

UKGBC response to the Levelling-up and Regeneration Bill: reforms to national planning policy

Introduction:

The UK Green Building Council (UKGBC) is an industry network with a mission to radically improve the sustainability of the built environment, by transforming the way it is planned, designed, constructed, maintained and operated. As a charity, with over 700 member organisations spanning the entire sector, our members are at the forefront of driving sustainability in the built environment and associated sectors.

Whilst we welcome the direction of travel evident across the proposed amendments to the National Planning Framework (NPPF), and associated reforms, we believe many of the changes proposed need to be strengthened and developed much further in order for them to fully support the Government's goals of delivering significant improvements in the design quality and sustainability of the built environment.

Across these amendments and proposals to reform planning, there is not a sufficiently robust recognition of the planning system as a key strategic vehicle for decarbonising the economy, delivering nature's recovery and enhancing climate resilience. As we highlight in our response, this must be rectified by ensuring that these reforms clearly align with, and support achieving, the legal requirements of the Climate Change and Environment Acts. A strategic, comprehensive approach to tackling the climate crisis, enhancing climate resilience, and reversing biodiversity decline must be made a central component of the planning system in order for it to be fit for purpose; supported by sufficiently ambitious tools, legal obligations and policies.

We look forward to further consultations as indicated on changes to the NPPF and planning policy later in the year, and it is vital that key recommendations in relation to nature enhancement, carbon accounting and resilience are taken forward.

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

- 1. Do you agree that local planning authorities should not have to continually demonstrate a deliverable five year housing land supply (5YHLS) as long as the housing requirement set out in its strategic policies is less than five years old?**

N/A

- 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)?**

N/A

- 3. Do you agree that local planning authorities should not have to continually demonstrate a deliverable five year housing land supply (5YHLS) as long as the housing requirement set out in its strategic policies is less than five years old?**

N/A

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

N/A

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?

UKGBC welcomes the proposal set out in paragraph 14 that gives greater weight to neighbourhood plans (up to five years old).

UKGBC strongly supports the role of Neighbourhood Plans in the planning system, as the level of local involvement and co-creation involved means that they are a vital means by which social value outcomes can be optimised in local planning. The feedback from our members has been overwhelmingly that neighbourhood planning has been proven to work, delivers growth with more public support, and has shown many local authorities how they need to engage when it comes to their Local Plans. Local communities often have a deeper understanding of issues within their local area, including in relation to the environment and sustainability. Our work through UKGBC's Nature and Resilience Playbook, found that they can be a vital route for driving-up local ambition.¹ Likewise the first direct link between the Sustainable Development Goals and a planning policy was in a neighbourhood plan. Neighbourhood planning is also pioneering new policies on salient issues, such as air pollution and overheating. The Government should look to disseminate best practice in these areas.

However, how to overcome the barriers for non-established groups to create neighbourhood plans needs to be examined further. At present, it is far easier for Parish Councils as they are already formed. Greater support and encouragement should be made available to communities in less advantaged, often urban, areas to increase the level of neighbourhood planning taking place there.

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?

No.

The proposed changes are unnecessary and infer that a greater priority should be given to housing provision than other considerations. This risks shifting the balance of the planning system from the purpose of following the three pillars of sustainable development (social, environmental and economic). No further clarity should be needed that housing is a form of development.

7. What are your views on the implications these changes may have on plan making and housing supply?

¹ Philip Box, Kerri McCarton et al, "The Nature Recovery and Climate Resilience Playbook", <https://www.ukgbc.org/ukgbc-work/the-nature-recovery-and-climate-resilience-playbook/>

N/A

- 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?**

N/A

- 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?**

Yes.

We agree that past oversupply of housing provision should be taken into account when assessing current housing need within any locality.

UKGBC supports building at densities intended to deliver more sustainable, healthy, economical viable communities, by encouraging sustainable and active transport solutions; alongside access to amenities. However, as per our answer to question 10, building at higher densities should ensure that local communities retain sufficient access to nature, and must consider the impacts on nature alongside the full range of associated local environmental impacts. The Government should define what is meant by '*significantly out of character*', to enable additional issues including ecological considerations, to be brought in, alongside an appropriately rigorous process for assessing the wider sustainability and health implications.

- 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?**

Yes.

Local planning authorities should be expected to provide and consider the impact of the proposed densities on biodiversity, carbon emissions and the natural environment, including not only current densities within the urban area, but the impacts on the network of green space and protected areas (such as Local Nature Reserves, SSSIs and international sites) and the wider carbon impacts of development. Evidence should fully consider the range of environmental impacts and constraints in an area, including on water supply, flood risk, overheating and carbon emissions. LPAs should consider whether densities of development would have adverse effects on the local natural and historic environment, including impacts on protected sites and important wildlife and habitats, local green and blue infrastructure, and the overall environmental constraints of the area, including additional pressures and footfall in important and potentially fragile local natural spaces. Likewise, the social implications of out-of-character densities on the fabric and health of the local community should also be considered, by assessing the social value implications. We recommend that the Government develop relevant, or encourage LPAs to utilise existing frameworks and, guidance to fully consider the social value

implications of greater densities.² LPAs should likewise fully consider the impacts of the density and location of development on transport, energy, and essential community infrastructure.

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.

Plan-making should be based on robust evidence. The test of soundness includes the requirement for evidence-based policy-making and the consideration of reasonable alternatives, which are both essential aspects for good environmental planning. UKGBC objects to the proposal to remove the explicit requirement for plans to be ‘justified’. It is a key requirement of Strategic Environmental Assessment that the plan should consider reasonable alternatives. This should include alternative strategies and ways of meeting housing need, and the extent of their impacts upon nature and other areas of sustainability. The removal of ‘justified’ as part of the soundness test could weaken the need for any/all local plan evidence across all environmental issues, and make it much easier for Local Planning Authorities to pursue approaches which are not sustainable, with unintended consequences such as increasing flood risk. Evidence of flood risk for example should remain an important factor at planning examination.

As outlined in response to questions 44, 40, 39 and 37, local plans must incorporate and reflect the consideration of key documents, datasets and strategies in order to deliver development that is consistent with local nature recovery and suitable given local climate risks.

Whilst the consultation indicates LPAs must continue to take into account other policies in the Framework, and still need to produce evidence to inform and explain their plan, and to satisfy requirements for environmental assessment, the Levelling Up and Regeneration Bill currently proposes to introduce an Environmental Outcomes Report based system of environmental assessment in place of SEA and EIA. There is currently no detail yet published about the proposed new system, meaning a concerning lack of clarity over future environmental requirements and rigour of the future system. UKGBC therefore objects to any removal at this stage of the formal requirement to justify the strategic approach proposed within any plan relative to alternatives.

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

N/A

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

² UKGBC, “Social Value in New Development”, <https://ukgbc.s3.eu-west-2.amazonaws.com/wp-content/uploads/2018/03/05151940/Social-Value.pdf>; UKGBC, “Delivering Social Value: Measurement”, <https://ukgbc.s3.eu-west-2.amazonaws.com/wp-content/uploads/2020/04/05145348/Delivering-Social-Value-Measurement.pdf>; UKGBC, “Framework for Defining Social Value”, <https://ukgbc.s3.eu-west-2.amazonaws.com/wp-content/uploads/2021/02/05144157/Framework-for-Defining-Social-Value.pdf>

UKGBC supports the principle of concentrating development in more sustainable locations, including urban areas where this promotes densification and urban regeneration in line with enhancing local sustainability and delivering greater social value for communities.

However, applying the urban uplift should be informed by evidence from a robust assessment of the capacity of the settlements affected to absorb higher levels of development without impacting negatively upon local sustainability considerations, health, community infrastructure provision, social value, and the connectivity of green and blue infrastructure. See question 14.

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?

Additional guidance and support should be made available to LPAs planning for more homes in areas where the uplift applies to effectively take into account key sustainability considerations.

We recommend further guidance is produced to aid with the effective consideration of the relevant range of local sustainability, environmental and social value implications, notably the implications for local carbon emissions, nature recovery, social value, and climate resilience. As per our answers to questions 40 and 39, LPAs should be equipped to draw on and consider relevant data sources to inform sustainable planning. This should specifically include guidance in relation to brownfield sites of high environmental value, emphasising the importance of ecological surveys and site-based assessment to ensure important urban nature is protected for both its benefit and that of the wider community.

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?

N/A

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?

N/A

17. Do you consider that the additional guidance on constraints should apply to plans continuing to be prepared under the transitional arrangements set out in the existing Framework paragraph 220?

N/A

18. 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?

N/A

19. 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?

N/A

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

N/A

21. What are your views on the right approach to applying Housing Delivery Test consequences pending the 2022 results?

N/A

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

N/A

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

N/A

24. 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)?

N/A

25. 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?

N/A

26. 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?

N/A

27. 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?

N/A

28. Is there anything else that you think would help community groups in delivering affordable housing on exception sites?

N/A

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

N/A

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

N/A

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

N/A

32. 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?

N/A

33. 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?

Yes.

UKGBC supports the proposed changes to emphasise the role of beauty as an objective of the planning, placemaking, strategic policies and the development process. We strongly supported the work and recommendations of the Building Better Building Beautiful Commission (BBBBC), as the pursuit of beauty is valuable for its own sake, in promoting high-quality development people can support and be proud of. Furthermore, it offers a valuable opportunity to address multiple social and environmental concerns around new development, helping deliver progress on related policy objectives.

From the experience of our members, consideration of beauty is important for engaging community support around sustainable new development and delivering on wider policy objectives; such as achieving biodiversity net gain, enhancing mental health, providing social value and tackling climate change. Sustainability and beauty are not, and should not be perceived as, conflicting. Truly sustainable places and buildings will need to be beautiful in order to stand the test of time, addressing prospective embodied carbon costs from demolition, with features that deliver for public health, wellbeing and biodiversity. Likewise, the effective integration of nature and sustainability is a central component of achieving beauty in the built

environment, with significant cultural resonance and value in both tackling climate change and biodiversity decline. It should be promoted across individual property, neighbourhood, landscape and development site designs.¹³

As identified by the BBBBC, opposition to development is commonly linked to interconnected concerns over visual and environmental impacts. Previous Government surveys found 73% of people surveyed in 2010 said they would be more likely to support housing if it was well-designed and appropriate for the local area.⁴ To focus on achieving 'beauty' is therefore welcome, as this will help ensure the delivery of homes, amenities and infrastructure people want, can support and be proud of. This crucially encompasses the potential to address environmental concerns and deliver on the goals of the Environmental Act and Improvement Plan.

In order to effectively address these issues, any definition of 'beauty' must involve thorough engagement with communities and a sense of co-creation, whilst ensuring beauty is part of encouraging wellbeing, nature and quality of life more broadly through good place design. A concern raised by UKGBC members in response to the previous NPPF consultation that introduced references to beauty, was that there was no guiding definition of beauty provided, a concern widely echoed across responses to the consultation.⁵ The Government response indicated it will not set out a national definition, and that this should be reflected in local plans, neighbourhood plans, design guides and codes, whilst taking into account government guidance on design. UKGBC welcomed the National Model Design Code and the central role of sustainability within the principles and guidance provided. **However, in order to provide welcome further direction and clarity for the industry, we would still recommend a guiding definition derived from the work of the Building Better Building Beautiful Commission is added into the NPPF glossary, reflecting the full findings and recommendations in the final report, and the National Design Guide and Code principles.**⁶ We believe this would ensure beneficial clarity regarding the scope and development of strategic policies, local guidance and decision making.

