



Chartered Institution of Highways and Transportation Submission to the Ministry of Housing, Communities and Local Government's Planning for the future consultation.

CIHT is a charity, learned society and membership body with over 14,000 members spread across 12 UK regions and four international groups. We represent and qualify professionals who plan, design, build, manage and operate transport and infrastructure networks. Our vision is for world-class transportation infrastructure and services. Our values are to be Professional, Inclusive, Collaborative and Progressive.

This response has been produced in discussion with Chartered Institution of Highways and Transportation (CIHT), The Transport Planning Society (TPS) and also the Royal Town Planning Institute (RTPI).

Planning for the Future: White Paper 2020

Our position

We welcome the opportunity to respond to "Planning for the Future". The review of planning provided by the White Paper affords a unique opportunity to address some of our fundamental concerns with the existing planning system and its ability to respond to the acute challenges set out by the government in the White Paper. These same challenges were highlighted in the Advice, **Better Planning Better Transport Better Places**¹ produced by CIHT in collaboration with TPS and RTPI in 2019, together with representatives from the public and private sector and academics. We are pleased to see that the government recognises and accepts these challenges and is actively seeking to address them.

Our vision for the future of planning in respect of people, places and transport is one where:

- transport helps society to achieve its objectives
- the outcomes work towards:
 - reducing inequality
 - decarbonising our way of life to combat the impacts of climate change and air pollution
 - improving health and well-being
 - supporting the economy
- the outputs are:
 - a society where people can choose to live a quality life without relying on a car, particularly one that they privately own
 - places are designed so people have priority not cars
 - there is equality of accessibility
 - a national public transport network providing high levels of accessibility across the country
 - transport is decarbonised

This vision is consistent with that of the government, as expressed in many of its documents.

The proposed reforms in the White Paper will transform the shape and nature of planning in England, and are more radical than any previous changes. Radical changes are exactly what are needed to address the challenges we face. This review therefore presents a real opportunity to

¹ Better planning better transport better places, CIHT (2019) https://www.ciht.org.uk/media/10218/ciht-better-planning-a4_updated_linked_.pdf

change the planning system for the better, and make it fit for the 21st century. The government clearly states that this is what it wishes to do. **However, it is our firm and collective view that, as drafted, the proposals in the White Paper will not deliver the government’s vision and in practice make it worse: we therefore do not support the proposals.**

The White Paper states *“Planning matters. Where we live has a measurable effect on our physical and mental health: on how much we walk, on how many neighbours we know or how tense we feel on the daily journey to work or school. Places affect us from the air that we breathe to our ultimate sense of purpose and wellbeing. This is a question of social justice too. Better off people experience more beauty than poorer people and can better afford the rising costs of homes. As a nation we need to do this better.”*² This is a statement we can wholly agree with.

However, our immediate and pressing observation is that the White Paper fails to address the critical inter-relationship of planning and transport. On this basis - the proposed radical changes to the planning system as currently set out will fail to do any better than before.

Transport and planning – two sides of the same coin

Transport is vital to any spatial and land use planning decision; from small developments to the delivery of new communities. It is also critical in supporting the government to achieve the legally binding target of 'net zero' greenhouse gas (GHG) emissions by 2050; address the climate emergency; and improve people’s health and well-being. So, it is a concern that the White Paper mentions transport only five times (and traffic not at all). **If the government’s vision is to be realised, transport must be at the heart of the new proposals.**

The White Paper should support and require the delivery of a fully integrated planning and transport process, from the policy right through delivery and for the lifetime of the development and related infrastructure and services. This is essential to create truly sustainable places and support the government’s decarbonisation agenda. Although the current planning process includes rhetoric on delivering sustainable places and sustainable transport this is not the reality³: the proposed new planning regime as currently drafted will not improve this position and could exacerbate it further. The research undertaken and highlighted in the Transport for New Homes reports highlights the damaging consequences of new housing developments in poor locations, no pavements, parking being visually dominate and no public transport. The inability to walk or cycle safely to local services has been highlighted during this pandemic as has the impact of traffic pollution.

Spatial planning is about creating places for people that they want to live and work in. It should enable decarbonisation of transport and improve public health. The current planning system has created poor quality and disconnected housing stock that relies on the car to reach basic amenities⁴. **To ensure this does not continue into the new system, the importance of transport must be fully recognised.** The White Paper does not address the key geographic spatial issues of the integration of planning and transport. The omission of transport within the White Paper is a major risk to getting planning right, so that it can deliver quality places.

