



RTPI

Royal Town Planning Institute

**RTPI
Policy
Paper**

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POSITIVE, PROACTIVE PLANNING FOR THE FUTURE

**The RTPI's commentary on the
Planning White Paper**

The Royal Town Planning Institute (RTPI)

RTPI champions the power of planning in creating prosperous places and vibrant communities. We have over 25,000 members in the private, public, academic and voluntary sectors.

Using our expertise and research we bring evidence and thought leadership to shape planning policies and thinking, putting the profession at the heart of society's big debates. We set the standards of planning education and professional behaviour that give our members, wherever they work in the world, a unique ability to meet complex economic, social and environmental challenges. We are the only body in the United Kingdom that confers Chartered status to planners, the highest professional qualification sought after by employers in both private and public sectors.

About this paper

This essay complements the RTPI's [detailed response](#) to the consultation on the Planning White Paper, setting out our general views on the proposals for planning reform in England.

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Executive summary

The proposals in the White Paper assume that the key solution to the housing crisis, across the country, is to increase the number of permissions. We do not share this assumption, and warn that a narrow focus on new housing will undermine the benefits of reform. However, we agree on the need for a 21st century planning system, and recognise that current approaches often fall short of what is needed. We wish to work with the government to achieve this.

A key reason why the planning system is currently falling short of its ambitions is the appalling lack of investment in local planning authorities. Unless this is rectified, any new system will not succeed. We call for £500 million to be invested in planning in the next four years.

The rapid transition to net zero carbon is high among our objectives for reform. The planning system must be clearly aligned with the legal duties of the Climate Change Act, to ensure that all new development is compatible with a zero-carbon future in terms of transport, energy and design.

We welcome the Government's focus on local plans. We support the concepts of Growth and Protected areas (with reservations) but consider that the concept of "Renewal" areas is too simplistic. For too long, essential cross-boundary cooperation on planning matters has been problematic. We propose Green Growth Boards to support cross boundary cooperation for housing numbers and coordinate all the essential services necessary to support growth within an area, including healthcare, public health, transport, utilities and environmental recovery.

Concentrating public engagement on local plan-making would require a complete behavioural change to be embraced by all who are involved – or should be involved – in planning. We propose a national public awareness campaign and increased resources for local community engagement.

We support the Government's renewed interest in the design of buildings and places. This needs to be seen in its widest aspect, including by ensuring places are well located and supported with infrastructure. For this reason we call for the proposed chief officer for design and place-making to be a Chartered Town Planner.

The White Paper proposes a new national Levy to replace the current system of developer contributions. Despite the appeal of a simplified tax, we are concerned that this could fail to raise more revenue, undermine the levelling up agenda, and hold back development on more sustainable sites. We instead call on the government to substantially increase public subsidy for affordable housing, including social rent. This would speed up planning, increase the supply of affordable housing, and allow the Levy to focus on infrastructure.

The reform of planning is taking place in a fast moving world with many other considerations at play, not least the Covid-19 virus. The Government must set out how planning reform is aligned with post-Brexit environmental reform, transport decarbonisation, the Industrial Strategy and local government reorganisation.

1. The current purpose and value of planning

Planners support local communities and national governments decisions on where new homes, roads, schools, shops and all the other things we need to live and work should be built. They are critical to the crucial priority of ensuring the coordination of public and private investment. At the same time, planners work hard to make towns, cities and the countryside attractive, safe and environment friendly. They are at the heart of discussions with local communities, businesses and politicians.

The planning system sets the context for development and creates the enabling conditions for a sustainable and healthy built environment. Planning shapes the environments where people work, live and interact. Through strategic spatial planning, the system can ensure that all residents and businesses have a good level of access to services and infrastructure, resources are appropriately accounted for in development decisions, and that new developments make efficient use of resources and technologies. Planning can also address potential negative impacts of development which can be harmful to human health.

