph 62?

Yes.

In our February 2023 response to the NPPF consultation, we stated our support for the application of the urban uplift. This was based on our view that an increase in density must be in places where there are available amenities and infrastructure to accommodate it. We also raised concerns that some places will have more existing capacity to absorb its impact than others; and that there would likely be knock-on impacts to neighbouring areas.

The proposal to scrap the urban uplift here is predicated on the duty to cooperate being strengthened, alongside the proposal of new cross-boundary mechanisms as outlined in Question 12. The emphasis on ensuring that development should, where possible, be in places with the existing amenities and infrastructural capacity should also remain. While in the context of the last Government's proposed changes to the NPPF, the urban uplift was a mechanism we supported on the grounds of bringing development forward in appropriate places, the proposed additions in this revision of the NPPF are preferable.

Question 4: Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130?

Yes.

We welcome the decision to reverse these changes. We previously stated that we are concerned that character will be given as a reason to refuse high-quality, necessary development.

The character of existing urban areas should not be used as an excuse to prevent making best use of land – for example, where there has been historically low-density development. As such, redevelopment of sites at higher density and with higher quality design may be able to create a more attractive neighbourhood but one which is “out of character” with what currently exists.

An example given of good practice was a design-led approach to optimising density as demonstrated by the Mayor of London in the London Plan Guidance on “Optimising site capacity: A design-led approach” from June 2023.ⁱⁱ This guidance places greater emphasis on the value of site analysis, including access to local services, connectivity, character, and a design vision and placemaking strategy.

Question 5: Do you agree that the focus of design codes should move towards supporting spatial visions in local plans and areas that provide the greatest opportunities for change such as greater density, in particular the development of large new communities?

Design codes are an initiative that could deliver benefits if the right supporting mechanisms are put in place. However, we are clear that they should be based on clear principles and concepts, developed through a design process, and must not become tick-box exercises or prevent architects and qualified designers from establishing innovative solutions to sites. They have a particular role where there is no direct involvement from designers, and in areas where there are specific qualitative issues that proposals must address and respond to.

We agree with the revised wording of paragraph 135 of the NPPF on the grounds that it no longer implies that design codes are the principal means of achieving good design quality. Good designers are the principal means of delivering design quality.

Rather than subjective qualities such as beauty, design codes should focus on issues pertaining to quality, safety and sustainability. They must also reflect local circumstances and should allow for reasonable adjustments to make the most of new opportunities for development and respond to new challenges. They should also take into account inclusive design and accessibility standards. For this reason, we welcome the emphasis in the consultation that LPA efforts should be focused “on the preparation of localised design codes, masterplans and guides for areas of most change and most potential”.

If design codes go beyond aesthetics and drive spatial and sustainability standards, they have the power to do good. This is contingent on receiving the right support for community engagement and professional design expertise. 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.

However, a reliance on design codes as articulated in paragraphs 130 and 131 of the revised NPPF is unhelpful. This is on the grounds that it would make planning system more cumbersome and unpredictable.

Members have relayed concerns on area-wide coding, suggesting it does not promote design quality, with local coding allowing for more detail such as massing and public realm design as well as the potential for setting architectural character. Identity and vernacular should be encouraged, as there are some regional styles and subtle differences when comparing buildings across the country. An example given of a design code in place which shows best practice in local design coding is the Lake District Design Code.ⁱⁱⁱ

Other concerns about design codes include questioning if they are the right tool for promoting greater density, or a strong enough tool for supporting spatial visions in local plans. A proposed alternative is a greater use of masterplans, design guides and full design proposals. These can then be appraised by local authority urban design officers and design review panels and be subject to meaningful local consultation. Character studies that form part of a development brief or supplementary planning document could also help support the drive for greater densities.

Rather than the proposed changes, suggestions included a preference for key spatial moves, capacity testing, and strategic decisions on density, massing, skyline and uses addressed, more affordably, at an early stage and in conjunction with a “reference masterplan”. This should then inform discussions about viability and funding, with visual, material and aesthetic aspects subject to a later design coding exercise if appropriate when a project is fully funded, in conjunction with an “architectural masterplan”.

Question 6: Do you agree that the presumption in favour of sustainable development should be amended as proposed?

Yes.

Guidance on sustainable development should be strengthened on the grounds that it is not currently as effective as it should be. There should be a clearer presumption in favour of proposed development being allowed unless there is a good reason for refusal.

Other considerations include quality placemaking being the principal justification that a development is sustainable and delivers successfully on economic, social and environmental objectives.

Question 7: Do you agree that all local planning authorities should be required to continually demonstrate five years of specific, deliverable sites for decision making purposes, regardless of plan status?

Yes.

In our response to the February 2023 consultation on the NPPF, we stated that should the requirement to maintain a 5YHLS be scrapped:

it will become difficult to see whether LPAs are in fact meeting their targets in terms of ensuring that suitable land will be brought forward for development.