² Planning for the Future, MHCLG (2020) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/907647/MHCLG-Planning-Consultation.pdf

³ Transport for new homes (2018) <https://www.transportfornewhomes.org.uk/wp-content/uploads/2018/07/transport-for-new-homes-summary-web.pdf>, Garden Villages and Garden towns: Visions and realities, Transport for new homes, (2020) <https://www.transportfornewhomes.org.uk/wp-content/uploads/2020/06/garden-village-visions.pdf>

⁴ A housing audit for England, UCL (2020) <https://www.ucl.ac.uk/news/2020/jan/new-housing-design-england-overwhelmingly-mediocre-or-poor>

We believe that the three Pillars in the White Paper (Planning for development, Planning for beautiful and sustainable places, Planning for infrastructure and connected **places**) **should each promote explicitly** the need for integration with transport: for example, to support better accessibility, decarbonisation of transport, reducing congestion and the impact of parking, and better public health both in terms of activity and reducing pollution. In order to achieve a reduction in carbon from transport the number of journeys has to reduce. This would require the development of a clear, long-term (15-20 years) vision for the future built into the statutory requirements for the Local Plan. Local Plans should be required to include the accessibility needs of communities based on sustainable transport, and move away from predicting future traffic levels, and providing for them.

The CIHT-led Better Planning, Better Transport, Better Places (BPBTBP) Advice (2019)⁵ makes a series of recommendations to create better places by better integrating planning and transport, and championing spatial planning as a decarbonisation tool. :

- ✓ to develop a clear, evidence based vision - sustainable transport must be fully integrated from the outset and throughout the planning process
- ✓ creating spatial Local Plans that integrate the transport strategy from the outset through continuous collaboration with all key bodies responsible for transport including operators
- ✓ Local Plans should be evidence based and include indicators of health, environment, and demographics, as well as transport modes and accessibility
- ✓ it is essential to shift away from 'predict and provide' methodologies and move to objective led methodologies
- ✓ Local Plans should be tested through scenario- based, multi- assessment criteria
- ✓ the Local Plan EiP should measure the integration of planning and transport and their effectiveness in achieving sustainability, as well as wider government objectives
- ✓ there should be a clear collaborative delivery body which is responsible for the Infrastructure Delivery Plan production, and the monitoring, review and delivery of the Plan

These recommendations should be incorporated into the revisions to the planning process and the National Planning Policy Framework.

The White Paper proposals simplify the Local Plan process, but for a zoning approach to be effective it needs to be considerably more sophisticated; reflect what happens to areas e.g. agricultural and woodland which are currently outside any of the three zone types; and show how it will ensure that growth locations are sited where public transport is either available or committed so they can be "sustainable".

An approach which liberates local authorities to plan effectively would be welcome. A framework which enables an integrated vision, accessible locations for developments, effective delivery and funding mechanisms is something we would support. A process based on stakeholder collaboration and community engagement is, of course, the ideal. However, the skills and resources to achieve this need also to be available.

Unanswered questions

At present much of the detail of how the new system would work is missing. We need to understand how the national and local rules being proposed can ensure the right locations for development, as well as adequate provision of high quality walking, cycling and public transport

⁵ Better planning better transport better places, CIHT (2019) https://www.ciht.org.uk/media/10218/ciht-better-planning-a4_updated_linked_.pdf

facilities from the beginning of development including site selection. The government set out in Gear Change⁶ its vision for cycling and walking and this needs to be at the heart of the new planning system. Zoning for growth or renewal must consider high quality non-car-based transport options as a determining factor. The location of development is fundamental to travel patterns and the need to travel: development should be located where quality sustainable transport is available (or committed) for the day-to-day journeys that people need to make. **Our questions are therefore; on what basis are growth zones to be defined? What rules will be set for their development? What happens to areas outside growth zones which are not renewal or protected zones, as is the case for the majority of England?**

The design of places and homes is also critical if active and sustainable travel is to be the preferred choice for people. For active and sustainable travel solutions to be effective these requirements will be dependent on effective collaboration across the public and private sectors as well as high quality community engagement. With the proposed demise of the Duty to Cooperate, **what arrangements will be put in place to ensure the effective collaboration with transport policy makers and providers from evidence gathering, visioning, plan-making and through to delivery?** It will also be critical that developers are clear of the requirements from the beginning to avoid delay. **This collaboration should be a requirement in the new planning system.**

The planning and provision of new homes and settlements, as well changing attitudes and behaviour in respect of transport, has never been easy but all are essential. Given the challenges of changing travel behaviour in this country, as demonstrated by the recent backlash by a vocal minority against Low Traffic Neighbourhoods, it is vitally important that we engage everyone in all communities in the plan-making phase. This is even more important under the new proposals than it is now, given that once plans are approved planning permission is in effect given for development in growth areas, leaving no right of reply. We need to understand how communities will be engaged in the new process and by what means. The shortened timescale for the Local Plan, which needs to be the key engagement focus in the new process, makes this very difficult how communities will effectively be engaged.

The following are key question that we feel need to be addressed in any response to the consultation;

- **How will local residents' access detailed plans for developments that affect them through the local plan process?**
- **Without detailed site specific transport assessments how will highway authorities ensure infrastructure can be delivered?**
- **How will the local plan transport assessment process change to support all this work upfront?**
- **How will interest groups, including volunteers, many of which represent vulnerable groups, find the time to review detailed assessments on multiple sites within a combined consultation programme?**

The TPS together with CIHT and RTPI are working on a project with the Royal College of Art, plus private sector representatives, to develop a new way of engaging people from increasing understanding to changing attitudes to looking at different futures⁷. Any form of community engagement however takes substantial time to be effective as being clearly demonstrated through this project with three communities.