Evidence of what beauty broadly represents in public opinion has suggested it is possible to quantify common preferences, including an appreciation for 'green' features and high-quality placemaking.⁷ Further research has likewise suggested that residents' mental welfare is

³ Seresinhe C. I., Preis T., MacKerron G. and Moat H. S. (2019), "Happiness is Greater in More Scenic Locations", *Scientific reports*, 9(1) [online] Available at: https://www.nature.com/articles/s41598-019-40854-6?utm_source=twitter&utm_medium=SAGE_social&utm_content=sageoceantweets&utm_term=c482f2db-a9f1-42de-8db7-0220f7aa9258;

Seresinhe, C.I., Preis, T. and Moat, H.S. (2017), "Using deep learning to quantify the beauty of outdoor places", *Royal Society open science*, 4(7). [online] Available at: <https://royalsocietypublishing.org/doi/full/10.1098/rsos.170170>

⁴ National Housing and Planning Advice Unit (2010), "Public Attitudes to Housing", [online] Available at:

<http://webarchive.nationalarchives.gov.uk/20110203064124/http://www.communities.gov.uk/documents/507390/nhpau/pdf/16127041.pdf>

⁵ MHCLG, "Government response to the National Planning Policy Framework and National Model Design Code: consultation proposals",

<https://www.gov.uk/government/consultations/national-planning-policy-framework-and-national-model-design-code-consultation-proposals/outcome/government-response-to-the-national-planning-policy-framework-and-national-model-design-code-consultation-proposals>

⁶ BBBBC, "Creating space for beauty: interim report of the Building Better, Building Beautiful Commission",

<https://www.gov.uk/government/publications/creating-space-for-beauty-interim-report-of-the-building-better-building-beautiful-commission>

⁷ Airey J., Scruton, R. and Wales, R. (2018), "Building More, Building Beautiful How design and style can unlock the housing crisis", [online].

Available at: <https://policyexchange.org.uk/wp-content/uploads/2018/09/Building-More-Building-Beautiful-for-print.pdf>

Seresinhe, C.I., Preis, T. and Moat, H.S. (2017), "Using deep learning to quantify the beauty of outdoor places", *Royal Society open science*, 4(7). [online] Available at: <https://royalsocietypublishing.org/doi/full/10.1098/rsos.170170>

YOUGov/ ADAM Architecture (2009), "YouGov survey published this week suggests people prefer traditionally designed buildings", [online]

Available at: https://www.adamarchitecture.com/images/PDFs/YouGov%20survey_Oct09_results.pdf

substantially higher in areas and developments that they find beautiful.⁸ These findings offer significant potential value to the pursuit of beauty, including the opportunity to deliver wider benefits to society through alignment with the mental health focus in the NHS Long Term Plan.⁹

The benefits and scope of beauty in the built environment go beyond architectural form and encompass wider landscape design, neighbourhood placemaking and genuinely nature-enhancing green infrastructure. **Any definition of 'beauty' should therefore reflect the fundamental role of nature's beauty and well-designed green infrastructure in the built environment**, an idea that has deep roots in culture and society. There is a substantial body of supportive evidence regarding the benefits of green infrastructure, species-richness, greenspace, and greenery in design to both human health and wellbeing.¹⁰ These benefits are often derived from people appreciating such elements visually (i.e. In addition to non-visual benefits such as clean air).¹¹ This is notably reflected in the willingness of buyers to pay more

Seresinhe, C.I., Moat, H.S. and Preis, T. (2018), "Quantifying scenic areas using crowdsourced data", *Environment and Planning B: Urban Analytics and City Science*, 45(3), [online] Available at: <https://journals.sagepub.com/doi/full/10.1177/0265813516687302>

Law, S., Seresinhe, C.I., Shen, Y. and Gutierrez-Roig, M. (2018), "Street-Frontage-Net: urban image classification using deep convolutional neural networks", *International Journal of Geographical Information Science* [online] Available at: <https://www.tandfonline.com/doi/abs/10.1080/13658816.2018.1555832>

⁸ Seresinhe, C.I., Preis, T. and Moat, H.S. (2015) "Quantifying the impact of scenic environments on health", *Scientific reports*, 5. [online] Available at: <https://www.nature.com/articles/srep16899>

⁹ NHS (2019), "The NHS Long Term Plan", <https://www.longtermplan.nhs.uk/wp-content/uploads/2019/01/nhs-long-term-plan.pdf>

¹⁰ Fuller et al. (2007) identified a correlation between the psychological benefits of visiting parks in Sheffield and species richness. A study by Cox et al. (2017) likewise found that bird abundance and vegetation cover in urban areas reduced residents' anxiety, stress, and depression. Similarly a study by Dallimer et al. (2012) found that perceived species abundance exhibited a positive correlation with wellbeing. Further studies on flower meadows have indicated that both actual and perceived species richness correlate strongly with wellbeing; notably thriving bird, butterfly and plant species all positively correlated with wellbeing (Southon, G. E., et al, 2018). Tree cover has likewise been shown to have a positive relationship with mental wellbeing, the possible explanation being that tree cover acts as a psychological proxy for the perceived "naturalness" of an environment (Dallimer et al; 2012).

Fuller, R.A., Irvine, K.N., Devine-Wright, P., Warren, P.H. and Gaston, K.J., (2007), "Psychological benefits of greenspace increase with biodiversity", *Biology letters*, 3(4), pp.390-394. [online] Available at: <https://royalsocietypublishing.org/doi/abs/10.1098/rsbl.2007.0149>

Cox, D.T., Shanahan, D.F., Hudson, H.L., Plummer, K.E., Siriwardena, G.M., Fuller, R.A., Anderson, K., Hancock, S. and Gaston, K.J., (2017), "Doses of neighborhood nature: The benefits for mental health of living with nature", *BioScience*, 67(2), pp.147-155. [online] Available at: <https://academic.oup.com/bioscience/article/67/2/147/2900179>

Dallimer, M., Irvine, K. N., Skinner, A. M. J., Davies, Z. G., Rouquette, J. R., Maltby, L. L., et al. (2012), "Biodiversity and the feel-good factor: understanding associations between self-reported human well-being and species richness", *BioScience* 62, 47–55. [online] Available at: <https://academic.oup.com/bioscience/article/62/1/47/295411>

Southon, G. E., Jorgensen, A., Dunnett, N., Hoyle, H., and Evans, K. L. (2018), "Perceived species-richness in urban green spaces: cues, accuracy and well-being impacts", *Landsc. Urban Plann.* 172. pp. 1–10. [online] Available at: <https://www.sciencedirect.com/science/article/pii/S0169204617303237>

¹¹ Wood, E., Harsant, A., Dallimer, M., Cronin de Chavez, A., McEachan, R., & Hassall, C. (2018), « Not all green space is created equal: biodiversity predicts psychological restorative benefits from urban green space", *Frontiers in psychology*, 9, 2320 [online] Available at: <https://www.frontiersin.org/articles/10.3389/fpsyg.2018.02320/full>

Wolf, K. (1998). *Urban Forest Values: Economic Benefits of Trees in Cities. fact sheet.* Seattle, WA: Center for Urban Horticulture, November 1998. pp.411-16.

Wolf, K. (1998). *Urban Nature Benefits: Psycho-social dimensions of people and plants.* Center for Urban Horticulture, College of Forest Resources, University of Washington, Fact Sheet, 1.

Wolf, K. (1999). *Grow for the gold: Trees in business districts.* Olympia, WA: Washington State Department of Natural Resources.

Wolf, K. (2000). *Community Image - Roadside Settings and Public Perceptions*, University of Washington College of Forest Resources, Factsheet #32.

Kardan, O., Gozdyra, P., Mistic, B., Moola, F., Palmer, L.J., Paus, T. and Berman, M.G., (2015), "Neighborhood greenspace and health in a large urban center", *Scientific reports*, 5. [online] Available at: <https://www.nature.com/articles/srep11610>

Wentworth, J.; Clarke, C. (2016), "Green Space and Health", *POSTnote* 538 Oct 2016. [online] Available at:

<https://researchbriefings.parliament.uk/ResearchBriefing/Summary/POST-PN-0538#fullreport>

Grinde, B., and Patil, G. (2009), "Biophilia: Does Visual Contact with Nature Impact on Health and Well-Being?" *International Journal of Environmental Research and Public Health* 6, 9: pp.2332-343.

Han, K.T. (2010), "An Exploration of Relationships Among the Responses to Natural Scenes: Scenic Beauty, Preference, and Restoration", *Environment and Behavior* 42, 2: pp.243-270. [online] Available at:

https://www.researchgate.net/publication/254088098_An_Exploration_of_Relationships_Among_the_Responses_to_Natural_Scenes

Berman, M.G., Jonides, J. and Kaplan, S., (2008), "The cognitive benefits of interacting with nature", *Psychological science*, 19(12), pp.1207-1212. [online] Available at: <https://journals.sagepub.com/doi/abs/10.1111/j.1467-9280.2008.02225>

Kaplan, S. (1995), "The Restorative Benefits of Nature: Toward An Integrative Framework", *Journal of Environmental Psychology* 15, 3: pp. 169-182. [online] Available at: <https://www.sciencedirect.com/science/article/abs/pii/0272494495900012>

for properties in greener areas and the importance of ‘greenery’ in research related to attractiveness.¹² Both species-richness and natural genuinely nature-enhancing infrastructure are clearly key to maximising aesthetic appreciation and the associated wellbeing benefits of an environment. Nature-enhancing green infrastructure provisions such as public greenspace, high-quality domestic gardens, street trees and innovations such as green walls, should therefore be a crucial part of considerations regarding beauty. **We therefore recommend that specific reference is added to the importance of using, developing, and integrating, green infrastructure standards/ frameworks; in addition to related design codes and associated guidance**, in order to clearly reflect that plans and development must unequivocally support the nature-enhancement objectives of the Environment Act and Environmental Improvement Plan. UKGBC strongly supports, and helped shape, the Natural England Green Infrastructure Framework and Standards, and these are mirrored across our recommendations developed for local planning authorities.¹³ **We therefore strongly support the integration and reflection of the National Green Infrastructure Standards & Framework in the NPPF, alongside specific reference to design codes and guidance supporting the Government’s Environment Act targets to reverse nature’s decline.**¹⁴

Berto, R., Baroni, M.R., Zainaghi, A. and Bettella, S., (2010), “An exploratory study of the effect of high and low fascination environments on attentional fatigue”, *Journal of Environmental Psychology*, 30(4), pp.494-500. [online] Available at: <https://www.sciencedirect.com/science/article/abs/pii/S0272494409001054>

Bringslimark, T., T. Hartig, and G.G. Patil. 2007, “Psychological Benefits of Indoor Plants in Workplaces: Putting Experimental Results Into Context”, *HortScience* 42, 3: pp.581-87. [online] Available at: <https://www.sciencedirect.com/science/article/abs/pii/S0272494409000413>

Lohr, V.I., Pearson-Mims, C.H. and Goodwin, G.K., (1996), “Interior plants may improve worker productivity and reduce stress in a windowless environment”, *Journal of environmental horticulture*, 14(2), pp.97-100. [online] Available at: https://www.researchgate.net/publication/237441131_Interior_plants_may_improve_worker_productivity_and_reduce_stress_in_a_windowless_environment