The planning system underpins economic, social, environmental and health outcomes. Quality plan-making, and housing delivery in particular, is integral to meeting sustainable development targets. Key benefits that the planning system directly provides or supports include:

- Affordable housing delivered through planning obligations saved the NHS £240 million in 2019
- Living in a well-planned neighbourhood can support up to 59% of NHS-recommended weekly activity
- Urban greenspaces in Great Britain provide £16.5 billion in environmental, health and amenity value per year
- Planning ensures good access to economic opportunities, with 73% of planning housing permissions in England located within 10km of a major employment cluster
- Homes developed through planning permission are three times more likely to meet National Space Standards
- Planning policies prevent excess air pollution, which costs the UK £9-19 billion each year¹.

¹ RTPI, 2020: [Invest and Prosper: A business case for investing in planning](#)

2. Going further: a greater ambition for planning

Despite the benefits described above, it has become increasingly difficult to consistently achieve good planning outcomes. This is partly due to the complexity of planning for ‘wicked problems’ such as technological disruption, demographic change, rapid urbanisation and the climate crisis. But another problem is a loss of faith in the concept of planning.

Our *Plan The World We Need* campaign, referenced in the White Paper, demonstrates why we need proactive planning to deliver housing while tackling inequality, enabling a green industrial revolution, prioritising healthy and sustainable transport, and accelerating the transition to net zero carbon².

Overcoming the resource and other challenges the planning system faces would enable planners to deliver on ambitious development and recovery targets. Raising ambition and building capacity in planning has the potential to deliver significant economic benefits across key national priorities.

Without the planning system, we are unlikely to meet national affordable housing targets. Recent research suggests that 145,000 new affordable homes are required each year in England to meet actual need. To achieve this, planners will need to identify where affordable housing is needed, enforce quality standards, ensure new homes have good access to amenities, support community cohesion, and coordinate developer contributions.

Planning can play a key role in encouraging sustainable travel by influencing where development is located and how places function. Active travel is currently impeded by a lack of safe and accessible infrastructure, with 52% of all trips under 5 miles in England made by car. Providing active travel infrastructure requires community engagement, spatial planning, funding for infrastructure and stakeholder coordination. Planning is also critical when shaping settlement patterns to reduce travel demand and maximise accessibility by sustainable modes, rather than diverting public funds to the expansion of the road network.

Planning can maximise the potential health benefits of greenspace through strategic placement which prioritises improving access for new and/or existing residents. Poorly planned greenspaces are a missed opportunity to support broader public health priorities. Our analysis finds that a well-planned greenspace in a deprived neighbourhood delivers 500% more value than a poorly planned greenspace.

Planning can accelerate the deployment of new energy infrastructure and avoid carbon lock-in. Through stringent climate requirements, planning can deliver a step change in energy efficiency and the deployment of renewable and smart energy systems. Along with sustainable transport, this will be critical for the transition to net zero carbon.

² RTPI, 2020: [Plan The World We Need: The contribution of planning to a sustainable, resilient and inclusive recovery](#)

Investing in planning

Despite clear links between the planning system and the country's sustainable development ambitions, planning services are under increasing pressure and scrutiny.

- **Local Planning Authorities (LPAs) are under pressure to deliver more services with fewer resources.** Total expenditure on planning policy has fallen by 22% in England since 2010.
- **Planning is primarily measured against speed and quantity targets, rather than on the quality of development outcomes.** Limiting planning to housing supply and delivery metrics can create a perception that the system is broken, and fails to measure the contribution of planning in enabling *quality* development outcomes.
- **There is currently an imbalance in how planning is funded and the planning functions which deliver benefits.** The majority of planning expenditure is on development management, and plan-making activities are unable to generate revenue. When plan-making is under-resourced, the framework for making development decisions may not reflect strategic priorities.
- **There is unequal access to good planning services and their benefits. Inequities in LPA resources can deepen regional inequalities.** Currently, planning services primarily serve the most well-off areas, despite the fact that planning supports health and housing for all. Local authorities in areas with poor health and social outcomes are also harder hit by budget cuts to planning.

Our members want to work under a better system, but are understandably concerned that the significant resources that are required to make it a success will not materialise. Without this, the changes run a very real risk of creating unintended consequences - disenfranchising communities, reducing flexibility, and undermining our ability to tackle the housing crisis and achieve net zero carbon.