The 5YHLS needs to be monitored, managed and regularly updated to make sure development is focused in the right places and that impact on local infrastructure can be

properly planned. 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 LPAs 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.

The 5YHLS must not be used to facilitate poorly-designed development, and it is positive that this is acknowledged in the consultation notes.

Question 8: Do you agree with our proposal to remove wording on national planning guidance in paragraph 77 of the current NPPF?

Yes.

Question 9: Do you agree that all local planning authorities should be required to add a 5% buffer to their 5-year housing land supply calculations?

Yes.

Question 12: Do you agree that the NPPF should be amended to further support effective cooperation on cross-boundary and strategic planning matters?

Yes.

We welcome the emphasis placed on strategic planning and the introduction of measures to support cross-boundary cooperation. Our February 2023 response to the NPPF consultation noted that RIBA members were keen to see a "return to an approach characterised by strategic 'masterplanning' principles rather than siloed approaches". There is a positive role for combined authorities in cross-boundary decision making, and measures should be put in place to extend this approach.

Successfully integrated places are shaped not only by local authority boundaries, but also by geography. This includes regional infrastructure, topography and climate. Local plan boundaries do not necessarily follow where growth would naturally happen, necessitating cross-boundary working. Strategic planning must be supported by spatial strategies that include consideration of spatial development patterns, social infrastructure, housing, the economy, green infrastructure and transport.

There is a clear role for cross-boundary strategic planning in meeting housing need and ensuring that the places we build and maintain are sustainable, contribute to economic growth and meet the needs of people who live and work in them. Involvement of local leaders in developing Spatial Development Strategies (SDSs) is welcome, as it will ensure that lived experience of the area and in-

depth knowledge of local challenges and opportunities is taken into account.

To make plans for cross-boundary cooperation successful, they will need to be supported by central government. This will help local leaders and local authorities to access the resources and knowledge required to plan and implement cross-boundary working strategies appropriately.

The use of SDSs outside of mayoral authority areas may need to be exercised with caution where local leaders have different aspirations or face unique challenges. It must also be ensured that these measures do not slow down the ability of local authorities to have up-to-date plans in place.

Brownfield, grey belt and the Green Belt

Question 20: Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?

Yes.

We agree with this change in principle. However, proposals being regarded as acceptable in principle should be of high quality and suitable for the needs of the area. Many brownfield sites have multiple viability challenges, such as contamination and groundworks complications, or require high levels of infrastructure and environmental spend. As such, architects should be involved in assessing and working with constraints to find viable, high-quality solutions for complex sites.

Question 21: Do you agree with the proposed change to paragraph 154g of the current NPPF to better support the development of previously developed land (PDL) in the Green Belt?

Yes.

We do not view the proposed change to be problematic, though development on brownfield sites within existing sustainable developments should still be prioritised.

However, the proposed change to paragraph 154g will not have the desired effect if the Glossary definition of PDL is not amended accordingly. This is extrapolated on in the answer to Question 22.

Question 22: Do you have any views on expanding the definition of PDL, while ensuring that the development and maintenance of glasshouses for horticultural production is maintained?

While the proposed amendment to paragraph 151g should make it easier to put degraded land to use, the definition of PDL still contains important exclusions. A scrapyards filled with rusting and derelict cars, together with a portacabin office and caravan home, would not qualify as PDL according to the NPPF Annex 2 Glossary. A more thoughtful definition of PDL is essential.

Additionally, PDL does not presently include agricultural land. The inclusion of vacant agricultural buildings on the edge of existing sustainable settlements would be appropriate.

Question 23: Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend?

Yes.

Some members stated that the inclusion of “land which contributes little to preserving the setting and special character of historic towns” was too specific. This is on the grounds that there are wider contexts in which grey belt development would significantly affect the qualities of places.

Question 24: Are any additional measures needed to ensure that high performing Green Belt land is not degraded to meet grey belt criteria?

It is difficult to ascertain without seeing the guidance proposed in Question 25 whether additional measures would be needed to ensure that high performing Green Belt land is not degraded. However, it is vital that measures are put in place to avoid this occurring, and we look forward to seeing the guidance when it is released.

Question 25: Do you agree that additional guidance to assist in identifying land which makes a limited contribution of Green Belt purposes would be helpful? If so, is this best contained in the NPPF itself or in planning practice guidance?

Yes.

We agree that guidance would be useful to both LPAs and landowners to ensure that only land that does not make a valuable contribution to the Green Belt is identified as meeting grey belt criteria. In the interest of simplifying the amount of national guidance available, it could be included as a brief insertion in the revised NPPF.

Question 28: Do you agree that our proposals support the release of land in the right places, with previously developed and grey belt land identified first, while allowing local planning authorities to prioritise the most sustainable development locations?