Fjeld, T., Veiersted, B., Sandvik, L., Riise, G. and Levy, F., (1998), “The effect of indoor foliage plants on health and discomfort symptoms among office workers”, *Indoor and Built Environment*, 7(4), pp.204-209. [online] Available at: https://www.researchgate.net/publication/247731092_The_Effect_of_Indoor_Foliage_Plants_on_Health_and_Discomfort_Symptoms_among_Office_Workers

Kaplan, R., (1993), “The role of nature in the context of the workplace”, *Landscape and urban planning*, 26(1-4), pp.193-201. [online] Available at: <https://www.sciencedirect.com/science/article/pii/0169204693900167>

Chang, C.Y. and Chen, P.K., (2005), “Human response to window views and indoor plants in the workplace”, *HortScience*, 40(5), pp.1354-1359. [online] Available at: <http://willsull.net/resources/270-Readings/ChangChen2005.pdf>

Shibata, S. and Suzuki, N., (2002), “Effects of the foliage plant on task performance and mood”, *Journal of environmental psychology*, 22(3), pp.265-272. [online] Available at: <https://www.sciencedirect.com/science/article/abs/pii/S027249440290232X>

Tennessen, C.M. and Cimprich, B., (1995), “Views to nature: Effects on attention”, *Journal of environmental psychology*, 15(1), pp.77-85. [online] Available at: <https://www.sciencedirect.com/science/article/abs/pii/0272494495900160>

Hartig, T., Mang, M. and Evans, G.W., (1991), “Restorative effects of natural environment experiences”, *Environment and behavior*, 23(1), pp.3-26. [online] Available at: https://www.researchgate.net/publication/249623388_Restorative_Effects_of_Natural_Environment_Experiences

Maller, C.J., Henderson-Wilson, C. and Townsend, M., (2009), “Rediscovering nature in everyday settings: or how to create healthy environments and healthy people”, *EcoHealth*, 6(4), pp.553-556. [online] Available at: <https://link.springer.com/article/10.1007/s10393-010-0282-5>

Ulrich, R.S. (1984), “View Through a Window May Influence Recovery from Surgery”, *Science Journal* 224 : 420-421 [online] Available at: <https://science.sciencemag.org/content/224/4647/420>

Wolf, K. (2003), “Public Response to the Urban Forest in Inner-City Business Districts”, [in] *Journal of Arboriculture* 29(3) pp 117 - 126

¹² GLA (2003), “Valuing Greenness Green spaces, house prices and Londoners’ priorities”, https://www.london.gov.uk/sites/default/files/valuing_greenness_report.pdf

University of Sheffield (2011), “Public willing to pay more for greener urban spaces”, <https://www.sheffield.ac.uk/news/nr/public-willing-to-pay-more-for-greener-urban-spaces-1.174387>

Thériault, M., Kestens, Y. and Des Rosiers, F., (2002), “The impact of mature trees on house values and on residential location choices in Quebec City”, <http://former.iemss.org/sites/iemss2002/proceedings/pdf/volume%20due%191.pdf>

Morales, D.J., 1980. The contribution of trees to residential property value. *Journal of Arboriculture*, 6(11), pp.305-308. [online] Available at: http://www.tcpilots.org/resource/Tree_propvalue.pdf

Luther, M. and Gruehn, D., (2001), “Putting a price on urban green spaces”, *Landscape Design*, pp.23-26 [online] Available at: <http://www.naturewithin.info/Policy/Hedonics.pdf>

¹³Box, McCarton et al. “The Nature Recovery and Climate Resilience Playbook”, <https://www.ukgbc.org/ukgbc-work/the-nature-recovery-and-climate-resilience-playbook/>

¹⁴ Natural England, “Introduction to the Green Infrastructure Framework - Principles and Standards for England”, <https://designatedsites.naturalengland.org.uk/GreenInfrastructure/Home.aspx>

In addition, alongside references to beauty, **we believe the social objective (8b) should include an explicit reference to, and alignment with, the concept and delivery of social value, and the Public Services (Social Value) Act 2012.**¹⁵ Social value has become an increasingly prominent concept in the construction and property industry thanks to the introduction of the 2012 Public Services (Social Value) Act and the responsibility this placed on local authorities in England to consider social value in service contracts above a certain threshold. Driving social value in planning can be a valuable way to support the strategic priorities of local authorities, by ensuring that action to improve the sustainability of the built environment also helps to build stronger communities, improve health outcomes and strengthen local economies. Social value should be clearly and consistently integrated into the NPPF, drawing on the work of the UKGBC's cross-industry task group to develop a Framework for defining social value across the sector.¹⁶ **Delivering social value should be clearly set out as one, or within one, of the overarching ambitions of the NPPF.**

Finally, The Housing Design Audit for England project, published in January 2020, conducted a nationwide audit of 142 major new housing schemes and it was found that one fifth should have not been given planning permission, as their design was clearly contrary to advice already given in the NPPF.¹⁷ Less affluent areas were found to be ten times more likely to suffer poor design. As the report 'Design Skills in Local Authorities in England' has shown, currently many Local Planning Authorities have capacity issues, including a shortage of the design skills required, and these concerns have been echoed by members of UKGBC.¹⁸ **Ensuring that local authorities are sufficiently equipped, resourced, and empowered to create and enforce design codes – as well as existing standards and policies - will be of paramount importance to ensuring more beautiful development in practice.** In particular, it will be essential that Local Planning Authorities are supported in acquiring the ecological expertise required to ensure that both local codes and development plans are ecologically sound, with both robust monitoring and enforcement. We welcomed proposals in the *Planning White Paper – Planning for the Future* to consider additional enforcement powers and the commitment to develop a comprehensive resources and skills strategy. Likewise, we support the proposition that each local authority should have a Chief Officer for Design and Place-making, as this will help promote a culture change and embed design considerations more definitively in local authority structures. It is crucial to stress that the ambition of beauty will not be delivered until and unless we invest significantly in planning services.

34. 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?

Yes.

We welcome changes to the title of chapter 12, 84a and 124c to include the word 'beautiful' when referring to 'well-designed places'. However, these must be supported by additional clarity, as outlined in our response to **questions 33 & 35**, to ensure beauty is suitably understood

¹⁵ Cabinet Office, "Social Value Act", <https://www.gov.uk/government/publications/social-value-act-information-and-resources/social-value-act-information-and-resources>

¹⁶ UKGBC, "Framework for defining Social Value", <https://www.ukgbc.org/wp-content/uploads/2021/02/Framework-for-Defining-Social-Value.pdf>

¹⁷ Place Alliance et al, "A Housing Design Audit for England 2020", <https://indd.adobe.com/view/23366ae1-8f97-455d-896a-1a9934689cd8>

¹⁸ Place Alliance, "Design Skills in English Local Authorities", <https://indd.adobe.com/view/f2dce345-a265-4c28-9ab3-223ac41110b6>

and delivered effectively. In line with the findings of the Building Better Building Beautiful Commission, and recommendations of UKGBC, this must include a guiding definition that reflects the central importance of well-designed green infrastructure, nature-positive design and integrated sustainability in achieving truly beautiful places that are popular, deliver holistic social value, and stand the test of time.

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

Yes.

We support the amendment for greater visual clarity on design requirements set out in planning conditions should be encouraged to support effective enforcement action. **We recommend this addition should include specific reference to green infrastructure**, as well as materials, in order to ensure quality is delivered in line with achieving the goals of the Environment Act.

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

Whilst we recognise the inclusion of site-specific codes within the scope of possible design codes, as initially raised in relation to the proposals in the *Planning White Paper Planning for the Future* our members were concerned that there is a risk that the emphasis on generic area-design codes or parameters will emulate the ineffective design guides/pattern books that we currently have. Likewise, it was highlighted that it will be difficult to ensure that these codes are comprehensive enough to encompass or predict all the relevant site-specific considerations that may emerge in the course of the development process. Without a mechanism to ensure codes and standards are applied creatively and sensitively to the nuances of sites (large and small), with community input, there is still a danger of delivering substandard outcomes.

Our members therefore proposed requirements to combine general design codes and specifications with a process of producing 'propositional site-specific design codes', to be followed by design review when applicants seek their as-of-right consent. This is in effect what occurs in systems in places like Germany, the Netherlands and parts of the USA and Canada. It has the advantage that the detailed codes are produced via a site-specific creative process, providing a tangible and visual basis for real participation. The detailed proposals are then subjected to the scrutiny of design review. This is exactly what the 2020 [Housing Audit](#) project, where UKGBC partnered with Place, HBF and others, identified as consistently delivering the best design outcomes.¹⁹ Likewise, it was stressed that the use and production of site-specific

¹⁹ Place Alliance et al, "A Housing Design Audit for England 2020", <https://indd.adobe.com/view/23366ae1-8f97-455d-896a-1a9934689cd8>

codes and masterplans was an area in which our members and the wider industry have significant experience, in addition to delivering proven results.

36. Do you agree that a specific reference to mansard roofs in relation to upward extensions in Chapter 11, paragraph 122e of the existing Framework is helpful in encouraging LPAs to consider these as a means of increasing densification/creation of new homes?

Yes.

We agree with the inclusion of reference to possible mansard roof extensions where their external appearance harmonises with the original building, as they offer a sustainable, appropriate way to improve densities and deliver residential development. However, as per the recommendations of the 'Living Tradition' report by Create Streets, it is vital that suitable safeguards are put in place and integrated into planning policy.²⁰ On sustainability, the creation of a mansard extension offers a useful moment to conduct additional works and improvements, at a time when construction-related disruption is already taking place. A 'zero net whole life carbon condition' should be imposed on all building work, meaning that builders will have to minimise gross carbon emissions in construction, optimise energy efficiency in buildings, and offset any emissions that they do produce.¹⁸ Associated planning guidance should be developed to ensure they support progress to the UK's net zero target, including matters such as lifecycle carbon emissions, embodied carbon, sustainable energy, passive cooling including shade and ventilation, and low carbon heating to avoid future retrofitting, damp, and overheating. Extensions will likewise be an opportunity to ensure that buildings with poorly insulated roofs that are prone to high heat loss and gain are replaced with well-insulated roofs.

37. 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?

UKGBC strongly supports strengthening national policy on small-scale nature interventions. As demonstrated by our members, research and industry engagement, including notably through our recent Nature Recovery and Climate Resilience Playbook, a wide range of nature-based solutions and small-scale interventions can be easily and viably delivered with minimal cost implications.²¹ There is a strong body of evidence from across UKGBC's research, and the continued work of our members, that there is strong support across the industry for stronger requirements to deliver small-scale, no-regrets enhancements and broader nature-based solutions through development and planning, such as bee and swift bricks, hedgehog highways and bat boxes. Such measures will be vital for ensuring planning and development help achieve the goals of the Environment Act and Environmental Improvement Plan. The Government should strongly support the enhanced delivery of no-regrets, nature enhancement measures through stronger, specific planning policy requirements; but also, it must seek to go further by introducing policies and mechanisms to drive greater ambition. These policy mechanisms, such as urban greening factors, tree canopy cover targets are explored, and would be in line with, the recommendations of UKGBC's Nature and Climate Resilience Playbook, co-developed with

²⁰ Samuel Hughes, "Living tradition Adding to our heritage with more homes and sustainable intensification", <https://www.createstreets.com/wp-content/uploads/2021/08/Living-Tradition.pdf>

²¹ Box, McCarton et al, "The Nature Recovery and Climate Resilience Playbook", <https://www.ukgbc.org/ukgbc-work/the-nature-recovery-and-climate-resilience-playbook/>

the input and feedback of both local authorities and key industry stakeholders, to represent a suitably ambitious, but feasible, set of policy requirements.²²

UKGBC supports outcome-based approaches to the delivery of nature enhancements which seek to maximise the related environmental benefits, such as air pollution mitigation and urban cooling. We support the development of the wider policy of ‘environmental net gain’ as outlined in the original 25-year environment plan, to build an approach to the provision of wider environmental benefits that develops from, but is in addition to, biodiversity net gain.