The details of the White Paper commitment to deliver a comprehensive resources and skills strategy are therefore fundamental to delivering on the ambitions of the White Paper. We would welcome publication of the strategy at the earliest possible date. However, a new strategy alone is not sufficient. The current planning system is already severely under-resourced. We need to tackle this existing deficit before any transition to an entirely new approach.

Our submission to the 2020 Comprehensive Spending Review³ analysed the fiscal situation facing LPA's today, and showed that the planning system requires approximately £500 million invested over the next four years. This works out to £125 million per year, or an average of £370,000 per authority per year. This figure includes:

- Plan Making Fund: £170 million
- Design Quality Fund: £81 million

³ RTPI, 2020: [Summary of the RTPI submission to the Comprehensive Spending Review](#)

- Digital Transformation: £46 million
- Monitoring and Enforcement Fund: £67 million
- Placemaking Fund: £100 million
- Joint Working Fund: £15 million
- Public Engagement: £50 million
- Climate Action: £67 million
- Capacity Building: £17 million

The Government must show it is serious about making planning reform work by resourcing the current system **now**, in line with our CSR submission. This will provide the assurances that the government is ready to stand behind their ambitious commitments in the White Paper, and value the role that planners play in our society.

Valuing planners

Planning is a profession in the same way as architecture or surveying is. Chartered planners are trained thoroughly to balance the spatial needs of a wide variety of local, regional and national factors. Now, more than ever, the factors that feed into plans are rapidly shifting and we need qualified and chartered professionals to ensure that our places provide quality development, transport and wider infrastructure, green spaces and natural habitats that are resilient, sustainable and economically active. We therefore call on the government to require that everyone who identifies themselves as a planner is actually chartered.

3. Key issues from our consultation response

This chapter summarises key issues from the RTPI's [detailed response](#) to the consultation on the Planning White Paper.

Pillar one: Planning for development

Designation of land (zoning)

We support the concepts of Growth and Protected areas (with some reservations) but consider that the concept of “Renewal” areas is too simplistic. It appears that “Renewal” is what is left over when the other two designations are determined. However as envisaged it would cover the entirety of England’s existing built up areas, from long established suburbs to industrial areas actually needing renewal. This would also incorporate a whole range of town and city centres with their complex land uses and important heritage. Most people would live in a renewal area and they would form a key part of the country’s recovery. We would be happy to work with the Government to unpick this concept and find solutions which would work in the wide variety of places involved.

Growth areas are important because they would hopefully convey greater certainty on the planning process. Developers find it frustrating when local plan allocations are overturned, and the public is hugely disappointed when sites allocated in plans simply fail to deliver on the promises made when the allocations were agreed.

“Protected” areas must move forward and improve, not just be “protected”. The environmental quality of much of England leaves a great deal to be desired, and people’s need to be able to access open spaces, and to use active travel (especially cycling) to make longer journeys, has been clearly demonstrated in 2020. This is a great opportunity to join up planning reforms with changes in our environmental governance and policy arising from Brexit. We call for single Local Environment Improvement Plans over wide areas which draw together a wide range of planning and funding regimes in the environment sector, and work in alignment with the growth area designations. Planning over wide areas is essential here.

The ambitious proposals in the Planning White Paper *could* deliver better outcomes, but only if coupled with a significant investment in local authority capacity and skills. Under the proposed reforms, the plan-making stage becomes absolutely critical: as the focus of public engagement, as the process for designating all land uses and appropriate development typologies, and coordinating the infrastructure needed to support growth. The role of Design Codes is similarly critical to ensuring high quality places, and to provide communities with the confidence that development will proceed in accordance with the plan.

Cross boundary cooperation

It has been well documented that the current Duty to Co-operate does not operate as effectively as needed in practice. However, there is a pressing need for it to be replaced with a new mechanism to deliver joined-up thinking for climate action, transport, infrastructure, housing provision and

nature recovery.

We propose Green Growth Boards (GGBs) to bring about cross boundary cooperation for housing numbers and also the coordination of all the essential services necessary to support growth within an area, including health care, public health, transport, utilities, housing and environmental recovery.