⁶ Gear Change: A bold vision for walking and cycling , DfT (2020)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/904146/gear-change-a-bold-vision-for-cycling-and-walking.pdf

⁷ Our futures: our future journeys. Royal College of Art, (current project underway)

<https://tps.org.uk/public/downloads/WXtya/Imagining%20the%20future%20together%201st%20press%20release%20200731.pdf>

The White Paper proposes a faster plan-making process and use of updated techniques which create more certainty for development. We support these proposals in principle and the positive tone in respect of proactive planning delivering for people and communities, but it will be essential that authorities have both the capacity and the capability to deliver an integrated plan through a very different process to achieve a significant improvement in outcomes. As well as professional officers, politicians, stakeholders and communities will need to get to grips with a totally new process and one where the Local Plan will in practice deliver outline planning consent. In addition, the effectiveness of these proposals will depend on the detail which has yet to be provided, or potentially even assessed.

We believe that the White Paper does not set out how key infrastructure to promote sustainable development will be provided, particularly in areas where the provision of transport infrastructure is carried out by separate authorities to the authority responsible for planning. This is a key question that has fundamental impacts upon the delivery of the ambitions set out in the White paper. There are many additional questions such as: the timing of when site specific transport assessments are required given the proposed new role of the local plan, the role of local cycling and walking infrastructure strategies and plans; are all fundamental to the previous concerns raised .

The integration of outcomes, policy, practice and delivery consistently across planning and transport is critical to achieving the government's wider objectives. Further clarity is therefore required around how transport is to be funded when linked to development, given the proposed removal of CIL and section 106 to be replaced by a national levy. There is no mention of the Infrastructure Delivery Plan (IDP) which should be a requirement for all Local Plans, produced collaboratively and regularly reviewed, through a cross sector delivery body.

Knowledge, evidence and uncertainty

Although we support the ambition of the White Paper it needs to be translated into language and practices that everyone, including politicians, professionals, and communities, can understand and support. For too long we have seen unsubstantiated criticism of the planners /transport planners and planning system from all sides, to the detriment of those working in it or subject to it. **In support of these proposals for change, we must see government support for the system in terms of what is said, as well as tangible support in the form of structural increases in resources for regional, county and local planning and transport departments.** Investment in the capacity and capability of the sector of planning and transport planning will be fundamental if the changes are to be effective and fast. The development sector has persistently highlighted the lack of resources in the public sector to undertake the work required.

It is unclear if the government has considered the appropriateness of the timing for introducing major structural change to the planning system, given the uncertainty over the future of living / working patterns resulting from the Covid-19 pandemic and transition towards more flexible working, less office space and working from home. For example, how will this affect the demand for housing, where this demand will arise, and how to plan in such circumstances? Some of the fundamental past trends in planning and transport are now uncertain not only as a result of the pandemic but as evidenced in The State of the Nation report by TPS (2020)⁸ - people are changing their travel patterns. **The uncertainty of the future needs to be reflected as the further work on the White paper progresses.**

The White Paper rightly puts considerable weight on the **evidence base for the Local Plan: this must include key elements around transport, climate, pollution and health and equal access.** A key issue to address however is uncertainty. Even before the Covid 19 pandemic it

⁸ State of the Nation, TPS (2020) <https://tps.org.uk/public/downloads/OAtU-Brief%20for%20State%20of%20the%20Nation%20report%20v7.pdf>

was clear that travel patterns and behaviour were changing. Planning for uncertainty is increasingly important as set out in the CIHT report on Futures⁹. The new test proposed for sustainability of the plan and its assessment should incorporate transport sustainability as well as decarbonisation as key factors. It should also address the uncertainty of future travel patterns looking at available local and national information. A transport appraisal of the Plan should also be a requirement. However, instead of focussing on the Plan's ability to delivery additional highway capacity (the predict and provide format), **it should instead assess how it will achieve the Plan's vision and objectives and move to a method of "decide and provide" to lock in the infrastructure needed to meet our collective goals.**

A number of further aspects of the White Paper are also far from clear. Mention is rightly made of the Manual for Streets, **but not of the Local Walking and Cycling Infrastructure Plan or new Gear Change policy.**

The way forward

We support the focus on climate change and the reduction in greenhouse gases targets as well as the idea of "net gains" rather than "no net harm" but how this is developed in the National Planning Policy Framework (NPPF) and national/local rules will be critical. As currently drafted, especially in respect of the detail of the Three Pillars, this outcome will not be achieved.

The overall perception created by the White Paper is that we will have a system focussed on building more homes, more quickly to better design standards. It is too narrow. It is a missed opportunity. We need to see more focus given to climate change and consequently to transport; which the government acknowledges elsewhere is key to decarbonisation¹⁰. We need to see more focus on the wide reaching impacts that planning has for the health of our nation. We need to see more focus on equality of access for all.