We recommend the Government require Local Planning Authorities to develop and adopt urban greening factors (UGFs) where they will enhance access to nature. The use of greening factors commands significant support from across the industry and UKGBC’s membership, as they represent a clear, consistent means to quantify and deliver on green infrastructure requirements, whilst maintaining a degree of flexibility to adjust requirements to local circumstances and deliver creative NBS solutions.

The wording of a UGF requirement in the NPPF should be suitably high-level to enable flexibility for them to be translated in Local Plans to suit local planning contexts. Specifically, however, the Government should create a “Model Urban Greening Factor” guide, to act as statutory guidance for LPAs when designing their own UGFs and reference in the NPPF, drawing on the Natural England Green Infrastructure Framework.²³

Additional statutory UGF guidance should be provided and is necessary for two reasons. First, to mitigate against unintended outcomes and ensure certain checks are considered, such as obligations on development to maintain natural infrastructure once it is installed. Second, to support LPAs given resource constraints, setting out a ‘model UGF’ would provide LPAs with an oven-ready framework to work with and help to reduce any additional burdens a UGF development mandate may place on LPAs. The Model Urban Greening Factor Guide could be published as a standalone document and referenced as statutory guidance within the NPPF. It should be relatively general, setting out the qualities of an effective UGF while giving LPAs some room to shape UGFs to suit their local circumstances.

The guide should contain several key elements including that all UGFs should have the following features as standard:

- Maintenance obligations placed on the owner of natural infrastructure for its lifetime of a fixed long term period;
- Shopping lists of greening options for developers, with the weightings reflective of Local Nature Recovery Strategies;
- Mandatory minimum UGF scores for developers to meet, backed up with clear calculation templates and guidance;
- Natural infrastructure quality standards, such as Natural England’s Green Infrastructure standards.

²² Box, McCarton et al, “The Nature Recovery and Climate Resilience Playbook”, <https://www.ukgbc.org/ukgbc-work/the-nature-recovery-and-climate-resilience-playbook/>

²³ Natural England, “Introduction to the Green Infrastructure Framework - Principles and Standards for England”, <https://designatedsites.naturalengland.org.uk/GreenInfrastructure/Home.aspx>

The quality of UGFs could be checked against this government guidance by the Planning Inspectorate when it reviews the next iteration of Local Plans. We suggest the following wording to be included in the revised NPPF for a mandatory UGF:

“Where a Local Plan covers a predominately urban area [or another condition, to be decided by Government], it should include proposals for a mandatory Urban Greening Factor scheme. These should reflect the approach set out in the Model Urban Greening Factor guidance.”

Local planning authorities should develop planning policies that look favourably on plans involving specific GI Interventions assessed to be most relevant to the nature and strategic priorities of their areas. These should be in line with local strategies, such as green roofs in urban areas, using and signposting to relevant tools to aid delivery.

The Government should require Local Authorities adopt tree canopy cover targets, including in relation to new development. These are necessary to deliver the required focus and level of intervention to meet the Government’s tree-planting and coverage targets, alongside the important benefits for localised flood, air quality and temperature regulation that trees provide.

Local planning authorities should be required to set tree canopy cover targets in local planning policies, aiming for around 25%. Tree canopy cover policies should require applicant to assess existing canopy cover area (m²) using BS5837 tree survey. A good level of ecosystem services is likely to be delivered at 25% canopy cover, although testing shows that it should be possible for developments of around 35% (dependent upon development form). The CABE publication ‘What makes an eco-town?’ likewise previously suggested canopy cover of at least 25% in residential areas, this is a reasonable target, as recommended by UKGBC’s Nature and resilience Playbook.²⁴

We recommend the NPPF include a more explicit reference to, and definition of, the mitigation hierarchy - to first avoid any negative effects on the environment, before minimising, mitigating, and then compensating for any environmental damage; as well as associated requirements to follow the hierarchy and demonstrate compliance.

We welcome the Government’s intention as outlined to incorporate Local Nature Recovery Strategies (LNRS) into the planning system. To achieve this, we strongly recommend that LNRS are made a mandatory consideration in the development, assessment and evidence base of local plans. This should be supported by a new planning designation to support land for nature’s recovery – ‘Wildbelt’ status. This designation, first proposed by the Wildlife Trusts, would enable land that is being restored or has the potential for habitat restoration to be protected for nature’s recovery.²⁵ Wildbelt sites would be identified by Local Nature Recovery Strategies, including biodiversity opportunity areas being restored, and should be recognised in Local Plans and national policy. They would be protected through the planning system by a presumption against land use change that would hinder the recovery of nature on these sites. Existing sustainable land uses, such as nature friendly farming or habitat restoration for carbon offsetting, could continue on these sites.

²⁴ Box, McCarton et al, “The Nature Recovery and Climate Resilience Playbook”, <https://www.ukgbc.org/ukgbc-work/the-nature-recovery-and-climate-resilience-playbook/>

²⁵ Elliot Chapman-Jones, “Wildbelt”, <https://www.wildlifetrusts.org/sites/default/files/2020-09/Wildbelt%20briefing%20September%202020.pdf>

We strongly support measures to require specific, no-regrets nature enhancement measures in planning policy. These include bee, swift and bat bricks & boxes, hedgehog highways, bug and insect hotels. Requiring such measures represents a “quick win”, as these interventions can be easily incorporated into new or renovated buildings, creating targeted habitats for key species. They are easy to incorporate in development proposals, and they can be customised to fit local vernaculars. They are likewise affordable and viable solutions, with unit costs both currently within an acceptable range, and likely to be far cheaper with bulk orders and decrease further mass-market roll-out. Several local planning authorities have already set standard planning conditions so that, where appropriate, these low-cost nature conservation features can be secured as minimal net gains and/or ‘best practice’ through the council’s development management process. In addition, the national planning policy should include a specific reference to encouraging nature-friendly or biophilic design, including requirements that service roads and their verges in developments prioritise nature-based solutions, such as through the use of permeable surfaces, street trees, and bio-retention beds. This should be supported by a clear presumption against removing existing hedgerows, and the incorporation and/or addition of new hedgerows in new developments should also be encouraged.

As per our response to questions 46 and 48, we are concerned about the intention to phase out Supplementary Planning Documents (SPDs). In terms of sustainability, issue-based SPDs provide useful detail and guidance on how to implement local policies in a way that is sensitive to the specific context, including notably specific, small-scale nature-based interventions. Whilst we welcome the additional weight proposed for supplementary plans, we are concerned about the lack of clarity regarding the translation of the technical and policy implementation detail from existing SPDs, as some of this may not be possible to translate reliably into design codes. In order to ensure the delivery of targeted, small-scale interventions sensitively and consistently, it is vital the local planning authorities retain the ability to specify such requirements, supported by detailed implementation guidance.

As specifically highlighted in the consultation, we strongly support proposals to prohibit and discourage the installation of artificial grass nationally across all types of development, barring limited exemptions for sports facilities. Artificial grass installation across new development, and the associated loss or denial of possible habitats, represents a significant harm to nature and directly contradicts achieving the Government’s targets to reverse biodiversity decline. Likewise, the wider rise in artificial surfacing has well-established flood-risk implications, particularly in urban areas. UKGBC and our members strongly support the policy of biodiversity net gain and delivering nature-positive, biophilic, sustainable design. We therefore strongly recommend that artificial grass is prohibited and discouraged in the strongest possible terms through planning, including through design codes, guides, and national planning policy. The cumulative use by private households and other development represents a major problem that is currently outside the scope of the planning system. We recommend the Government consult on proposals to discourage the sale of artificial grass for domestic and other landscaping purposes, including a potential ban, financial disincentives, or strict planning permission requirements.

38. Do you agree that this is the right approach to making sure that the food production value of high value farmland is adequately weighted in the planning process, in addition to current references in the Framework on best and most versatile agricultural land?

N/A

39. What method and actions 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?

UKGBC strongly supports the inclusion of consistent carbon impact assessment and carbon accounting requirements in planning, in relation to plan making, development management and decision making.

This formal incorporation of appropriate carbon accounting as a control lever in the planning system is an essential fulcrum in the UK's drive towards a net zero carbon future.

Existing duties for local development plans to 'contribute to' carbon mitigation and adaptation, and the NPPF's directions to 'take a proactive approach' - in line with the provisions of the Climate Change Act - have not been enough to deliver the scale of action, and sufficient alignment between planning and our net zero target. Both clear, legislative alignment between the planning and the Climate Change Act, supported by changes to national planning policy to deliver consistent carbon accounting, auditing, and measurement requirements across both plan making, development management and decision making, are essential. Neither is sufficient by itself.

The Levelling Up and Regeneration Bill must be amended to deliver a clear legal alignment between the Climate Change Act, the UK's carbon budgets and planning. Only through a new clear, legal duty will local authorities and the Government have the necessary basis with which to proceed, and create both a level playing field and clear trajectory for development - in line with our legal targets and carbon budgets. The duty must ensure consistency with climate change mitigation in national planning policy, development plan making, planning decisions and development management policy. Climate mitigation should be defined as in relation to the target for 2050 set out in section 1 of the Climate Change Act 2008, and (ii) applicable carbon budgets made pursuant to section 4 of the Climate Change Act 2008.

Without a firm legislative footing, policy risks going backwards or being ignored. There is a real risk that we will continue to see plans, policies and decisions paying no more than lip-service to tackling climate change, while more progressive local policies and decisions continue to be challenged or overturned. To support this, the NPPF must make plain that all policies, plans and decisions must deliver on the objectives of the Climate Change Act.

The NPPF should explicitly set out requirements for local plans to be carbon audited, and to show emissions reductions in line with the Climate Change Act. It should set out a clear methodology for carbon handling in the plan preparation, alongside a consistent approach to measurement and reporting in development management and decision processes. This should be accompanied by government guidance on a process for local authorities to record and report

on development-related emissions data, ultimately to include both operational and whole-life carbon data.

Unlike for housing numbers and the Housing Delivery test, there is currently no consistent test, guidance or methodology for accounting for carbon in plan making. A method for assessing the carbon implications of proposed plans (and options) should be an integral part of plan-making. Without such an assessment, it cannot be effectively demonstrated that a plan is aligned with delivering net zero by 2050, and the applicable carbon budgets (see paragraph 153 in the National Planning Policy Framework (NPPF), supported by the climate duty in s19 of the Planning and Compulsory Purchase Act 2004). Likewise, without such a demonstration, and the associated evidence, it is hard to see how plans (or spatial development strategies) can be found sound. The NPPF currently expects plans to: *“take a proactive approach to mitigating and adapting to climate change... [footnote] In line with the objectives and provisions of the Climate Change Act 2008”*; and a ‘sound’ plan should be demonstrably consistent with national policy. Without sound plans suitably tested to ensure quantifiable alignment with the Climate Change Act 2008 (CCA08), the Government cannot be confident that spatial planning is making the expected contributions towards reducing emissions and, in turn, contributing fully to s13 of the Climate Change Act. Likewise, without a robust methodology, local authorities that have declared a climate emergency, or set net zero targets for earlier than 2050, will not be able to accurately and reliably demonstrate that local planning has contributed positively towards achieving these targets.