Yes.

We agree that it is sensible to require a sequential test to guide land release. In particular, we welcome the acknowledgement that “not all PDL will be in the most suitable or sustainable location for development” but that it is vital to have safeguards to ensure that grey belt which is suitable or sustainable is released prior to wider Green Belt release. It is positive that LPAs are empowered to meet their development needs and sustainability objectives as identified in their local plans.

Question 29: Do you agree with our proposal to make clear that the release of land should not fundamentally undermine the function of the Green Belt across the area of the plan as a whole?

Yes.

Question 30: Do you agree with our approach to allowing development on Green Belt land through decision making? If not, what changes would you recommend?

Yes.

This approach will allow for the release of grey belt and PDL inside the Green Belt ahead of LPAs preparing new local plans. This may incentivise LPAs to adopt new local plans.

Multiple delays in the planning system, including in the adoption of up-to-date local plans, are holding up the delivery of much-needed high-quality housing. While in the long-term, sufficient resource is necessary to speed up the delivery of local plans, this will likely have a positive impact overall.

However, decision making must be supported by full technical and design due diligence by an independent professional team. This will ensure that complex brownfield sites are not passed over to achieve higher development profit from “easier” grey belt sites. An unintended consequence could be the perpetuation of undeveloped brownfield sites in town centres.

The suggested change could lead to local authorities being put under increased pressure in places where housing targets have been increased without having time to review their existing local plans. The planning process must provide sufficient safeguards to ensure that any development coming forward on such sites meets policy requirements across the board.

Question 31: Do you have any comments on our proposals to allow the release of grey belt land to meet commercial and other development needs through plan-making and decision-making, including the triggers for release?

The delivery of new housing must be supplemented by the delivery of amenities, infrastructure and other social and commercial purposes where appropriate, in order to deliver goods, services and employment opportunities. Where grey belt land is particularly isolated, would require significant personal car use or is not easily accessible, it should not be automatically considered for development.

We welcome the inclusion of the proposals to allow the release of grey belt land for commercial and other development needs in line with this, given that the "golden rules" to allow this land to be released are applicable here as they are in housing development.

Question 34: Do you agree with our proposed approach to the affordable housing tenure mix?

Yes.

We agree in theory but have a number of concerns regarding viability.

Firstly, the approval of this target is "subject to viability" and we would welcome clarification on what this means in practice. The vagueness of this statement could mean that developers use concerns about viability as a reason not to bring forward otherwise viable development. This will mean that fewer affordable homes are brought forward, as well as fewer homes overall. It is also vital that development is accompanied by physical and social infrastructure for residents. This must not be treated as an afterthought.

There is also the concern that for some areas, for example those with lower land value, this target will have a genuine material impact on the ability for homes to be brought forward.

We are also presently undertaking some research into the provision of affordable housing, in particular social housing, and would be pleased to share these with the department in due course.

Question 35: Should the 50 per cent target apply to all Green Belt areas (including PDL in the Green Belt), or should the Government or local planning authorities be able to set lower targets in low land value areas?

Flexibility on targets is important as construction costs do not vary as significantly across the country as land values and sale prices. This means there would be a benefit to LPAs being able to set lower targets in lower land value areas to ensure viability.

Another element to consider is that the 50% target assumes that housing costs are directly linked to adjacency to Green Belt, which is not uniformly the case. There will also likely be requirements on developers to provide infrastructure via Section 106 and Community Infrastructure Levy (CIL) contributions, as much of this development will not be close to existing infrastructure and amenities, again affecting viability.

One example which demonstrates the need for flexibility is of a 50% affordability requirement being tried by an LPA in the North West of England for allocated housing sites in an Area of Outstanding Natural Beauty (AONB). The development was built offering 25%-30% affordable housing following a viability appraisal, given that sales prices were comparatively low.

While viability is a salient issue, viability assessments should not be used to unscrupulously drive down the delivery of affordable units.

However in some cases, a 50% target could provide some benefits, such as addressing the shortfall of affordable housing and therefore ensuring that Green Belt release drives assets for public good rather than solely for developer profit.

Question 36: Do you agree with the proposed approach to securing benefits for nature and public access to green space where Green Belt release occurs?

Yes.

All new developments should secure benefits for nature in line with Biodiversity Net Gain (BNG) requirements, and the proposals to secure greater public green space access are also welcome. Securing benefits for nature through development should also be picked up via BNG appraisals.

However, for small scale applications, steps should be taken to ensure that this approach does not impose a disproportionate burden without producing meaningful benefit.

Question 39: To support the delivery of the golden rules, the Government is exploring a reduction in the scope of viability negotiation by setting out that such negotiation should not occur when land will transact above the benchmark land value. Do you have any views on this approach?