Provision should be made for GGBs to:

- Help join the dots from the outset between environmental, transport, housing, water, energy, resource and health plans
- Help identify the best locations for development (Growth and Renewal areas) and protection, and to facilitate supporting infrastructure being in place on time
- Ensure plans that meet agreed criteria should be available to view as layers alongside environmental and social mapping on the shared geo-spatial platform

GGBs provide a response to the challenge raised in the Planning White Paper of needing to consider how 'strategic cross-boundary issues, such as major infrastructure or strategic sites, can be adequately planned for, including the scale at which plans are best prepared in areas with significant strategic challenges', but also how to weave the set of social and environmental objectives in to strategic infrastructure development.

Without creating an additional administrative layer, GGBs would bring together local authorities with other relevant organisations at a strategic scale which facilitates strategic infrastructure planning for example at combined authority level or through elected Mayoral areas or locally led Development Corporations.

Participating organisations would include local authorities, mayoral-combined authorities and Development Corporations where they exist, the water companies, Environment Agency, Natural England, Historic England, Public Health England, the NHS, Network Rail, Highways England, National Grid, the Local Economic Partnership, and Health and Wellbeing Boards.

Rather than imposing prescriptive structure or timetable from the top - at least initially - LPAs could opt to come together under a GGB and agree what model and protocols to use to come to collective decisions quickly- perhaps from standard templates prepared by central government. Collaborating as a GGB could be incentivised through greater access to infrastructure investment. It could also help align Local Environment Improvement Plans, net gain and wider investment in the natural environment. There would be a duty on utilities, infrastructure providers and relevant statutory bodies to participate.

Public engagement

We welcome the step to support local authorities in rethinking the tools, timing and depth and breadth with which they engage communities in local plans. However, front loading community engagement in the establishment of the designated areas every five years is a major cultural shift for England and there is a risk that communities can be disenfranchised from engaging in the planning system.

A culture shift to front-loaded engagement cannot be made from the top down and it will need commitment to culture change across the built environment sector, from professionals to third sector to community groups and most importantly the public.

As set out in our CSR response, we propose the government uses part of the Planning Delivery Fund to resource and deliver meaningful, front-loaded, deliberative community engagement and ensure the most vulnerable are not excluded from engagement. This includes funding:

- **A targeted public awareness campaign** to raise awareness of the purpose and benefits of good planning and improve clarity on how, when and why people should engage.
- **The position of Community Planners in local authorities** to ensure a dedicated focus on hearing the views of communities and providing training on the technical and soft skills needed for participatory engagement particularly with hard to reach groups, including those without access to digital technology. They can also help facilitate community involvement in monitoring the local plan between reviews.

Changes to public engagement must consider everyone's needs. Planning services, data and tools need to be accessible to all, including those without the confidence or skills to use digital. We advocate for a mixed methods approach where interactive digital methods are supported by traditional deliberative consultation.

Downstream, we are concerned by the lack of democratic oversight under 'Permitted Development' (PD). To improve democratic oversight, the government could explore locally agreed PD codes.

Digital

In 2019, the RTPI and Connected Places Catapult set out a shared vision for the digital future of planning⁴. This outlined an ambition for a planning system built upon clear structures for the collection, use and sharing of data, and set out principles which could guide the ongoing development, use and governance of digital within the planning system, particularly through providing clear next steps and responsibilities.

We are encouraged to see that the White Paper supports the move towards more accessible, standardised and web-based Local Plans, and the shift to machine-readable policies and documents. These have the potential to improve the user experience and achieve better outcomes by unpacking the decision-making process, communicating and monitoring the impacts of development, and supporting cooperation during plan-making.

The key challenge will be implementation, and our CSR submission recommends a £46m Digital Transformation Fund to build skills and capacity. To support effective plan-making, government should also explore the potential for regional observatories to provide common data and analysis for plan-making, and invest in open source digital planning tools for scenario modelling, public engagement and coordination with infrastructure providers.

⁴ RTPI & CPC, 2019: [A shared vision for the digital future of planning](#)

Pillar two: Planning for beautiful and sustainable places

Design and heritage

While everyone would now agree that design of buildings is of the highest priority, until recently, it had slipped off the agenda in the drive for housing delivery. Throughout successive administrations since 1980 design has been prioritised, then taken off the planning agenda, only to return again. This has meant that a sustained sectoral response has been difficult to achieve, leading to problems with maintaining skills and inconsistency in development industry outputs. There is a growing realisation now that unless communities have confidence that the product is good, there will be continuing resistance to new residential development – at almost any scale.