The current approach to carbon in planning policy and plan-making has clearly not delivered the level of action required to support achieving net zero. Research has found little evidence in adopted local plans of meaningful, quantifiable assessments of action to tackle climate change. As of 2020, only two plans reviewed by CSE were carbon audited and set out carbon budgets. Fewer than half of the others mentioned carbon emissions at all.²⁶ Of the 24 local authority local plans adopted outside Greater London since 2019 only one – the Plymouth and South-West Devon Joint Plan – sets out a quantified strategy to reduce its area’s carbon output. In the other 23 plans, the government-appointed Planning Inspector did not intervene to require a carbon target.²⁷ Where local councils commit to take meaningful action on climate change, experience has demonstrated there is a real risk of ambition being rebuffed by the Planning Inspectorate, as was notably the case with the Salt Cross Garden Village in West Oxfordshire.²⁸ A lack of action at the national level has led some authorities to proceed to develop and apply their own carbon accounting and assessment methodologies, including the GLA and Greater Cambridge. Indeed, several of UKGBC’s members have been working directly with relevant authorities to develop appropriate carbon accounting tools and budgets. These approaches could be used and adapted to develop a consistent, clear methodology that could be deployed nationwide, delivering the twin boons of a carbon-consistent approach with the level playing field which industry desires.

²⁶ Dan Stone, “Are local plans planning for the zero-carbon future we need?”, <https://www.cse.org.uk/news/view/2484>

²⁷ CPRE, “Climate emergency: time for planning to get on the case”, <https://www.cpre.org.uk/wp-content/uploads/2022/03/climate-emergency-and-local-plans.pdf>

²⁸ Planning Inspectorate, working within the current legislative and policy framework, told West Oxfordshire to remove the Net Zero policy from their plan for a new garden village as it was deemed not “consistent with national policy or justified”. <https://www.westoxon.gov.uk/media/5i3bq1tb/insp-17-letter-to-council-re-main-modifications.pdf>

Work at the national level to develop a clear, consistent approach(es) to carbon auditing, accounting, measurement and assessment in planning would help avoid needless duplication across authorities and help support action by those inhibited through resource and skills constraints. Likewise, a consistent approach would avoid detrimental levels of variation in approach across localities for the industry, streamlining the process and avoiding both associated disruption and costs.

The NPPF and supporting practice guidance should include a ‘carbon reduction delivery test’ (CRDT) or net zero test in planning to ensure all policy and planning decisions are consistent with the path to net zero, a crucial recommendation supported by ‘Mission Zero’ – the Independent Review of Net Zero chaired by the Rt Hon Chris Skidmore MP.²⁹ The CRDT would account for carbon reduction due to planning (and not building regulations) and it would audit the plan and associated delivery.

Suggested text for NPPF would be: *“The examination of local plans and spatial development strategies should demonstrate they have been prepared and can be delivered in line with achieving net zero by 2050 and in step with the relevant carbon budget.”*

For the industry, the planning system currently delivers an unreliable, inconsistent approach to carbon in relation to development, which is holding back the provision of good quality, sustainable buildings, and beneficial green investment. The Skidmore Review clearly found that: *“one of the starkest messages from hundreds of organisations and individuals is that the planning system is undermining net zero and the economic opportunities that come with it”*.³⁰ UKGBC strongly support the recommendations of the review for the introduction of a net zero test in planning (as above), and a rapid review of bottlenecks in the system – to ensure that it is fully aligned with achieving net zero. This likewise echoes the clear recommendation of the Committee on Climate Change CCC, that the planning system must be fundamentally reformed to be brought into line with net zero and the carbon budgets.³¹

The lack of clarity in the system, caused by differing approaches, judgements, barriers, and the lack of a clear, consistent method for handling carbon across planning is detrimental for the industry, leading to extra costs and uncertainty; notably through potential lengthy appeals processes, associated delays, and high-profile legal challenges. **Our members have highlighted that greater consistency and clarity of approach to carbon in the planning system would be welcome, and supported across the industry, as reflected in the recommendations of UKGBC’s Whole Life Carbon Roadmap – co-developed with leading businesses, professional bodies and organizations from across the sector, which calls for carbon accounting to be clearly incorporated into national planning frameworks and reflected across associated planning policies. Likewise in response to the previous *Planning White paper*, over 100 of our business members signed a joint letter calling for net zero to be at the heart of the planning system,**

²⁹ Rt Hon Chris Skidmore MP, “Mission Zero: Independent Review of Net Zero”, <https://www.gov.uk/government/publications/review-of-net-zero>

³⁰Rt Hon Chris Skidmore MP, “Mission Zero: Independent Review of Net Zero”, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1128689/mission-zero-independent-review.pdf

³¹ The CCC, “2020 Progress report to Parliament”, <https://www.theccc.org.uk/publication/reducing-uk-emissions-2020-progress-report-to-parliament/>

with a strong accompanying recommendation for the integration of a clear, consistent methods for carbon accounting and handling in the planning system.³²

Crucially our members have highlighted that appropriate metrics, methods and tools for carbon measurement already exist, are widely understood by the industry, and are already being applied by some local authorities including the RICS WLC methodology.³³ A standard reporting format, based on the RICS calculation methodology, would be beneficial across Local Authorities, so that reports are comparable, and workload reduced across built environment organisations.

UKGBC's New Homes Playbook, co-developed with the input local authorities and industry representatives from across the sector, also produced a series of ambitious, but feasible, recommendations that could be implemented through planning policy.³⁴ This included that, as a minimum:

- All developments should be required to demonstrate actions taken to reduce embodied carbon and maximise opportunities for reuse through the provision of a Circular Economy Statement”
- Major developments (defined as those with 10 or more dwellings or 1000 square metres of floor space) should be required to calculate whole lifecycle carbon emissions (including embodied carbon emissions) through a nationally recognised Whole Lifecycle Carbon Assessment methodology³⁵ and demonstrate actions taken to reduce lifecycle carbon emissions.

UKGBC's Whole Life Carbon Roadmap also recommends the Government progressively introduce requirements for whole life and upfront carbon, with mandatory measurement and reporting of Whole Life Carbon by 2023 for large buildings (>1,000m²) and residential developments (>10 dwellings).³⁶ Minimum standards (limits) for Upfront Embodied Carbon should be required by 2025 for more mature sectors (i.e. those with sufficient asset level benchmark data), with associated fiscal incentives and penalties. By 2027 Minimum standards (limits) for Upfront Embodied should be introduced in all sectors. Finally minimum standards should be introduced for all size buildings (with a suitable minimum threshold) in all sectors by 2030.

Overall, it is clear from the feedback of our members, from across industry, that what is needed in planning is a standardised reporting process and defined metrics for carbon assessment, plan-auditing and local application; based on the RICS WLCA methodology. This would be less expensive and less disruptive to development and therefore beneficial for the industry; helping to support the delivery of sustainable development, green growth and investment.

³²UKGBC, “Businesses call on Government to put net zero and nature at the heart of planning system”, <https://www.ukgbc.org/news/businesses-call-on-government-to-put-net-zero-and-nature-at-the-heart-of-planning-system/>

³³ RICS, “Whole Life Carbon Assessment for the Built Environment”, <https://www.rics.org/profession-standards/rics-standards-and-guidance/sector-standards/building-surveying-standards/whole-life-carbon-assessment-for-the-built-environment>

³⁴ UKGBC, “New Homes Policy Playbook”, <https://www.ukgbc.org/ukgbc-work/new-homes-policy-playbook/>

³⁵ Primarily the RICS Whole Life Carbon Assessment for the Built Environment Professional Statement, <https://www.rics.org/profession-standards/rics-standards-and-guidance/sector-standards/building-surveying-standards/whole-life-carbon-assessment-for-the-built-environment>

³⁶ UKGBC, “Whole Life Carbon Roadmap”, <https://ukgbc.s3.eu-west-2.amazonaws.com/wp-content/uploads/2021/11/28194152/UKGBC-Whole-Life-Carbon-Roadmap-Summary-for-Policy-Makers.pdf>

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

UKGBC strongly supports further action to deliver climate adaptation and related, multifunctional, nature-based solutions through planning.

Planning policy, local plan-making, and planning decisions should be specifically required to be consistent with national targets and objectives for adaptation to climate change, as defined in terms the achievement of long-term resilience to climate-related risks including:

- (i) the mitigation of the relevant risks identified in the latest climate change risk assessment conducted under section 56 of the Climate Change Act 2008, and
- (ii) the achievement of the objectives of the latest flood and coastal erosion risk management strategy made pursuant to section 7 of the Flood and Coastal Water Management Act 2010.

To meet these requirements, Local authorities should be required to develop and take account of Local Adaptation Plans, which include a comprehensive climate change risk assessment for their local area using the latest modelling data, and cover all aspects of adaptation, including overheating risks, water supply, green infrastructure and flooding. We strongly recommend LPAs should be supported to ensure the digital infrastructure is in place to enable the smooth integration of future flood and climate risks into planning, including the Environment Agency Nafra2 update in 2024. Current risk assessment methods (i.e. using UKCP18 data that has to be coded) are considered inaccessible, and this creates issues around transparency. New digital infrastructure is therefore vital for ensuring this data can readily inform planning.

It is likewise vital that a longer-term approach to considering, and planning for, future climate risks is supported through planning. The current approach to flooding in particular does not currently take a long-term view when assessing risk, and the implications for extensive (and costly) necessary retrofit interventions. For example, planners often currently rely on maps and tools that are based on current risk. Likewise for overheating, there is currently no requirement for assessing future local conditions and risks, even though data is available. Furthermore, there is currently a lack of relevant subsurface knowledge, policy, and guidance regarding groundwater, which means that surface water modelling used by insurers and lenders involves a high level of uncertainty. The 'Ground conditions and pollution' section of the NPPF focuses on land contamination and land instability only. It is important to close these loopholes, for example, whereby developers can build and sell properties in flood risk areas simply if they leave space for flood defence measures to be installed in the future. On overheating, the Government must ensure LPAs are empowered, directed and resourced to incorporate up-to-date data on future risks (See below) and develop policy in line with the cooling hierarchy. The Government should also work with the Geospatial Commission and the National Infrastructure Commission to develop and integrate robust consideration of subsurface/drainage asset data. The NPPF should set out the principles of subsurface planning, including a connection to surface planning – with guidance and direction from a national level.