A level of viability negotiation should be retained. This is because the viability of a scheme is not only dependent upon land price but also takes into account site constraints, infrastructure requirements, and factors such as the proposed amount of affordable housing.

Question 40: It is proposed that where development is policy compliant, additional contributions for affordable housing should not be sought. Do you have any views on this approach?

We agree with this approach.

This gives certainty to the development process and as such, is likely to improve affordable housing supply. It has the potential to lessen the impact of viability appraisals being used to drive down affordable provision while driving up land prices.

However, we are aware that there may be unintended consequences. For example, if local economic and social variations across the country are not taken into account, viability challenges could also lead to less overall housing delivery.

Question 41: Do you agree that where viability negotiations do occur, and contributions below the level set in policy are agreed, development should be subject to late-stage viability reviews, to assess whether further contributions are required? What support would local planning authorities require to use these effectively?

Yes.

We agree that in these circumstances, late-stage viability reviews would be appropriate to assess whether further contributions are required to test costs and revenues against the assumptions in the initial viability assessment. This would therefore mitigate any negative unintended consequences on the provision of amenities and infrastructure.

In order to be able to do this, LPAs will need urgent access to additional resource. Planning authorities need significantly increased capacity and need to be able to recruit and retain professionals with the skills and experience to comprehensively scrutinise claims on viability.

Question 45: Do you have any comments on the proposed approach set out in paragraphs 31 and 32?

While neighbourhood plans are an important vehicle to give communities a stake in their local area, it is important for the Government to ensure that it is clear that existing adopted Neighbourhood Plans will not take precedence over the NPPF.

Question 46: Do you have any other suggestions relating to the proposals in this chapter?

There should be a clearer resolution between permitted development rules as applicable to AONBs and Green Belt policies.

Other suggestions include making clear that development which would be generally permissible under the permitted development regime should be considered to be “not inappropriate” under Green Belt policy. An example given is that development within an AONB may not benefit from

permitted development rights and thus fall foul of Green Belt policy, even though it would not have impacted the AONB.

In addition, the Green Belt presumption against “inappropriate development” needs clarification in the NPPF itself. The “spatial” and “visual” aspects of “openness” would also benefit from further clarification.

Delivering affordable, well-designed homes and places

Question 47: Do you agree with setting the expectation that local planning authorities should consider the particular needs of those who require Social Rent when undertaking needs assessments and setting policies on affordable housing requirements?

Yes.

We welcome the proposal to explicitly include an expectation that LPAs should consider the needs of those who require social rent homes, including ensuring that there is a sufficient supply of accessible housing to meet local need.

To understand the scale of complexity of the housing crisis, it is imperative to understand the urgent need for greater social housing provision across the country. Many homes which meet the current criteria to be considered affordable^{iv} are not affordable to those who are in housing need.

The provision of high-quality, sustainable and accessible housing for social rent is a public sector responsibility. Architects should be involved in the design and delivery of social housing.

Question 48: Do you agree with removing the requirement to deliver 10% of housing on major sites as affordable home ownership?

Yes.

We agree with the text in the consultation that "prescriptive prioritisation of these particular types of affordable housing in existing policy is not the right approach". The 10% requirement stymies the ability to bring forward affordable and social homes for rent in areas where these tenures are needed more. This is because developers are able to argue that it would impact viability overall, this clearly does not deliver the housing provision that the community needs.

Our agreement with this approach is predicated on bringing forward measures to ensure that there is a baseline level of affordable or social housing of a number of tenures provided in major developments.

Question 51: Do you agree with introducing a policy to promote developments that have a mix of tenures and types?

Yes.

We welcome measures to promote developments with mixed tenure and typology. We are clear that this should include housing for older and disabled people, and the acknowledgement that the needs of these groups are not homogenous.

However, we are aware that there may be exceptions – for example, rural exception sites which should remain affordable, and complex infill projects which may not be viable to develop if not at full market value.

Question 52: What would be the most appropriate way to promote high percentage Social Rent/affordable housing developments?

As the consultation text acknowledges, mixed-tenure developments are important but it is also vital that social housing is delivered at a scale that meets need. There are moral and financial imperatives to do this. Almost 1.3 million households are currently waiting for a home.^v In the meantime, local authorities across England spent £1.24 billion in the year up to March 2023 on reducing homelessness, including temporary accommodation.

Public sector delivery is the only way to build social housing at the scale we need to meet the challenge we are facing. Historically, the private sector has not delivered the numbers we need, and this is unlikely to change in the future. There is also no guarantee that the homes it did build would be high-quality, sustainable and affordable for those who need them most. There is a clear role for architects in the delivery of social housing at scale.

As an initial policy mechanism, local authorities must be allocated significant investment from central government to deliver the high-quality, sustainable homes and places we desperately need. This must be used not only to deliver housing directly, but to close the skills and capacity gaps in LPAs.