Quality design should be a key factor in formulating and implementing planning policies, given that it can help to improve health, create more environmentally sustainable places, attract investment and support civic pride. The White Paper's focus on good design, and recognition that design is more than just beauty, is a positive start.

It can often be hard for an LPA to refuse a scheme only on the grounds of bad design. In too many cases the question for planning officers seems to be 'is it bad enough to refuse?' as opposed to 'is it good enough to approve?'. The recognition that Government, local authorities, stakeholders and the entire development sector together should work actively to promote what 'good' looks like, in relation to 'higher standards in design' is encouraging.

Commentators have also often referred to a perceived lack of design skills in the planning sector. This is an issue which requires some careful analysis. As a result of deep, post-recession cuts and reduced resources, there has been a hollowing-out of design capability and understanding within local government. However, an RTPI survey in 2019 found that 87% of planners want to have more say in design⁵. We are therefore calling for planners to be more involved in the design process, and to increase the design capability in local authorities.

We welcome the Government's proposal that each authority should appoint a chief officer for design and place-making, and strongly maintain that this role should be filled by a Chartered Planner. Planners are at the heart of discussions with local communities, businesses and politicians. Having a Chief Planning Officer at the top table can also provide a long-term vision, certainty for development and the necessary join-up between investment strategies at local government level. They are a logical choice to 'join the dots' in decisions on place-making.

A greater focus on 'permission in principle and 'zoning for growth' assumes that heritage constraints are well established. Unfortunately many local authorities only have limited coverage and increased permitted development rights risk non-designated heritage being lost without due consideration. For example, when last comprehensively assessed, less than 20% of conservation areas had adopted management plans and only a minority of local authorities have detailed registers of 'local heritage assets/locally listed buildings'. The modest coverage of 'local lists' is acknowledged in the recent Government work on promoting this area of heritage protection⁶.

⁵ RTPI, 2019: [Planning and Design Quality](#)

⁶ MHCLG, 2020: [Local heritage list campaign: call for expressions of interest](#)

Climate action

Planning plays a crucial role in the transition to a zero-carbon society, engaging communities and enabling environmentally-friendly choices in everything from energy to transport. Planning can do this by minimising the carbon emissions of development through sustainable locations which are integrated with low carbon infrastructure, ensuring design delivers climate adaptation and mitigation, and coordinating a national retrofit of our built environment. Planning can do this as part of a wider democratic conversation with the local community, helping to both reduce emissions and build resilience to extreme weather events.

The RTPI has been championing the role of planning⁷ in delivering climate mitigation and adaptation, and has called for bold policies and strategies to reduce emissions across key sectors including buildings, land use, transport and energy. However, delivery of climate adaptation and mitigation 'on the ground' is generally poor. This is in part the result of uncertainty produced by government policy subject to reversals; an overwhelming focus on house building; and severe under-resourcing in planning departments. Stronger climate change law and policy would help, but these practical and political issues are currently the key barriers to effective planning.

In order for planning to achieve its potential, it is vital that any reformed planning system should have climate change at its heart:

- **Legal Duty:** The reforms should ensure that the planning system is aligned with our existing legal obligations on climate change. Section 19(1A) of the Planning and Compulsory Purchase Act 2004 currently requires local plans to contain “policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change”. Any planning reform should ensure that planning policy and decision-making contributes to the achievement of the carbon budgets and the 2050 'net zero' target under the Climate Change Act 2008.
- **National Policy:** Smart energy and climate change should have equal status with the provision of housing, transport and economic growth in national policy, and enable local planning authorities to take appropriate action, including by setting targets which go beyond national standards⁸. Policy should set clear metrics for carbon accounting, monitoring and reporting by Local Plans.
- **Climate justice:** Climate change represents an ethical challenge which means policy makers must consider why levels of vulnerability to climate change vary, and how policies benefit or disadvantage particular groups⁹.
- **Sustainable land use:** Land use designations and the standard methodology must support settlement patterns which promote sustainable mobility to reduce transport emissions, with larger settlements, higher densities and mixed land uses reducing the need to travel by

⁷ RTPI & TCPA, 2019: [Rising to the climate crisis: a guide for local authorities](#)

⁸ RTPI, 2019: [Planning for a smart energy future](#)

⁹ RTPI, 2020: [Five reasons for climate justice in spatial planning](#)

car¹⁰. Through the ‘protected’ land use designation, we can go further to not only protect the environment we already have but also deliver environmental net gain.