Adaptation strategies should be required to inform local plans, wider spatial planning policies, spatial frameworks and/or spatial development strategies, and likewise development decisions,

in order to avoid adding to the vulnerability of existing or proposed developments. These should identify (and ideally map) specific, high-priority local climate risks to support a strategic approach to climate adaptation and help accurately inform both wider strategies and development plans, including multifunctional green infrastructure priorities and policies. They should be a local reflection of, or response to, the priority risk areas identified in national risk assessments, identify priority action areas within an authority, setting appropriate targets, and reflecting how key climate risks are related to specific authority function areas. A full list of current data sources, points and evidence that should be considered, and an advised process for development is outlined in UKGBC's Nature and Climate Resilience Playbook.³⁷ To enable this, Local planning authorities should be supported to develop the necessary spatial tools to support comprehensive consideration of climate risk in planning, including overheating tools such as the Keep Bristol Cool mapping tool and London triple jeopardy mapping tool.³⁸ In addition, to support authorities in taking a 'proactive' approach to addressing localised overheating through planning, the NPPF should specify plans and decision-making should reflect and require compliance with the cooling hierarchy (see London Plan) and associated best practice planning guidance, set at the national level.³⁹

As highlighted by UKGBC's members and the CCC, it is vital that the Government works with industry to develop consistent metrics for measuring, quantifying and clearly demonstrating the climate resilience/adaptation of buildings, to be subsequently incorporated into policy making. This would also provide a valuable basis by which the Government could measure progress towards its National Adaptation Strategy.⁴⁰ UKGBC plans to develop a comprehensive Adaptation Roadmap in collaboration with key organisations across the industry, in order to set clear climate resilience and adaptation targets for the sector, accompanied by relevant policy recommendations and actions similar to the Whole Life Carbon Roadmap.

Furthermore, in order to encourage the successfully delivery of multifunctional nature-based solutions that will also measurably enhance climate adaptation, as outlined in response to question 37, the Government should bring forward policies and requirements to consider and develop Urban Greening Factors and tree canopy cover targets, suitably informed by research and best practice design guidance to ensure they can deliver local resilience benefits. The delivery of multifunctional green infrastructure should be required and specified with reference to a recognised GI framework or standards certification method. As outlined in response to question 37, UKGBCs supports further action to integrate and reflect Natural England's GI standards and best-practice framework in planning.

In addition, the Government should develop and seek to introduce a policy of 'Environmental Net Gain', as outlined in the 25 – Year Environment Plan, building on the model of, and in addition to, biodiversity net gain. Feedback from our members and across the industry has emphasised support for developing further, clear metrics and guidance for development to

³⁷ Box, McCarton et al, "The Nature Recovery and Climate Resilience Playbook", <https://www.ukgbc.org/ukgbc-work/the-nature-recovery-and-climate-resilience-playbook/>

³⁸ <https://www.bristol.gov.uk/council-and-mayor/policies-plans-and-strategies/energy-and-environment/the-keep-bristol-cool-mapping-tool> ; <https://data.london.gov.uk/dataset/mortality-risk-from-high-temperatures-in-london--triple-jeopardy-mapping>

³⁹ GLA, "London Plan - Policy 5.9 Overheating and cooling", <https://www.london.gov.uk/programmes-strategies/planning/london-plan/past-versions-and-alterations-london-plan/london-plan-2016/london-plan-chapter-five-londons-response/poli-8>

⁴⁰ Defra, "The National Adaptation Programme and the Third Strategy for Climate Adaptation Reporting", https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/727252/national-adaptation-programme-2018.pdf

deliver on a wider range of environmental goods and natural capital benefits. The Government should continue to work with the industry to develop an approach to Environmental Net gain would help to deliver quantifiable enhancements across a range of environmental benefits including climate adaptation.

Furthermore, the NPPF should be amended to specifically discourage aspects of development detrimental to achieving local climate resilience, such as the installation of artificial grass and substantial increases in impermeable artificial surfacing. Likewise planning should specifically encourage policy and decision-making to encourage, and look favourably on, specific measures designed to enhance climate resilience, including: specific interventions designed to mitigate overheating, such as external shutters and awnings; water efficiency and saving measures, such as greywater-reuse and rainwater harvesting technologies, including mandatory water butts; flood resilience with measures installed in accordance with the industry Code of Practice for property flood resilience.⁴¹

Developing on recent advances in Building Regulations, local planning authorities should be encouraged and empowered to set more ambitious requirements in response to identified local risks. For example, they should be encouraged to require the use of the TM52 and/or TM59 dynamic thermal modelling approach in relation to key building typologies and heating systems, where there is a higher risk to occupants of overheating, using the latest weather datasets for current and future temperatures (e.g. Design Summer Years) and likewise apply the high-risk, simplified approach for suitable risk areas outside of London. For water efficiency, building on current ability for local authorities to require a more ambitious 110 lpppd standard, local authorities should be empowered to consider more ambitious targets in areas of severe water stress, in line with the 2030 RIBA challenge, of 95 lpppd by 2025 and 75 lpppd by 2030.⁴² This goes beyond what Local Authorities are currently able to require, as per the Deregulation Act 2015, so additional legislative action will be required and should be taken forward.

UKGBC welcomes the recent government announcement of plans to enact Schedule 3 the Flood and Water Management Act 2010 Sustainable Drainage. Planning policy should ensure SuDS are embedded in street design, as is currently done in Scotland, meet required technical standards and deliver multi-functional benefits, including for biodiversity and nutrient neutrality.

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

N/A

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

N/A

⁴¹ CIRIA, "Code of practice for property flood resilience", https://www.ciria.org/CIRIA/CIRIA/Item_Detail.aspx?iProductCode=C790F&Category=FREEPUBS

⁴² RIBA, "2030 Climate Challenge", <https://www.architecture.com/-/media/files/Climate-action/RIBA-2030-Climate-Challenge.pdf>

43. Do you agree with the changes proposed to footnote 54 of the existing National Planning Policy Framework?

N/A

44. Do you agree with our proposed new 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.

We agree with the proposed new paragraph giving additional weight to the need to improve the energy efficiency of existing buildings, including the specific reference to encouraging heat pumps and solar panels, which broadly echo the recommendations of UKGBCs Whole Life Carbon Roadmap and its associated decarbonisation pathway.

However, we believe this paragraph should go much further, and be supported by requirements to encourage reuse and retrofit specifically over demolition, where appropriate. It should specify a requirement for the use of a nationally recognised whole-life carbon assessment methodology and ensure energy efficiency enhancement is delivered according to a nationally agreed pathway for decarbonising buildings. A coherent National Retrofit Strategy is required in order to determine what retrofitted, energy efficient buildings should be achieving, by when. This should consider climate resilience considerations alongside energy efficiency improvements, in order to avoid unintended consequences and ensure impacted properties are suitably resilient to climate change and not vulnerable to key risks such as overheating, damp or poor air quality.

Planners will likewise need to consider local heat and power networks and local energy planning, in order to determine what their building stock will need to deliver in terms of energy efficiency, in line with local carbon budgets and carbon auditing as per question 39, to best enable an appropriate approach through planning requirements. Local Area Energy Plans should become a required component of the evidence base for any Local Plan alongside carbon auditing, to ensure that the energy needs (and therefore carbon emissions) of new developments are planned in such a way as to fit within the decarbonisation strategy for the Local Plan area as a whole.⁴³ Local Area Energy Plans provide a sound foundation for effective and sustained local action to cut carbon emissions, outlining the changes needed over time to achieve all local commitments on net zero carbon emissions. A LAEP also defines what other actors, such as national government, regulators and energy networks, need to do (and when) for the decarbonisation plan to become a reality.

To comprehensively underpin a Local Plan, a LAEP must provide robust technical evidence through analytical techniques that consider the whole energy system (energy, transport and waste), and make consistent use of available data. For example, the energy system scope of the analysis must include: local generation opportunities for low/zero carbon heat and power; distribution networks for electricity, gas and heat; use of distributed hydrogen where

⁴³ TCPA, CSE & UKGBC, "Why the Planning System needs to be at the heart of delivering the UK's Climate Change targets", <https://www.cse.org.uk/downloads/reports-and-publications/policy/planning/planning-white-paper-consultation-october-2020.pdf>

regional/national contexts suggest it may be an option, such as near industrial clusters; heat demand in buildings, and the opportunities for managing and meeting it. Transport analysis is likely to include expected demand for EV charging, and its impacts on electricity distribution systems, as well as patterns of modal shift and reduced associated fuel emissions.

45. Do you agree with the proposed timeline for finalising local plans, minerals and waste plans and spatial development strategies being prepared under the current system?

N/A

46. Do you agree with the proposed transitional arrangements for plans under the future system?

No.

Whilst we welcome proposals for Supplementary Plans be afforded the same weight as a local plan, or minerals and waste plan, it is currently unclear as to whether this new system will result in any loss of specificity and detail, as currently provided through supplementary planning documents SPDs, particularly as they are linked to the implementation of specific, locally-tailored sustainability requirements, such as local biodiversity net gain priorities. As outlined in our Nature Recovery and Climate Resilience Playbook, SPDs currently offer a valuable means by which either national or local policies can be tailored more specifically to the local context by providing extra implementation detail and guidance, as informed by relevant local strategies and priorities.⁴⁴ Whilst we welcome the indicated weighting of Supplementary Plans, it is crucial that the abilities of local planning authorities to specify issue-related, policy appropriate implementation requirements are not impacted, and the body of relevant implementation detail is not lost. Whilst there are still details to be clarified, we are concerned regarding the potential limits on the allowable scope of supplementary plans (either by subject matter or geography). As indicated, supplementary plans can address site-specific needs or opportunities which require a new planning framework to be prepared quickly (like a new regeneration opportunity), or to act as a vehicle for setting out authority-wide or other design codes. Whilst we welcome support for the site-specific approach, which the Housing Audit 2020 found often yields better design outcomes, our members have raised concerns that issue/policy-based detail from SPDs may not fully translate, or be suitable, for design codes and supplementary plans. We would welcome further clarity and are concerned that the detail and valuable implementation scope SPDs should not be lost.

47. Do you agree with the proposed timeline for preparing neighbourhood plans under the future system?

N/A

48. Do you agree with the proposed transitional arrangements for supplementary planning documents?

⁴⁴Box, McCarton et al, "The Nature Recovery and Climate Resilience Playbook", <https://www.ukgbc.org/ukgbc-work/the-nature-recovery-and-climate-resilience-playbook/>

See answer to question 46.

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

Yes.

Whilst we support the introduction of National Development Management (NDMPs) policies in principle, we do have concerns over their current guidance and intended scope.

We are currently concerned about the of detail around NDMP preparation and legal safeguards for both public and parliamentary scrutiny of NDMPs. The creation of new national planning policies should require same level of scrutiny as currently for the creation of National Policy Statements (NPSs). We propose Planning Act (2008) requirements for NPS creation apply to NDMPs. NDMPs which have targets or measures within them must also be a “floor not a ceiling”, pushing for ambitious environmental and other targets to be used. Clarification and guidance must be provided to ensure local circumstances and characteristics can still be addressed in local policies. Likewise, clarity must be provided on the level of public engagement involved in process for creating NDMPs.

As outlined in question 51, we support the proposed scope of NDMPs to develop and support carbon accounting and measurement mechanisms at the national level. UKGBC strongly supports action to embed consistent and robust carbon accounting and measurement requirements across planning policy and development, a recommendation clearly echoed by the ‘net zero test in planning’ called for by the recent Skidmore Review of net zero.⁴⁵

We recognise the current scope of NDMPs, as outlined in the consultation, would not currently address subjects which are regulated through other legislation, for example the building regulations; with the government minded to retain the scope for optional technical standards to be set locally through plans, where these are appropriate, so that local planning authorities can go above certain minima set through building standards.