It should also involve resource to deliver social housing, whether as a local authority or in partnership with other delivery bodies. Any delivery undertaken by local authorities within the current context will need to rely on external skills and capacity being brought in to mitigate this. We are currently undertaking research in this area that we would be happy to share with the department in due course.

On a smaller scale, alternative providers – such as almshouses – should be given greater flexibility to make use of opportunities like infill schemes.

Question 54: What measures should we consider to better support and increase rural affordable housing?

Research from the National Housing Federation^{vi} has shown that there are a number of factors which contribute to the under-use of rural exception sites, which can contribute to meeting affordable housing need in rural locations. These include budget pressures within LPAs, recruitment and retention of staff in planning departments and lack of clarity.

Another issue is the lack of local services in rural areas – for example, poor public transport links – which lead affordable housing providers to prioritise developing in larger settlements. Members have found that new developments with starter homes in rural areas are often popular, allowing local people to buy their first home near their families and communities.

It is also crucial to promote adaptive reuse of existing rural and agricultural buildings. Local authorities need resources and training to facilitate collaboration among planning bodies, self-builders, CLT developers, communities, and landowners. Support for CLTs and self-build initiatives would also enable local communities to own and manage affordable housing. Architect support is vital to achieve this, and this will likely stimulate local supply chains.

We have long called for comprehensive resource to be allocated to LPAs to ensure that they have access to the skills and capacity needed to bring forward high-quality new development, including design expertise. This research highlights the importance of this for increasing rural housing delivery, and we urge the Government to commit to providing additional resource to LPAs to meet the scale of need.

Question 55: Do you agree with the changes proposed to paragraph 63 of the existing NPPF?

Yes.

Question 56: Do you agree with these changes?

Yes.

The proposed changes to support community-led developments are welcome. As we have previously stated, community groups play an important role in bringing forward housing on exception sites. The consultation rightly notes that on sites that are unattractive to commercial developers, the role of community-led development is integral to bring forward new homes.

However, any strengthening of support for community-led development must also be coupled with the specification that provision brought forward must be in accordance with national planning policy and guidance. Architects could also play a valuable role in the creation of high-quality community-led developments.

Question 57: Do you have views on whether the definition of “affordable housing for rent” in the Framework glossary should be amended? If so, what changes would you recommend?

Yes.

As stated in our February 2023 response, we would welcome an amendment to make it easier for organisations other than registered providers to contribute to meeting affordable housing need.

Question 58: Do you have views on why insufficient small sites are being allocated, and on ways in which the small site policy in the NPPF should be strengthened?

As addressed in our February 2023 response, members have raised concerns that viability constraints impact their ability to develop smaller sites, alongside greater constraints on what they are able to do with the sites themselves.

Local policies relating to back-to-back distances, minimum garden sizes or high parking standards often work against the opportunity to develop small sites, either because the site cannot support the

requirements for the new accommodation or requisite standards will no longer be achieved for surrounding development.

Too much reliance by LPAs on standard solutions, rather than encouraging bespoke and clever design solutions for small infill sites, can cause issues with bringing smaller sites forward. While innovative design solutions can mitigate many of the risks associated with loss of amenity or privacy, members have experienced these being refused planning permission. but are rarely accepted.

Small sites guidance^{vii} such as that developed by the Greater London Authority (GLA) has been cited as a best practice example of assisting planning officers to scrutinise alternative design approaches.

Other considerations include LPAs promoting fewer, larger sites, as opposed to smaller sites, as it is easier to demonstrate allocation at scale. This thereby hinders small sites being utilised. As delivery times are longer on larger, strategic sites, the Government should emphasise the role of small sites in speeding up development.

The use of small sites also has positive infrastructure associations, as many will be able to take advantage of existing infrastructure and amenities. One way to achieve this could be splitting larger sites for use by multiple, smaller developers.

Complexity is another key issue. Members raised that smaller, local developers struggle to utilise small sites as often, the pre-application expense outweighs the potential profit of bringing forward small-scale development. As a solution, the NPPF could look to introduce a reasonable test on small infill sites.

Another issue is the underuse of brownfield urban sites due to the lack profitability, which makes them ideal to bring them forward as self-build or CLT sites. More support is undoubtedly needed to encourage this, including more resource to allow groups to self-build with architects and contractors.

Question 59: Do you agree with the proposals to retain references to well-designed buildings and places, but remove references to “beauty” and “beautiful” and to amend paragraph 138 of the existing Framework?

Yes.

We strongly welcome the Government's decision to focus on well-designed buildings and places as opposed to relying on a categorisation as subjective as beauty. Beauty is contextual and should be incorporated into a wider definition of quality design.