- **Delivering climate adaptation and mitigation through design:** Design codes should go beyond a ‘fast track for beauty’ and include a range of climate and sustainability standards. The Future Homes Standard should be upgraded to deliver a shift to net zero buildings well before 2050¹¹. This will require a greater focus on managing energy efficiency through good design.
- **Testing sustainable development:** We share widespread concerns that some environmental assessment processes generate expense and delay and it is not clear quite what improvements to plans they generate nor how effective public engagement with the assessment process is. It is also rather strange that we expect *developers* to assess their own proposals: this should be a public function suitably funded. We will engage in the consultation on the future of environmental assessment, saying that assessment must include all aspects of sustainable development, and that assessment be iterative - showing how issues raised in an original assessment of the plan have been addressed. The process must also be consultative - complying fully with the UK’s commitments under the Århus Convention. Finally any future process must acknowledge that some mitigation issues cannot be addressed until project details are known.

We are encouraged to see recognition of the role of planning in delivering climate adaptation and mitigation in the government’s response to the Committee on Climate Change Progress Report to Parliament. We look forward to the Government’s upcoming Net Zero Strategy and the role a reformed planning system can play in delivering this.

Enforcement

Planning enforcement is a fundamental pillar of the planning system and we are encouraged to see this recognised in the White Paper. The RTPI’s National Association of Planning Enforcement Network (NAPE) produced an Enforcement handbook for England to provide guidance to enforcement officers with funding from MHCLG¹².

The proposals to increase fines are welcomed, however more detail will be needed as there are unlimited fines already in place for some enforcement matters. Specific areas that will require work with the profession include: how to involve enforcement officers early in the development process and their role in ensuring compliance with design guides and codes, the need for enforcement officer training, and reducing the backlog of enforcement cases at the Planning Inspectorate. Clarity on how the proposed strengthening of enforcement powers could work in practice would be helpful, as would increased fines for ignoring Temporary Stop Notices to further deter unauthorised development in its early stages. NAPE is ready to work with the Government on these matters, and their detailed response can be found in the Appendix.

¹⁰ RTPI, 2018: [Settlement patterns, urban form and sustainability](#)

¹¹ RTPI, 2020: [Response to the MHCLG consultation on the Future Homes Standard](#)

¹² RTPI, 2020: [NAPE Enforcement Handbook](#)

Pillar three: Planning for infrastructure and connected places

Affordable housing and the Infrastructure Levy

Despite the heading, this section of the White Paper is limited to the proposal for a new consolidated Levy to raise *funding* for affordable housing and infrastructure. It does not address wider challenges around the integrated planning of infrastructure - a key omission which we cover in the recommendations above, and our research¹³.

While the concept of a single Levy has some appeal, our analysis suggests that it could create an equally complex system, while failing to raise more funding for affordable housing and infrastructure, potentially undermining the levelling up agenda, and holding back development in sustainable locations.

Instead of focusing on yet another reform of the system, we call on government to reduce the overall use of developer contributions to fund affordable housing, in favour of a substantially increased programme of grant funding for direct delivery by councils and registered providers. This should be at a scale which can meet the recognised need for 145,000 social homes each year, including 90,000 for social rent. This would in turn allow local authorities to set lower and more consistent policy requirements for affordable housing: supporting SMEs, incentivising brownfield regeneration, and generally speeding up the delivery of high-quality developments.

Proper funding of affordable housing would enable a greater portion of developer contributions to invest in the infrastructure needed to accelerate the transition to net zero carbon, among other priorities identified in Infrastructure Delivery Plans. Clear and ambitious policy requirements would help to control the increase in land values that might otherwise result from a reduction in requirements to fund affordable housing through S106.