Our detailed response focuses therefore on six main areas where transport must be given greater importance if the planning reforms are to deliver real sustainable development, improve people's lives and effectively tackle the emergencies of climate change, air pollution and obesity. A summary of each of the six areas is provided below. These areas are developed further in our responses to the specific questions posed in the White Paper, including suggested ways forward based on the vast experience of our memberships when combined.

1) Support the vision of sustainable development

An integrated approach to the vision for Local Plans. The approach should involve multiple stakeholders including highway and transport authorities, and transport operators to ensure that transport is at the heart of this vision. Engaging communities in an accessible and open way is also critical as they will have little opportunity at a later stage. These elements in terms of vision, collaboration and engagement should be statutory requirements.

2) Revisions to the National Planning Policy Framework

Revisions to the NPPF need to ensure that the requirement for sustainable transport provision not only features in some policy statements but is consistently and coherently underpinning decision-making throughout – e.g. the location of development; the way development is accessed;

⁹ Uncertainty ahead: which way forward for transport? CIHT (2016)
https://www.ciht.org.uk/media/4809/ciht_futures_-_final_report_doc_a4_final_linked.pdf

¹⁰ Decarbonisation Transport: setting the challenge, DfT (2020)
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/878642/decarbonising-transport-setting-the-challenge.pdf

changes to the basis of refusal of applications (removal of key current statements on “severe” etc. as in the current NPPF); the need for net gains in sustainable transport provision.

3) Ensure the Local Plan integrates transport throughout and into delivery

Transport, mode share and accessibility targets and standards need to be fundamental components of the national rules for Local Plans. Full account should be taken and be required within the national rules that assessments of all current and future journeys be a part of the evidence base for local plans in the context of reducing the need to travel, promoting active travel and ensuring equality of access. There should be also a requirement that all Local Plans include targets for different modes for each stage of the Plan and proposed transport networks for all modes to be achieved during the life of the Local Plans. The level of accessibility by none car modes should be a basis for determining any zoning or subsequent permissions granted as well as a part of the Infrastructure Delivery Plan, which should also be a statutory requirement. Much of this information should be derived from and part of the Local Transport Plan.

4) Design guides at national and local level

Both the national and local design guides should include all aspects of ensuring that sustainable transport is integral to design at each level – community, street, home: they need to relate to the forthcoming updated Manual for Streets and the previous advice produced by CIHT on walking, cycling and public transport as well as that published by Stagecoach¹¹ which could be incorporated in to the forthcoming Planning Policy Guidance on sustainable transport.

5) The role of transport assessments

The current transport appraisal system needs to be urgently reformed to enable plans and developments to be tested against clear and agreed social, environmental, and economic objectives which reinforce the decarbonisation of transport and improve accessibility. It must move away from the predict and provide methodology which has seen increases in space for motor vehicles to the detriment of communities and space for healthier modes. Greater clarity is needed on how and when transport assessments will operate in the new planning process.

6) Increasing the capability of professionals

Much more work is needed to increase the capability and capacity of professionals to achieve better places, housing and sustainable transport together as well as increased resources. New guidance needs to be developed for how planning and transport should be integrated to achieve sustainable outcomes. We have previously submitted proposals to the Department for Transport on what might be entailed in that guidance and we would welcome the opportunity to develop those thoughts in light of the White Paper. We have also previously submitted proposals to the Department for Transport for enhancing the capacity and capability of the sector to respond to the challenges being experienced.

In addition to these six areas, we raise the following questions as the White Paper is lacking sufficient detail for us to provide a considered response:

¹¹ CIHT publications:

Planning for cycling, CIHT (2014) https://www.ciht.org.uk/media/4461/ciht_-_planning_for_cycling_proof_v2_singles.pdf

Planning for walking, CIHT (2015) https://www.ciht.org.uk/media/4461/ciht_-_planning_for_cycling_proof_v2_singles.pdf

Buses in Urban Environments, CIHT (2018) https://www.ciht.org.uk/media/4459/buses_ua_to_full_version_v5.pdf

- How would strategic infrastructure (including transport) be delivered in the absence of a formal requirement for Duty to Co-operate?
- With the removal of S106, how will transport improvements required for individual developments actually be delivered? The new system doesn't seem to include any mechanism to deliver mitigation requirements traditionally identified through the Environmental Impact Assessment (EIA). How will it ensure we move towards provision for active and sustainable transport to enable these trips rather than "mitigation" for projected increases in motor vehicle trips which supports the opposite behaviours?
- Local Authorities are being encouraged to borrow in advance of Infrastructure Levy receipts. Where is the evidence that local authorities be willing or able to take the financial risk and what will happen in two tier authorities where there is no agreement on the sites so the proposals and costs are not supported? Unlike under the S106 scheme they will have no legal agreements to fall back on and there is no guarantee that developments will go ahead within a set time period, or at all.
- Local planning authorities are being asked to take on a greater role in infrastructure; however, they now lack the skills in-house to plan for and deliver infrastructure schemes. There is additional confusion as to how will this work given the two-tier structure with the County responsible for transport planning and highways schemes and the district for Local Plans.