UKGBC strongly supports the retention of the power of local authorities to set higher energy performance standards, as highlighted in response to the previous Future Homes Standard Consultation, in order to encourage innovation in local supply chain development for example, and enable them to meet their climate emergency targets.⁴⁶ We previously joined with many other key stakeholders in opposing the potentials restriction of local authorities’ relevant powers, including a cross-party group of Council leaders and Mayors who signed an open letter to then MHCLG Secretary Robert Jenrick, calling on him to abandon proposed restrictions.⁴⁷

At the same time, we do understand developers’ concerns about the possibility of a patchwork of differing standards across the country, and we recognise that a significant variation in

⁴⁵ Rt Hon Chris Skidmore MP, “Mission Zero: Independent Review of Net Zero”, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1128689/mission-zero-independent-review.pdf

⁴⁶ UKGBC, “UKGBC Response to MHCLG Consultation on the Future Homes Standard”, <https://ukgbc.s3.eu-west-2.amazonaws.com/wp-content/uploads/2020/02/05150254/UKGBC-Response-to-MHCLG-Future-Homes-Standard-Consultation-FINAL.pdf>

⁴⁷ UKGBC, “Council leaders and Mayors call for freedom on zero carbon homes targets”, <https://www.ukgbc.org/news/council-leaders-and-mayors-call-for-freedom-on-zero-carbon-homes-targets/>

standards in different locations is challenging for the industry. We are similarly on the record as advocating for strong national policy. As such UKGBC, with the support of our members, seeks to advocate an approach that both enables local authorities to have the flexibility to set ambitious, but feasible policies and standards; but which also seeks to balance this with providing consistency and stability for industry around the requirements expected from it across different parts of the country.

We are therefore recommending that the Government work with the industry to publish a forward trajectory for future Part L uplifts, with pre-set step-wise increments, which would allow local authorities to set higher energy performance standards in line with these future national requirements. This could fulfil a similar function to the old Code for Sustainable Homes, which set out clearly the future direction of national standards. It would provide a suitable menu of escalating minimum standards – which local authorities could move along/ in advance of through their local policies, thus maintaining consistency in terms of metrics and approach. It would also mean that investment and skills would be directly related to future uplifts in national regulations.

The Government should work with the industry, professional organisations, and leading authorities to develop and publish this trajectory of standards to help inform the development of new local plans. This would help reduce the burden on resource-constrained local authorities by avoiding the duplication of effort with regards to developing appropriate sustainability standards. The Government should then consult on the most appropriate measures to deliver these standards through planning, considering various options from: the standards remaining voluntary; required consideration in local planning; to potential inclusion in an NDMP. In order to ensure these standards are viable and suitably stretching to support local ambitions, it is vital that the Government ensure a suitably robust and evidence-based process for developing this trajectory of technical standards, drawing on the expertise and leading research of organisations across the sector, such as UKGBC’s New Homes Playbook and Whole life Carbon Roadmap.

UKGBC and our members endorse this approach, as it attempts to balance the need for national consistency and strong national policy with the need to enable local government to set suitably ambitious policy.

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

As in response to question 49, we believe suitable safeguards and processes must be developed to ensure National Development Management Policies are developed using a suitably robust evidence base and with sufficient consultation and oversight. NDMPs should be informed by the Government’s Environmental Principles Policy Statement (EPPS).

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

Yes.

We agree that National Development Management Policies might address gaps where national policy is not suitably detailed or developed on common decision-making issues and national properties common across the country, such as net zero. In particular, we strongly support the inclusion of clear national policy for carbon measurement, accounting and reduction in new developments and plan making.

We agree that a national policies on carbon measurement and reduction would play a crucial role in setting a baseline and promoting consistency of approach, whilst also enabling authorities to set further measures in their own plans based on parameters beyond national policies. As outlined in response to question 49, we would welcome plans to develop a trajectory of technical standards to promote consistency and sound decision making.

52. 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 would recommend the following issues and areas which apply across England be considered for NDMPs:

- **Wildbelt** - A new designation to safeguard land for nature’s recovery against inappropriate development. These sites would be identified by Local Nature Recovery Strategies, including biodiversity opportunity areas being restored, and be recognised in both local plans and national policy, with protections provided to enable these sites to support nature recovery.⁴⁸
- **The primacy and importance of the Mitigation Hierarchy** – NDMPs could usefully be used to provide more explicit policy to promote, and clearly define, alignment with mitigation hierarchy. This could include outlining clear guidance and requirements to follow – and demonstrate compliance with - the sequential steps of avoidance, minimising, mitigating, and then compensating for any environmental damage across all aspects of planning.
- **Irreplaceable habitats protections and ancient woodland** – Consistent, elevated, and robust levels of protection for ‘irreplaceable habitats’ – as currently being defined in relation to biodiversity net gain - and ancient wood, enacted through national-level policy would be beneficial in ensuring consistency and clarity. This would likewise be in line with Government commitments to strengthen protection for ancient woodland and veteran trees in the NPPF made during the progress of the Environment Act.
- **Requirements to use green infrastructure standards**, develop tree canopy cover targets and urban greening factors (see question 37)
- **Flood risk and coastal erosion** – NDMPs could usefully set a robust framework on flood risk and coastal change. There are several areas where new policies, or greater detail will be needed, for example include stronger and clearer policies on coastal change; a requirement for a flood risk assessment for development at risk of any source of current or future flooding; and policies safeguarding land provision for future flood defences. The Government should consider bringing Local Development Orders under the NDMPs to ensure they are prepared in a robust manner. LDOs are currently under no obligation to accord with either local or national policies, so bringing them under the NDMPs would help to fix this policy uncertainty.

⁴⁸ Elliot Chapman-Jones, “Wildbelt”, <https://www.wildlifetrusts.org/sites/default/files/2020-09/Wildbelt%20briefing%20September%202020.pdf>

- **Overheating and the cooling hierarchy** – NDMPs could likewise provide a useful means to embed compliance and alignment with the cooling hierarchy through national policy, to ensure planning supports interventions to tackle localized overheating.

53. 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?

Ensuring more sustainable places and development consistently delivered and through planning will be an essential component in achieving the levelling-up missions focussed on healthy life expectancy, wellbeing, pride of place and home ownership (goals 7-10). As outlined by UKGBC’s health and wellbeing research programme, planning has a critical role to play in improving health and wellbeing outcomes through its significant influence on design, layout, transport and landscaping, as well as built form. Securing more sustainable outcomes through planning is essential if local communities and residents’ health, wellbeing and associated pride of place is to be enhanced. Delivering valuable green infrastructure, and the associated benefits, is an integral part of high-quality design, alongside action to address interrelated wellbeing and sustainability issues, such as temperature, transport and energy-use. As outlined in detail in UKGBC’s Healthy Homes Report, associated case studies and consumer research, there is a compelling business case for the industry to support sustainability measures through planning and design that enhance health and wellbeing, particularly in relation to residential property. Crucially, this is compatible with the Government’s housebuilding objectives.⁴⁹ UKGBC has likewise worked with Arup to produce three Technical Papers to provide detailed guidance for project teams on specific issues related to health and wellbeing in homes.⁵⁰

Delivering more sustainable homes and buildings with higher energy efficiency and better thermal performance through planning will be critical for addressing the considerable costs of cold homes to individuals’ health, wellbeing, and the wider economy.⁵¹ Research by UKGBC and others has clearly identified thermal comfort as a key component of residents’ health and wellbeing.⁵² To support this through planning policy, as outlined in Q. 49, local authorities should retain the ability to set ambitious energy performance standards, and the Government should publish a forward trajectory of standards in line with the recommendations of UKGBC’s research, to deliver higher energy and thermal performance metrics.⁵³

Ensuring the climate resilience of new homes and development will likewise be critical to delivering positive health and wellbeing outcomes. Of the eight priority climate risks highlighted by the Third Climate Change Risk Assessment which should be tackled in the next two years, the

⁴⁹ UKGBC, “Healthy housebuilding: Making 300,000 new homes a year better places to live”, <https://ukgbc.s3.eu-west-2.amazonaws.com/wp-content/uploads/2018/04/05151918/Healthy-Housebuilding.pdf> ; UKGBC, “Health and Wellbeing in Homes”, <https://ukgbc.s3.eu-west-2.amazonaws.com/wp-content/uploads/2017/12/05152120/Healthy-Homes-Full-Report.pdf> ;

⁵⁰ UKGBC, “Health and Wellbeing in Homes”, <https://ukgbc.s3.eu-west-2.amazonaws.com/wp-content/uploads/2017/12/05152120/Healthy-Homes-Full-Report.pdf>

⁵¹ BRE, “The Costs of Poor housing in England”, <https://bregroup.com/press-releases/bre-report-finds-poor-housing-is-costing-nhs-1-4bn-a-year/> ;

⁵² BRE, “The Costs of Poor housing in England”, <https://bregroup.com/press-releases/bre-report-finds-poor-housing-is-costing-nhs-1-4bn-a-year/> ; The Climate Coalition, “Home Truths”, <https://www.theclimatecoalition.org/home-truths-report> ; UKGBC, “Healthy housebuilding: Making 300,000 new homes a year better places to live”, <https://ukgbc.s3.eu-west-2.amazonaws.com/wp-content/uploads/2018/04/05151918/Healthy-Housebuilding.pdf> ; UKGBC, “Health and Wellbeing in Homes”, <https://ukgbc.s3.eu-west-2.amazonaws.com/wp-content/uploads/2017/12/05152120/Healthy-Homes-Full-Report.pdf> ;

⁵³ UKGBC, “New Homes Playbook”, <https://www.ukgbc.org/ukgbc-work/new-homes-policy-playbook/> ; UKGBC, “Healthy housebuilding: Making 300,000 new homes a year better places to live”, <https://ukgbc.s3.eu-west-2.amazonaws.com/wp-content/uploads/2018/04/05151918/Healthy-Housebuilding.pdf> ; UKGBC, “Health and Wellbeing in Homes”, <https://ukgbc.s3.eu-west-2.amazonaws.com/wp-content/uploads/2017/12/05152120/Healthy-Homes-Full-Report.pdf>

risks to human health, wellbeing, and productivity from increased exposure to heat in homes and other buildings were identified as amongst the most urgent to address and most severe.⁵⁴ Around 20% of homes in England already experience overheating even during relatively cool summers.⁵⁵ In addition, the proportion of green space in England, which can provide a local cooling effect, has dropped from 63% to 55% between 2011 and 2016, exacerbating the Urban Heat Island Effect.⁵⁶ Energy demand to cool buildings is projected to increase, possibly exceeding £1 billion per annum by 2050, during which time the number of heat-related deaths in the UK could increase by around 250% compared to today.⁵⁷ During summer 2020, more than 2,500 heat-related deaths were recorded in England; the highest number since 2003.⁵⁸ Likewise on average, an excess of 791 deaths associated with heat already occur annually in England and Wales.⁵⁹ If greenhouse gas emissions continue at their current rate, hot spells will become normal by 2050, occurring on average every other year.⁶⁰

Issues with damp and flooding, exacerbated by the increasing frequency of extreme rainfall events, can have severe implications for residents' mental and physical health, particularly through the former's link with respiratory conditions.⁶¹ Water availability is also a growing problem in the UK – with between 27 and 52 million people likely to be living in areas with water supply problems by 2050, with average water use already considered too high, and demand reduction measures recommended to achieve sustainable supplies.⁶²

As highlighted in question 40, planning has a critical role to play in addressing key climate risks through a variety of policies and interventions. From tree canopy cover, shading interventions and optimal site layout; to improved surface drainage, water efficiency measures and permeable surfacing. Without ambitious policies to enhance the climate resilience of development, buildings and places, progress towards the relevant levelling up goals will clearly be held back.