The changes above would need to be coupled with greater certainty on national infrastructure funding, to provide clarity about what infrastructure should be secured through on-site provision versus other sources, and helping developers properly price land. This is explained in our roadmap, below.

¹³ See RTPI, 2019: [A smarter approach to infrastructure planning](#) and our upcoming research on planning for critical infrastructure in London (to be published in November 2020)

4. A roadmap to delivery

We are concerned that it is not clear how the Government's planning reform agenda and other parallel initiatives it is pursuing fit together. Planning reform is not just a process issue, and it is not just a market housing issue. A 21st century planning system should be there to achieve a wide range of outcomes.

Environment after Brexit

Leaving the EU marks a turning point in how the environment is governed in England. It provides an opportunity to make much stronger links between the planning system and the environment that we have been used to seeing. These issues go far beyond the concept of "biodiversity net gain" currently in the Environment Bill. Our proposal of Single Environment Improvement Plans for wide areas would draw together disparate planning and funding activities into a single process, which could be aligned with the planning system through Green Growth Boards at strategic level.

National Infrastructure Strategy (NIS) and the Local Economic Recovery and Devolution White Paper

The NIS must provide greater certainty on the infrastructure investment needed to support sustainable growth, supported by changes to the regulatory framework for utilities and the appraisal process for transport. The Devolution White Paper should support a proper multi-year financial settlement for local government, providing the capacity and resources for strategic planning in partnership with infrastructure providers and government agencies.

Transport Decarbonisation Plan

Surface transport is now responsible for 24% of UK emissions. Most of the increase in travel demand, and the accompanying shift to car dependency, has resulted from the dispersion of housing¹⁴. To respond to the climate crisis, this plan must move away from reliance on vehicle electrification and support a plan-led approach to reducing travel demand and maximising the use of public, shared and active transport. Upcoming RTPI research will provide detailed recommendations in November¹⁵.

An updated Clean Growth Strategy and new Net Zero Strategy

The UK economy is undergoing a profound transformation, driven by the rapid transition to zero carbon, the impacts of Covid19 and the uncertainty of Brexit. These changes will impact on the type and spatial distribution of economic activity and affect demand for land, infrastructure and housing. An updated Clean Growth Strategy and new, overarching Net Zero Strategy is required to provide LPAs and Local Enterprise Partnerships with the confidence to plan positively for a low-carbon economy which is resilient to future shocks.

¹⁴ RTPI, 2018: [Settlement patterns, urban form and sustainability](#)

¹⁵ RTPI: [Place-based solutions to net zero carbon transport](#) (to be published November 2020)

5. Other issues

Through our engagement, RTPI members raised additional issues that will need factoring into proposals as they move forward.

- **Natural hazards:** The White Paper does not seem to recognise the increasing importance of natural hazards in planning. Natural hazards is a wide term encompassing many potential threats from the natural world, including flooding and forest fires. Covid-19 is mentioned in the document, but not in the context of the risks of more deadly pandemics and their impact on the built environment.
- **Trees and hedges:** The most recent figures from the National Forest Inventory show that in 2016-2017 822ha of woodland was lost across England. Of this 537ha (65.3%) was attributable to development. It is not currently clear how the approach set out for Growth areas will contribute to minimising the loss of trees to development. The RTPI's response to the England Tree Strategy¹⁶ outlined the need to consider street trees early in the planning process, produce guidance on what constitutes a tree lined street and plant trees following the ethos of 'right tree in the right place'. It is also critical that specialist support is available to planners to make these judgements
- **Archaeology:** The significance of archaeology to our history and built environment is not mentioned in the White Paper. The benefits of engaging with archaeology to place-shaping and communities should be supported. The majority of sites of archaeological interest are not protected as scheduled monuments and depend on planning for recognition and protection. Much of the nation's archaeology is undiscovered or poorly understood. It is important that assessment and evaluation informs the location and design of new development. We recommend that MHCLG work with Historic England, the Association of Local Government Archaeological Officers and other archaeological sector representative bodies to establish workable mechanisms for positively managing archaeology and the wider historic environment within the new planning system. In addition, the national network of Historic Environment Records should be accorded statutory status and adequately resourced.
- **Self and custom build:** It is encouraging to see support for innovative developers and house builders, including small and medium-sized enterprises (SMEs) and self-builders. The commitment to build a diverse range of types and tenure of housing, and those using innovative Modern Methods of Construction (MMC) is also a welcome statement. Self and custom build can help to diversity delivery, and if properly supported by planning, could increase innovation in sustainability and design.