As the consultation text notes, there is already a clear framework on how to achieve well-designed places, as set out in the National Design Guide and National Model Design Code. Removing "beauty" from explicit mention in the revised NPPF does not therefore act as a prerequisite to abandon fidelity to good design, and as such we welcome the change.

However, we are concerned that in centring well-designed buildings and places, it is vital to ensure that appropriate expertise is sought to guarantee quality, longevity, sustainability and accessibility. Architects are well-placed to contribute to the delivery of well-designed buildings and places, and we urge the Government to utilise the skills and knowledge of architects throughout the country to make this vision a reality.

Question 60: Do you agree with proposed changes to policy for upwards extensions?

No.

The design of upwards extensions should be subject to normal planning processes, enabling design to be considered, but subject to a robust presumption in favour of development.

Improvements to the design of the built environment will be better achieved by reform of the planning system, rather than the introduction of rules to bypass it.

Building infrastructure to grow the economy

Question 66: Do you have any other suggestions relating to the proposals in this chapter?

A key focus of the NPPF is housing delivery but it is vital to acknowledge that economic growth is not facilitated via housing delivery alone.

Delivering community needs

Question 67: Do you agree with the changes proposed to paragraph 100 of the existing NPPF?

Yes.

The delivery of key infrastructure and amenities must be a core consideration of any proposed development, though this should not be at the expense of good design. We welcome the new wording, which emphasises the importance of delivering this.

Question 68: Do you agree with the changes proposed to paragraph 99 of the existing NPPF?

Yes.

Question 69: Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?

Yes.

We agree with the decision to move to a “vision-led” approach in principle, particularly in terms of the joint working with residents, developers and LPAs. The definition of “vision-led” must be clear to ensure shared understanding.

We would like to see this change lead to an increase in sustainable transport provision, and view it as a step towards considering the role of transport strategies which prioritise private vehicle use on wider placemaking. An approach which prioritises and facilitates sustainable and active travel alongside private vehicle use where it is truly necessary is welcome.

The Engagement Overlay to the RIBA Plan of Work may be a useful tool to assist with this engagement, and the expertise of architects is valuable in ensuring best practice.

Though the move to a “vision-led” approach sounds sensible, we welcome the publication of the updated guidance to ensure that any unintended consequences from moving to this approach are mitigated.

Question 70: How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity?

We are only responding to part (a).

The role of the built environment as a determinant of health inequalities is widely accepted, with the 2020 update to the Marmot Review noting that “the unequal distribution of poor-quality built environments contributes to health inequalities in England” on a variety of levels.

Community interactions, physical access to loved ones and to core amenities, as well as exclusive design practice and underinvestment in the built environment, all have a noticeable public health impact.

The provision of appropriate accessible housing is crucial to promote healthy communities. The introduction of Part M4(2) as a minimum standard for all new homes is a positive step in this direction, however, this will not meet the needs of all older and disabled people.

Local authorities should ensure that sufficient specialised housing for older and disabled people is allocated through local plans, including allocating specific sites for suitable housing across all tenures. While encouragement to do so is included in paragraph 63 of the NPPF, this could be strengthened.

Accessible public transport and improved integration of active travel into transport policy is also vital for people to be able to fully participate in and benefit from their immediate, and wider, environments. We have continuously raised the need for transport infrastructure to be improved, allowing for greater access to green space, greater mobility for all demographics, and lesser reliance on personal car use. The facilitation of walking and cycling infrastructure on a much wider scale has the potential to help create healthier communities across the country. Play and sport facilities must also be treated as a crucial part of new development, and informal and formal recreation facilities must be built into local plans.

As the consultation text notes, while LPAs can develop policies to support local strategies to improve health and wellbeing, this is enacted to a variable extent. Further clarity in national guidance would be welcome.

Supporting green energy and the environment

Question 73: Do you agree with the proposed changes to the NPPF to give greater support to renewable and low carbon energy?

Proposals to shift towards renewable and low carbon energy options are critical to reaching net zero, though this should not be at the expense of energy demand reduction.

To reduce energy demand in buildings we must set appropriate metrics. We recommend that the Government uses operational energy as the principal metric for measuring energy efficiency. Operational energy, or energy required for the day-to-day operational processes of buildings, captures the actual energy usage of a building.

Primary energy, the current principal metric for understanding energy use, is complex and will become less relevant as the electricity grid decarbonises. Operational energy is well-known within the sector, as well as by building owners and occupiers. It is the metric used in *Passivhaus*^{viii} homes and would also align with the forthcoming UK Net Zero Carbon Buildings Standard.^{ix}

However, there are significant carbon emissions in the materials used to produce and maintain buildings. This is known as embodied carbon. As the grid continues to decarbonise a larger proportion of carbon emissions will come from embodied carbon, and as such we need to work to reduce these emissions. To do so, we recommend the Government sets out whole life carbon limits in regulations. Whole life carbon refers to carbon emissions of built assets from:

- up front carbon (including raw materials and product creation, transport and construction)
- in use carbon (including maintenance and operational energy related emissions)
- end of life carbon (including deconstruction and disposal) and
- circular economy carbon (the potential for reuse).