We have endeavoured, over the last three years in particular, to work closely with government to promote sustainable development and influence government policy in recognising the role that transport has to play in order to secure the Governments' wider objectives. The White Paper and its implementation, following the consultation period, is a key opportunity to develop the detailed methodology for doing that and we are keen to work with the Ministry of Housing, Communities and Local Government and the Department for Transport to ensure that this fundamental review of the planning process and planning for the future achieves all our objectives.

The professionals involved can then play their key role in delivering the ambition set out in Planning the Future.

Answers to the White Paper's specific questions:

PILLAR 1: Planning for Development

Our position

The role of transport is paramount in locating development where it is sustainable and accessible. Aspirations of affordable, green and beautiful homes are nothing unless all aspects of access are considered from the outset, not as add-ons later in the process. How transport fits into the new planning system, particularly in respect of zoning, is important and is unclear at this stage.

A New Approach to Plan-Making

We support the simplification of Local Plans and categorisation of land in principle, but question what will happen to areas e.g. agricultural land or woodland which are not in any national designation. Given the complexity of the geography of England, it is difficult to see how this very simplistic process can deliver the outcomes sought. With only three zones, it would suggest that if neither a renewal or protected area is designated, the land will be set for growth. Many of these areas will be unsustainable for development in transport terms, even before any impact on the countryside and agricultural production is considered. The effectiveness of any zonal system will depend on the degree of sophistication. It will require the rules to be applied in deciding the zone first, but also then define the nature and form of development.

We have seen in other parts of the world that zoning systems can be simplistic. We need a system that properly relates the development quantum/capacity in each zone to issues such as current and future public transport availability/quality and high quality walking and cycling infrastructure to connect to local facilities. At present, it is difficult to see how the limited three-zone structure proposed in the White Paper will achieve the fine-grained approach necessary in some locations. Further details are needed.

Public engagement in the categorisation process is important (i.e. using feedback from on-going engagement with stakeholders and the communities). This would then mean that the deliverability of land is considered along with public opinion on the acceptability and form of development.

We agree that shorter, stricter timescales for the production of Local Plans would be beneficial; however, **it may be unrealistic for all Local Plan areas to meet a 30 month statutory timescale based on current local planning authority resources and skills.** This is particularly concerning given the new format and the need for both collaboration with stakeholders and community engagement. Without increased resources, the government may need to consider the possibility of local variations depending on size of Local Plan area/land uses etc. **There also needs to be a major capacity and capability project for all key relevant sectors in local authorities including politicians as well as practitioners.** Work will also need to be undertaken to help communities understand and be part of the new process. There is a massive amount of work and cost involved upfront in assessing all site options in terms of transport without which it will be impossible to ensure the right sites are selected.

We would suggest that the national rules might come in two layers; the overarching principles to be followed, and then later the detail required at the local level. Often the detail is good but the overarching principles needed to deliver an excellent service “have no teeth” so are seen by local authorities and developers as being expensive extras and so often end up falling by

the wayside. Getting both the local and national rules right will be essential to achieve the wider government outcomes being sought.

Walking, cycling and public transport need to be included at the very start of the process and form the foundations of the transport evidence and criteria. Whilst it might not be practical for all planning authorities, the government might consider giving powers to allow them the option to specify in some detail the mandatory sustainable transport infrastructure to be delivered within growth and renewal zones, providing it is proportionate. Such an option might enable minds to be put at some degree of rest, regarding the proposed “Substantial Development Zones”.

As Covid-19 has demonstrated, short-term shocks have the potential to completely change the dynamic of urban and rural areas. Zonal planning systems can be very rigid, making it difficult to respond to such events. Flexibility will be required. Whether it be housing, office, retail or transport related development it is very clear that the future will be different: the nature of those differences are, however, very unclear and likely to remain so for some considerable time.

We support the idea of a standard method for establishing housing requirements provided it aids transparency and takes account of the necessary planning considerations, including constraints. **We do not believe that the proposed methodology achieves this and feel that it will result, if applied in its current form, in substantial unsustainable growth in the wrong locations.**

Traditionally, one of the indicators of the suitability for development has been the capacity of areas to absorb new development; a key factor of which has been transport and infrastructure capacity. The idea of requiring unaffordable areas to absorb new development, if transport and infrastructure capacity is already stretched or cannot be easily upgraded, seems counter-productive. In our opinion, the method for establishing development requirements needs to be more closely aligned with transport and infrastructure.

The system should be providing development in locations that benefit from existing or committed transport and infrastructure capacity, or where there is an opportunity to align the delivery of both. **In respect of transport, priority should be given to active travel and public transport availability and opportunities, to support the transport decarbonisation agenda.**

To deliver the infrastructure needed for increased active and sustainable travel (and consequently, reduced dependency on the private car), sustainable transport must be fully incorporated into the simplified Local Plans, particularly given the government’s recent push on tackling obesity. It is not currently clear for example that the proposals have been properly aligned with the recent LTN 1/20 guidance on Cycle Infrastructure Design. As we have raised with the Ministry for Housing, Communities and Local Government (MHCLG) and the Department for Transport (DfT) many times in the past, the existing strategic transport assessment process fails to meaningfully plan for sustainable modes – the White Paper should provide the opportunity to do this, but as yet, it has not.