¹⁶ RTPI, 2020: [Response to the Defra consultation on the England Tree Strategy](#)

Appendix

A detailed response from the RTPI's National Association of Planning Enforcement (NAPE)

Strengthening enforcement powers and sanctions

We welcome Proposal 24 of the White Paper for stronger planning enforcement and the proposal for LPA's to place more emphasis on the enforcement of planning standards and decisions. We have previously highlighted the disparity within planning services regarding the resourcing given to enforcement teams. The White Paper's proposals to free up planners who might otherwise not have dealt with enforcement cases before to deal with them are encouraging; however support needs to be given to local authorities to ensure that these planners are properly trained in how to deal with enforcement matters. NAPE published an enforcement handbook for England¹⁷ with funding from MHCLG; however this cannot be a full substitute for adequate and regular training for enforcement officers.

NAPE are happy to contribute to consideration of further strengthening of enforcement powers and one particular issue that is often raised by members is the 4 year rule for the conversion of a building into a self-contained dwelling (S171(B)(2)). Many rogue landlords and developers are well aware of this immunity period and continually seek to use it to their advantage. In many cases developers simply 'keep their head down' after undertaking unauthorised conversions (the test for deliberate concealment is fairly high) and with many council's enforcement services stretched, the 4 year period can pass by all too quickly, resulting in immunity for substandard housing which ordinarily would not have received planning permission.

The difficulty with investigating such cases has been amplified somewhat by the Covid-19 situation where it has now become increasingly difficult for officers to get access to buildings which have been unlawfully converted, to gather evidence to enable them to take enforcement action. Applying for warrants of entry can take months at present due to court waiting lists, and so NAPE is of the view that this 4-year immunity period should be changed to 10 years in line with other changes of use to land and buildings.

Appeals

A more focused approach on enforcement matters by local authorities is likely to increase the issuing of more enforcement notices and consequently likely to result in an increase in appeals. There should be a focus on ensuring the current backlog of cases particularly for enforcement cases is addressed to bring determination times down to ensure enforcement related decision are reached quickly. This could help to restoring some of the public confidence in the system which has been lost over recent years due to significant time delays for appeals. In addition, consideration should be given to charging a fee to make an enforcement appeal on grounds (b), (c), (d), (e), (f) & (g). In many cases those served with an enforcement notices appeal on these grounds simply to delay compliance. While costs may be awarded for an appeal being

¹⁷ RTPI, 2020: [NAPE Enforcement Handbook](#)

unreasonably made, these costs are usually significantly lower than the monetary gain from the continuance of the planning breach during the appeal determination period

Fines

We welcome the proposals to increase fines, although more details on this would be welcomed because in some enforcement related matters unlimited fines are already in place. Many of our members highlight the fact that Magistrates routinely hand down insignificant fines in many prosecution cases for planning related prosecutions, in many instances the fines in no way reflect the harm and/or monetary gain made by the perpetrator in the case. The use of POCA in planning cases is increasing however the use of such powers are not appropriate in all cases. Clearer and more robust sentencing guidelines should be produced with any proposed increase in fines to ensure those who seek to criminally benefit from the planning system are properly held to account.

Intentional unauthorised development

The proposed strengthening of policy relating to intentional unauthorised development needs to be much clearer than it presently is. Many LPA's and Planning Inspectors take the current policy to mean that intentional unauthorised development should weigh against the granting of planning permission. However, this is not explicitly stated in the policy and members have seen some Planning Inspector decisions where this has been stated and the issue of intentional unauthorised development has therefore not been given weight against the granting of permission. It would also be useful for the updated policy to be clearer on the strength of weight given to intentional unauthorised development.

Temporary Stop Notices

In relation to Temporary Stop Notices, higher fines for ignoring their requirements should be considered, along with extending the period they can remain in place from 28 days to ensure they are more effective in stopping unauthorised development in its early stages.



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