Whole life carbon limits (both operational energy and embodied carbon) should be aligned with the UK Net Zero Carbon Buildings Standard.

The previous Government committed to consulting on the approach and interventions to mainstream the measurement and reduction of embodied carbon in the built environment. We urge the new Government to bring this consultation forward as soon as possible.

Further suggestions include where appropriate encouraging new roofs to be green roofs in order to attenuate rain water and improve biodiversity, that they should be glazed to allow daylight to the space below, and the east, south and west elevations be used for energy production. This would mean no large factory or warehouse roof should be permitted without energy production to reduce the pressure on agricultural land and green field solar farms.

Research^x has also shown a clear role for “cool roofs”, especially in terms of urban heat management. By painting roofs white or covering them with a reflective coating, both internal and external temperatures were found to cool.

Question 74: Some habitats, such as those containing peat soils, might be considered unsuitable for renewable energy development due to their role in carbon sequestration. Should there be additional protections for such habitats and/or compensatory mechanisms put in place?

Flood risk measures should not be subject to negotiation, as this will likely lead problems for the future.

Question 78: In what specific, deliverable ways could national planning policy do more to address climate change mitigation and adaptation?

The Government must ensure local authorities' efforts to move further and faster towards net zero are possible. Both clear national standards and effective and ambitious local policy are urgently needed.

Progress should also be made towards embedding nature-based solutions (Nbs) within the planning system, which will help to limit the negative impact of increasingly intense and frequent flood events and other climate hazards. For example, the mandatory implementation of sustainable drainage systems (SuDS) in new developments, which ease surface water run off, is long overdue.

Nbs can also bring other added benefits, from the creation of green space to supporting wildlife.

Development being focused on sustainable brownfield land will also contribute, as would increasing BNG and developing with reduction of car use in mind.

Question 79: What is your view of the current state of technological readiness and availability of tools for accurate carbon accounting in plan-making and planning decisions, and what are the challenges to increasing its use?

The planning system could be simplified if more standards for energy and carbon were moved into the Building Regulations and away from planning. Significant costs can be incurred in detailed assessment at the pre-planning stage, with the need to provide evidence on energy use and carbon emissions before the principle of development is established. This is exacerbated as many LPA lack the capacity or resources to assess information submitted at planning stage.

Moving environmental standards into the Building Regulations would allow for consistency and help create a national market for innovation in products and skills. However, the national minimum standard must be set at the correct level to put the UK on track to reach net zero.

Question 80: Are any changes needed to policy for managing flood risk to improve its effectiveness?

Flood risk measures should not be subject to negotiation. The Building Regulations should be amended to require buildings being rebuilt or renovated to incorporate climate resilience improvements.

As flood risk increases, the resilience measures required should also increase, whether this is due to location within a flood zone or risk of greater risk of surface water flooding. MHCLG should work with built environment experts, the Environment Agency, and the Department for Environment, Food and Rural Affairs (Defra) to examine the potential for new regulations on flood resilience and resistance to be linked to the Flood Zone (FZ) Designations via the Building Regulations and relevant planning policy.

Other suggestions included encouraging flood resilient housing and greater use of permeable surfaces and SuDS. Resource should also be allocated to LPAs, the Environment Agency and Lead Local Flood Authorities (LLFAs) to work with developers and landowners to tackle flood risk.

Question 81: Do you have any other comments on actions that can be taken through planning to address climate change?

Natural England's Green Infrastructure Framework (GIF)^{xi} is a positive example of a useful, existing tool, which can help to deliver greater availability of green space. Local authorities in urban areas must be required to use the GIF so that we can design areas in local communities which prioritise nature and embed nature-based solutions.

Currently, some local authorities have environmental standards embedded in the planning system. For example, in London operational and embodied carbon assessments, alongside circular economy statements are required.

However, as mentioned above, ideally environmental standards would be included in the Building Regulations. This is because as local authorities differ, having different requirements by each local authority can lead to a patchwork of different requirements. This can be burdensome for architecture practices.

Question 82: Do you agree with removal of this text from the footnote?

No.

Given the relaxation proposals on the Green Belt, food security should remain a consideration of land release.

Changes to local plan intervention criteria

Question 87: Do you agree that we should replace the existing intervention policy criteria with the revised criteria set out in this consultation?

No.

Changes to planning application fees and cost recovery for local authorities related to Nationally Significant Infrastructure Projects

Question 89: Do you agree with the proposal to increase householder application fees to meet cost recovery?

Members raised concerns that for simple domestic alterations, the fee increase will further reduce the desire to improve existing dwellings.