We ask that:

- **If a zoning system must be taken forward, sufficient flexibility is afforded to local planning authorities to make it workable for local situations**
- **The housing target should reflect the capacity of the area to meet the requirements for sustainable development and transport**
- **The process for placing sustainable transport at the heart of plan-making is strengthened**

- **The Transport Assessment process is made fit for the objectives the government is trying to deliver**

A Streamlined Development Management Process with Automatic Planning Permission for Schemes in line with Plans

It is a clear risk that almost any application could become permitted development through the new zoning proposal, and so developers would receive permission without effective engagement of local authorities and the community. At one extreme, developments could be prescribed without any sense of place, and at the other extreme would overrule local opinion and need. In casting aside established procedures, the proposals constrain imaginative development as well as awarding developers opportunities on their terms. Affordable housing allocations have become a football between planning authorities and developers and quality has suffered, as evidenced in many recent reports with the consequence of embedding car-based housing.

The potential disadvantages of this proposal are substantial and it is difficult to see how it could work effectively and deliver the wider government objectives as currently drafted.

We ask that:

- **that an automatic outline planning permission is not granted through this zoning and Local Plan process as it requires more detailed site based work after the Local Plan.**

A New Interactive, Web-Base Map Standard for Planning Documents

Maps are an excellent means of communication so the idea of encouraging their use to better effect, within the planning system, is welcomed.

The aspiration for a radical, 'digital-first' approach to the planning process, driven by data is strongly supported, but this will have to be very transparent, carefully managed/controlled and standardised, including data collection processes. Data and statistics are very powerful tools, and oversimplification can lead to misinformation. For example, targets and indicators set by local authorities (e.g. levels of cycling or walking) can be measured and reported in many different and non-comparable ways. This is especially difficult when local authorities are allocated funding based on performance. Hence, if executed well, such approach can potentially solve these issues, but if not, it can make them worse.

Data is often be highly biased. Any future web based tool should include opportunities to disaggregate the results to show what they mean for different groups within communities, including those protected by the Equalities Act, and for different types of community for example rural or urban; wealthy or deprived. Residents should be enabled to see "what does it mean for me?" Data used in current the transport assessment process is largely based on one census question, which focuses only on the journey to work. This question is inherently biased, and will reflect the needs of society even less in 2021 if the country is still experiencing the limitations caused by the Covid 19 pandemic.

Web-based information and data on their own cannot fulfil all the requirements without other mediums. One size does not fit all when referring to authorities or communities and people. It will be important to ensure that authorities have the ability and resources to undertake this approach but also that there is a better understanding of where and where not it is appropriate.

We ask that:

- **Appropriate data is collected, and disaggregated to show varied effects on different parts of our society**

A Streamlined, more Engaging Plan-Making Process

The proposal to digitise the local planning process is welcomed if it enables wider involvement and more transparent decision-making. However, it is important not to give voice to only a specific section of the community rather than the wider population. We are conscious of those without access to online information / mobile technology and smartphones. With a focus on digitalisation, how do we ensure that all groups are accounted for? Not all groups are confident using online or mobile technology, or have the means to do so (elderly, homeless, no/poor internet access.) and people have very different abilities and interest. Digital engagement tools will need to be supported by traditional and other new engagement tools. TPS together with CIHT and RTPi are currently working on a prototype of a new “toolbox” for engagement as mentioned earlier.

Whilst current engagement practices are not always inclusive, the proposed changes must be careful not to assume that digitalisation will completely change that. In fact, it brings equal risk of excluding certain (just different) groups. Based on ONS statistics, almost two thirds of households now have mobile broadband access; this leaves a third of the population behind. Even people with access to a computer or smartphone are not always comfortable with using digital platforms to share their views and prefer other, more direct means of engagement such as public meetings, or ways that reflect their lack of time. A stronger focus on community-led engagement projects is needed, which utilises a variety of engagement tools to reach out to as wider audience as possible (including vulnerable users and deprived communities). A range of techniques which will enable more effective engagement of people living with disability or health conditions are also needed.

Another point of concern is data analysis, especially for qualitative responses collected through online platforms - these can be difficult when there is no opportunity to engage in a conversation. People sometimes use technical terms without understanding what the terms mean (this often applies to discussions on cycle infrastructure). Also, industry professionals are often not trained in non-numerical data analysis, so the government will need to consider supporting change and skills development, as well as better partnerships with tech companies and the tech community.

We ask that:

- **A toolbox of engagement measures is used, including non-digital options, and options for the time-poor**
- **Hard to reach groups are proactively engaged, and information is shared in appropriate forms**
- **Training and capacity are made available to local authorities on engagement and data analysis – particularly qualitative data**

Speeding Up the Delivery of Development

We agree with the emphasis on faster delivery of developments, however, it is important to ensure the correct balance is struck between speedy delivery and high quality results. The system must not compromise the quality of the final product and that of the outcomes required. Delivery of the objectives sought will require people and a process that works at every level, from the national vision to the local delivery on the ground. It will require collaboration, engagement, clarity of objectives and an effective delivery and funding mechanism all handled by people with the right skills.