Planning will be crucial to delivering the local nature-based solutions and high-quality green infrastructure at the landscape, placemaking and site levels needed to deliver improved health, wellbeing, and local pride of place. There is a considerable body of recognised evidence on direct the health and wellbeing benefits of high-quality green infrastructure, as well as the indirect benefits through biodiversity and species abundance.⁶³ High-quality green infrastructure and NBS can also deliver a range of benefits, including tackling localised climate

⁵⁴ Climate Change Committee, "Independent Assessment of UK Climate Risk: Advice to Government for the UK's third Climate Change Risk Assessment (CCRA3)", <https://www.theccc.org.uk/wp-content/uploads/2021/07/Independent-Assessment-of-UK-Climate-Risk-Advice-to-Govt-for-CCRA3-CCC.pdf>

⁵⁵ Climate Change Committee, "UK Climate Change Risk Assessment 2017: Evidence Report", <https://www.theccc.org.uk/wp-content/uploads/2016/07/UK-CCRA-2017-Chapter-5-Peopleand-the-built-environment.pdf>

⁵⁶ Climate Change Committee, "UK housing: Fit for the future?" Available at: <https://www.theccc.org.uk/wp-content/uploads/2019/02/UKhousing-Fit-for-the-future-CCC-2019.pdf>

⁵⁷ Climate Change Committee, "UK Climate Change Risk Assessment 2017: Evidence Report", Available at: <https://www.theccc.org.uk/wp-content/uploads/2016/07/UK-CCRA-2017-Chapter-5-Peopleand-the-built-environment.pdf>

⁵⁸ Climate Change Committee, "Independent Assessment of UK Climate Risk: Advice to Government for the UK's third Climate Change Risk Assessment (CCRA3)", <https://www.theccc.org.uk/wp-content/uploads/2021/07/Independent-Assessment-of-UK-Climate-Risk-Advice-to-Govt-for-CCRA3-CCC.pdf>

⁵⁹ Gasparrini, A., Masselot, P., et al., "Small-area assessment of temperature-related mortality risks in England and Wales: a case time series analysis", *The Lancet*, Vol 6 (7) 2022: [https://www.thelancet.com/journals/lanph/article/PIIS2542-5196\(22\)00138-3/fulltext](https://www.thelancet.com/journals/lanph/article/PIIS2542-5196(22)00138-3/fulltext)

⁶⁰ Met Office (2019) 'UK Climate Projections: Headline Findings' Version 2', Available at: <https://www.metoffice.gov.uk/binaries/content/assets/metofficegovuk/pdf/research/ukcp/ukcp-headlinefindings-v2.pdf>

⁶¹ The Climate Coalition, "Home Truths", <https://www.theclimatecoalition.org/home-truths-report>

⁶² Climate Change Committee, "UK Climate Change Risk Assessment 2017: Evidence Report", Available at: <https://www.theccc.org.uk/wp-content/uploads/2016/07/UK-CCRA-2017-Chapter-5-Peopleand-the-built-environment.pdf>

⁶³ See question 37

risks such as the urban heat island effect through tree shading, and flood risk through Sustainable Drainage systems (SuDs). Likewise, as echoed by the work and research of the Building Better Building Beautiful Commission, UKGBC and others, high-quality, well-designed green infrastructure is appreciated by residents, and a clearly recognised component of good placemaking, design and neighbourhood desirability.⁶⁴ The absence of greenery and green space is correspondingly linked to poorer health, wellbeing, and desirability. It is vital that the Government introduce more ambitious planning policies to drive the delivery of high-quality green infrastructure, as per our answer to question 37, in order to deliver the associated progress towards the relevant levelling up missions.

In order to ensure new development maximises the environmental, economic and social benefits for the communities that live there, the Government should draw seek to better integrate the concept of social value into planning. explicit reference to the concept of social value, and the Public Services (Social Value) Act 2012.⁶⁵ Social value has become an increasingly prominent concept in the construction and property industry thanks to the introduction of the 2012 Public Services (Social Value) Act and the responsibility this placed on local authorities in England to consider social value in service contracts above a certain threshold. The current application of the Social Value Act through the procurement of development partners by the public sector has produced some positive results for new development, in a way that industry has been able to embrace. Developers are now proactively seeking to produce social value strategies because of the positive relationship it initiates with local authorities and communities.

Driving social value in planning can likewise be a valuable way to support the strategic priorities of local authorities, by ensuring that action to improve the sustainability of the built environment also helps to build stronger communities, improve health outcomes and strengthen local economies. many councils have already started experimenting with integrating social value into planning and have produced positive results, the prompted UKGBC to collate the disparate planning policies in our social value guide for local authorities.⁶⁶

Social value should be clearly and consistently integrated into the NPPF, drawing on the work of the UKGBC's cross-industry task group to develop a Framework for defining social value across the sector.⁶⁷ Delivering social value should be clearly set out as one of the overarching ambitions of the NPPF. Following UKGBC's Social value roundtable with then MHCLG and leading industry organizations, the recommendation was developed that planning authorities should require developers submit a social value strategy, assessment or community charter for developments over a certain size as a condition of planning.⁶⁸ This requirement should be laid out as a Social Value Policy in the Local Plan to avoid it being rejected by planning committee. Instead of prescribing interventions, local authorities could provide (or direct applicants to) a set of principles of or process for delivering social value, drawing on UKGBC's guidance and

⁶⁴ BBBBC, "Living with Beauty", https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/861832/Living_with_beauty_BBBBC_report.pdf

⁶⁵ Cabinet Office, "Social Value Act", <https://www.gov.uk/government/publications/social-value-act-information-and-resources/social-value-act-information-and-resources>

⁶⁶ UKGBC, "Driving social value in new development: Options for local authorities", <https://www.ukgbc.org/ukgbc-work/driving-social-value-in-new-development-options-for-local-authorities/>

⁶⁷ UKGBC, "Framework for defining Social Value", <https://www.ukgbc.org/wp-content/uploads/2021/02/Framework-for-Defining-Social-Value.pdf>

⁶⁸ Sophia Cox, "The power of driving social value in planning", <https://www.ukgbc.org/news/the-power-of-driving-social-value-in-planning/>

Framework for defining social value.⁶⁹ Providing a selection of outcomes, like increased employment or access to green space, could still be helpful as inspiration for applicants and as a clear link to the strategic priorities of the local authority. It is crucial that defining and demonstrating social value does not become a tick-box exercise, as our research and the experience of our member indicates clearly that success relies on a thorough understanding of the local needs of an area through the meaningful engagement of the local residents and businesses in decision-making.⁷⁰

Lastly, UKGBC has previously expressed strong concerns about the extension of Permitted Development Rights (PDR) given the extensive evidence of their detrimental impact on development quality, sustainability outcomes, and residents' health and wellbeing, permitted development clearly risks undermining progress towards the Government's health wellbeing and pride of place levelling up goals. We echo the concerns clearly raised by the Building Better Building Beautiful Commission about the quality of development delivered under PDR.⁷¹ Despite the use existing pattern books and standard specifications, permitted development continues to deliver poor quality development across the built environment.⁷²

We believe the NPPF should better reflect the Building Better Building Beautiful Commission's recommendation that:

"The government should evolve a mechanism whereby meaningful local standards of design and placemaking can efficiently apply to permitted development rights. This is not possible at present under the current legal arrangement. It should be."⁷³

Permitted Development Rights should be reformed significantly, specifically to include much stronger sustainability requirements, such as achieving higher energy efficiency and air quality standards, access to green spaces, ensuring climate resilience through mitigating overheating risk, and promoting nature-based solutions and urban greening.

54. How do you think 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?

The Independent Review of Net Zero chaired by Chris Skidmore MP clearly found that: *"one of the starkest messages from hundreds of organisations and individuals is that the planning system is undermining net zero and the economic opportunities that come with it"*.⁷⁴ As outlined clearly by the Review, the net zero transition represents the preeminent economic opportunity

⁶⁹ UKGBC, "A Guide for Delivering Social Value on Built Environment Projects", <https://www.ukgbc.org/ukgbc-work/a-guide-for-delivering-social-value-on-built-environment-projects/>; UKGBC, "A Framework for defining social value", <https://www.ukgbc.org/ukgbc-work/framework-for-defining-social-value/>; UKGBC, "Delivering Social Value: Measurement", <https://www.ukgbc.org/ukgbc-work/delivering-social-value-measurement/>

⁷⁰ <https://www.ukgbc.org/ukgbc-work/delivering-social-value-community-engagement-hacked/>

⁷¹ BBBBC, "Living with Beauty",

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/861832/Living_with_beauty_BBBBC_report.pdf

⁷² MHCLG, "Quality standard of homes delivered through change of use permitted development rights",

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

⁷³ BBBBC, "Living with Beauty", p.71

⁷⁴ Rt Hon Chris Skidmore MP, "Mission Zero",

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1128689/mission-zero-independent-review.pdf

for the 21st century, and the UK economy. It was likewise emphasized in UKGBC’s submission, as strongly supported by our members, that both sustainability and the net zero transition also represent the most significant economic opportunities for the built environment and associated sectors.⁷⁵ In order for the Government to maximise the associated potential growth in green industries and investment, it must both reform the planning system to accelerate the deployment of zero carbon technologies and deliver ambitious sustainability standards across new development, as per our answers to questions 36-44.

We are recommending that the Government publish a forward trajectory for future Part L uplifts, and which would allow local authorities to set higher energy performance standards in line with these future national requirements. This could fulfil a similar function to the old Code for Sustainable Homes, which set out clearly the future direction of national standards. It would provide a menu of escalating minimum standards – which local authorities could move along/ in advance of through their local policies, thus maintaining consistency in terms of metrics and approach. It would also mean that investment and skills would be directly related to future uplifts in national regulations, with a degree local flexibility likewise helping to develop local supply chains incrementally.

As per the recommendations of the Skidmore Review, the CCC, UKGBC and our members, it is vital that planning provides a clear and reliable system for encouraging sustainable development, in order to provide certainty for the industry and facilitate investment. To achieve this, it is essential that the government introduces a clear net zero test in planning, delivering a consistent approach to carbon accounting and measurement in plan and decision making. Likewise, the Government must introduce further policies to drive investment in - and the delivery of - nature based solutions, climate adaptation measures and green infrastructure, such as urban greening factors and tree canopy cover targets.

55. 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?

N/A

56. 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 feel safe in our public spaces, including for example policies on lighting/street lighting?

N/A

57. 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?

N/A

⁷⁵UKGBC, “UKGBC Response to Net Zero Review: Call for evidence”, https://ukgbc.s3.eu-west-2.amazonaws.com/wp-content/uploads/2022/10/28120811/UKGBC-response-to-NZ-review_final-1.pdf

58. We continue to keep the impacts of these proposals under review and would be grateful for your comments on any potential impacts that might arise under the Public Sector Equality Duty as a result of the proposals in this document.

N/A

For further information, please contact:

Philip Box, Public Affairs & Policy Advisor
Philip.box@ukgbc.org