Question 91: If we proceed to increase householder fees to meet cost recovery, we have estimated that to meet cost-recovery, the householder application fee should be increased to £528. Do you agree with this estimate?

- Yes
 - No – it should be higher than £528
 - No – it should be lower than £528
 - no - there should be no fee increase
 - Don't know

We have long been clear that any increase in fees should be ringfenced for use in LPAs, which did not occur for the previous fee increase following April 2023's technical consultation.

Planning services have experienced a more severe cut than many other local authority services – evidence suggests that councils across England disproportionately cut “housing, cultural and planning services”^{xii} in comparison to cuts to other departments. Providing additional resource is clearly an overarching priority for planning departments to have adequate capacity, and fee increases must be used for this.

With many applications not being determined within statutory timelines, raising fees in this context may be problematic. A suggested approach is that fees should be reflective of the size of application, with a fixed increase for smaller applications, such as for the installation of a downstairs bathroom, being viewed to be disproportionate, whereas for a large extension this may be more appropriate. This could be implemented via a sliding fee scale for householder applications.

Another suggestion is that householder applications should be made simpler to make them less onerous on the planning system and easier to determine within statutory timelines, at which point it may be possible to raise fees.

Question 94: Do you consider that each local planning authority should be able to set its own (non-profit making) planning application fee?

Please give your reasons in the text box below.

No.

Allowing LPAs to set their own application fees would overall likely add to existing complexity, and be difficult to monitor. They might also increase the burden on the Planning Inspectorate and others to check procedures.

If this was to be introduced, we suggest that fees should be capped and open to scrutiny, in addition to fully ringfenced for use within LPAs to deliver improvements in services, such as design review and funding design officers.

Question 95: What would be your preferred model for localisation of planning fees?

- **Full Localisation – Placing a mandatory duty on all local planning authorities to set their own fee.**
- **Local Variation – Maintain a nationally-set default fee and giving local planning authorities the option to set all or some fees locally.**
- **Neither**
- **Don't Know**

Neither.

However, instead there could be scope for councils to consider discounts for priority areas such as economic development areas or areas where retail regeneration will be undertaken.

The future of planning policy and plan-making

Question 105: Do you have any other suggestions relating to the proposals in this chapter?

We support the goal of making the planning system more accessible. However, it is vital to ensure that any steps to digitise the planning system do not serve to inadvertently make the system less accessible for demographics who may not be able to participate this way.

We must also take steps to support and resource LPAs to make timely, informed and well-considered decisions on applications, which would bring forward high-quality development while tackling delays.

Public Sector Equality Duty

Question 106: Do you have any views on the impacts of the above proposals for you, or the group or business you represent and on anyone with a relevant protected characteristic? If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how. Is there anything that could be done to mitigate any impact identified?

Changes to planning policy, like all policy, will not impact all demographics equally. We welcome efforts to increase social and affordable housing provision and note that “access for all to adequate, safe and affordable housing” by 2030 is a UN Sustainable Development Goal. All efforts should be taken to ensure that a commitment to securing genuinely affordable housing of all tenures and types to be available to those on all incomes is treated with the gravity that it deserves. Truly accessible housing should be available to all members of society, and that the places we design must prioritise meaningful accessibility for all.

ⁱ https://riba-prd-assets.azureedge.net/-/media/Files/Policy/RIBA-responses-to-consultations-and-inquiries/RIBA_Response_NPPF_Consultation.pdf?rev=94a993afe6f94ab6a4e7eeec935649c9&hash=E8A89CF36BCFAF00C1B60B4477ACB732

ⁱⁱ https://www.london.gov.uk/sites/default/files/2023-06/Optimising%20site%20capacity%20-%20A%20design-led%20approach%20LPG_0.pdf

ⁱⁱⁱ <https://www.lakedistrict.gov.uk/planning/planningpolicies/design-code>

^{iv} <https://commonslibrary.parliament.uk/affordable-housing-in-england/>

^v <https://www.gov.uk/government/statistics/social-housing-lettings-in-england-april-2022-to-march-2023/social-housing-lettings-in-england-tenants-april-2022-to-march-2023UK> (www.gov.uk)

^{vi} <https://www.housing.org.uk/rural-exception>

^{vii} <https://www.london.gov.uk/sites/default/files/2023-06/Small%20site%20design%20codes%20LPG.pdf>

^{viii} https://www.passivhaustrust.org.uk/what_is_passivhaus.php

^{ix} <https://www.nzcbuildings.co.uk/>

^x <https://www.nzcbuildings.co.uk/>

^x [Cool roofs are best at beating cities' heat | UCL News - UCL – University College London](https://www.nzcbuildings.co.uk/)

^{xi} <https://designatedsites.naturalengland.org.uk/GreenInfrastructure/Home.aspx>

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