We ask that:

- **The concern for speed does not compromise the quality outcomes sought**

Our answers to specific questions:

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

Under-strain
Overly-housing-focused
Unsustainable

2. Do you get involved with planning decisions in your local area?

The professional bodies themselves do not get involved with the planning decisions but our extensive membership does. The guidance, advice and training we provide affects their approach to this subject and the comments we are making on the planning system reflect the views of our members.

3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future?

[Social media / Online news / Newspaper / By post / Other – please specify]

Our membership is likely to use all these media as different people and communities need different approaches – one size does not fit all – and we need to engage with people in whatever way works for them, including public meetings

4. What are your top three priorities for planning in your local area? [Building homes for young people / building homes for the homeless / Protection of green spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street / Supporting the local economy / More or better local infrastructure / Protection of existing heritage buildings or areas / Other – please specify]

Planning and transport interconnects with and supports most of these issues. It is difficult, as well as inappropriate to choose three priorities as all are important and should be part of the planning and transport process. Our members' experience would indicate that the majority of people also do not wish to be so selective, and many are not in competition but could all be achieved with a quality planning and transport process. Transport improvements are not included and often a key concern.

5. Do you agree that Local Plans should be simplified in line with our proposals?

No - as currently drafted we do not believe the proposals will deliver what they set out to achieve. Our position, set out above, highlight some of our concerns.

A) Zoning

The White Paper proposes that Local Plans divide all land into only three categories - Growth, Renewal and Protect. These categories are sketched out in the White Paper. However, the White Paper goes much further by proposing a separate consenting regime for each, which would move England towards a hybrid planning system which combines regulatory and discretionary approaches.

We welcome the increased emphasis on the importance of a plan-led system, and the desire to make Local Plans faster to produce and easier to understand. However, the proposals would require a paradigm shift in local authority resourcing and capacity to enable plans to set out the full range of permissible and sustainable uses within the different areas. Additional

resources would also be needed to progress the masterplans and local design codes required to actually provide developers and the public with confidence in the process.

In countries with similar hybrid systems, plans and accompanying design codes take a significant amount of time to prepare and adopt, while trading flexibility for certainty¹². This would conflict with the objective for faster plan-making and could make it harder for local authorities to respond effectively to rapid change.

The proposals would exacerbate a reductionist view of planning as a mechanism for allocating housing land and regulating the extent, and physical appearance of development. Under this approach, Local Plans could be reduced to simple maps and lists which lack the vision and creativity needed to actually influence how places function. Vision and creativity, along with an in-depth understanding of local areas are critical when responding to economic change, regenerating town centres and high streets, maximising sustainable mobility, tackling climate change, enhancing the environment and improving public health.

B) Integrated strategies for the economy, infrastructure and environment

The government should use this opportunity to strengthen the relationship between economic, infrastructure and environmental strategies and local and strategic plans to ensure that an integrated approach is taken. There should be a clear requirement for Local Plans to be informed by a series of long-term strategies which address the following issues:

- Economy: including high streets and town centres; land for commerce; industry and logistics; and the shift to a circular and zero-carbon economy
- Infrastructure: including high quality sustainable transport accessibility and connectivity; low-and zero carbon energy systems and building retrofit; integrated water management; multifunctional green and blue networks; digital; and social and community infrastructure
- Environment: including Nature Recovery Networks and Natural Capital Plans, land contamination, minerals and waste, and risk management for flooding, water scarcity, coastal erosion, wildfires and overheating

These strategies should be developed in an integrated manner by multi-disciplinary teams which include planners, transport planners, urban designers, engineers, ecologists, local enterprise partnerships and others. They should address the clear links that exist between many of the issues described above. For example, networks of green infrastructure can support active travel, tackle flood risk, support regeneration and reduce air pollution. Local energy planning can set out electric vehicle charging points or provide for new heat networks that support both new development and the retrofitting of existing stock.

The requirement for these strategies should be set out in national policy, with accompanying guidance and technical standards. Many will require preparation at a strategic scale in advance of local plan-making. This requirement will allow for an iterative process where the local authority tests potential land use designations against sustainability objectives. The Local Plan should be tested alongside these strategies as part of the single test of Sustainable Development.

While these recommendations go beyond the simplified role for Local Plans envisaged in the White Paper, they are critical to achieving sustainable, resilient and inclusive places. If coupled with effective strategic planning and communicated through a digital Local Plan they will provide the certainty that developers and local communities need.

¹² Planning through zoning, RTPi (2020) https://www.rtpi.org.uk/media/6351/rtpi-planning-through-zoning_ptwwn.pdf

We ask that:

- **The proposals include a requirement for Local Plans to be informed by a series of long-term strategies which address the economy, infrastructure and the environment**
- **That guidance and technical standards are provided to inform these strategies**

C) *The designation of Growth, Renewal and Protect areas*

These above strategies will support plan-making by providing the evidence needed to understand site constraints and opportunities. With these in place, there is value in the White Paper proposals for Growth and Protect areas; with the following **essential** caveats in place:

Growth areas: If informed by upfront infrastructure planning and public engagement, and framed by ambitious national planning policy, growth areas could offer both greater certainty to developers and confidence to local communities. One of the critical roles for strategic planning will be to test potential growth area designations across multiple local authorities, considering environmental and transport constraints and following a clear settlement hierarchy to select the most sustainable locations. **These must be compatible with the rapid transition to net zero carbon transport, located either within urban areas with excellent public and active transport accessibility, or along existing and achievable high-quality public transport corridors, and with clear objectives to achieve public transport mode shares which are equal or higher to existing urban areas.**

Providing the consenting process envisaged will require a huge upfront investment of time and resources by local authorities and developers at the plan-making stage. They will be required to identify site constraints, secure infrastructure funding, designate sub-categories of land, and progress the accompanying masterplans and local design codes. This will similarly have significant resource implications for the wide range of stakeholders and the government agencies that are involved in bringing development forward, including public transport operators and utility providers, and require a step-change in how they engage in plan-making. **Given the pressure that this would place on the plan-making process, it seems likely that Growth areas would be used sparingly - limited to major regeneration sites, urban extensions and new settlements. However, this must not prejudice allocations of suitably located smaller sites, which often deliver more quickly but would provide too resource-intensive to designate as Growth areas.**

Protected areas: The concept of Protected areas makes sense, as a blanket approach, to consider multiple existing designations in which the presumption in favour of sustainable development does not apply. As with Growth areas, **clear sub-categories will be essential to maintain the distinction between different designations, most obviously to communicate the difference between land with physical and/or environmental constraints from those with policy constraints.**

Renewal areas: The designation of Renewal areas is also too simplistic to cater for the extremely wide range of situations experienced in urban and rural areas and it is difficult to understand how the renewal of transport provision could be part of this.

D) *Assessing Local Plans*

Simplifying Local Plans could be an opportunity to liberate local authorities to plan more effectively, ensuring integrated vision and accessible locations for developments. However, careful consideration is needed on: how transport assessments fit into the simplified Local Plan process; whether the zoning proposals are too simplistic to be useful as they could

deliver considerably worse outcomes; and on what basis and rules the allocation of zones will be determined.

The current transport appraisal system needs to be reformed to enable plans and developments to be tested against clear and agreed economic, social and environmental objectives. These outcomes should reflect national and local objectives e.g. include measurably reducing the carbon emissions associated with transport and the need to travel, providing healthy, safe and secure ways of travelling for all ages and abilities, improving the built and natural environment to support local living and '15 minute neighbourhood' principles, and creating genuinely sustainable patterns of development that are demonstrably consistent with national net-zero targets.

There needs to be greater clarity about how transport appraisals will operate for both growth areas and renewal areas. This provides an opportunity to re-think when transport appraisals are undertaken, potentially doing more at the Local Plan stage; and make transport appraisals more outcome based with a key primary assessment of minimising carbon and other emissions, and improving health and equality of access.

Since the withdrawal of Guidance on Assessment (2007) in 2010, there has been a lack of detailed travel assessment guidance from the government. The planning reforms provide an opportunity to revisit and revise previously withdrawn guidance on travel and transport assessments. The guidance should look at how to design the transport connections *and* appraise them – assessing both impacts and looking to develop practical ways of getting modal shift to respond to the impacts from the development. The impacts of increased travel demands from new developments should be mitigated through sustainable means i.e. modal shift opportunities and **not** increases in capacity for motor vehicles.

Decarbonisation should be the first hurdle to overcome in the decision-making process i.e. if the planning proposal does not support de-carbonisation, the application should not go ahead. The transport appraisal should conclude that the proposal does not support the government's net zero target for decarbonisation. Such an approach will support other government policy agendas (e.g. Gear Change and reducing obesity). If this does not happen, the planning system could undermine the government's own agendas on decarbonisation and health.

Clarity is needed in the planning reforms on when transport assessments will take place in the new system. The proposed zoning of sites must ensure that developments are in the right place and can deliver sustainability in the broadest sense. This must include transport. The reforms present an opportunity for transport assessments to form a key part of the Local Plan stage. This ensures that sustainable transport infrastructure is part of a vision for a Local Plan, its policies and its delivery plan, including the Infrastructure Delivery Plan. **The latter should be a requirement.**

Much more work is needed to increase the capability of professionals to achieve better housing, places and sustainable transport together. New practical guidance needs to be developed for how planning and transport should be integrated to achieve sustainable outcomes. Many of the tools needed to achieve this already exist in some areas, for example the PERS audit, TfL's Cynemon model and others included in the Gear Change policy, and CIHT's guidance on buses in developments. However, they are not available or applicable to all authorities – this must change and be mandated as part of the transport assessment process. These modes, and rail, must be ingrained into strategic models too.

If changes are not made to transport assessment guidance, the cost from poor health, climate change and congestion will continue to rise. Sustainable development, planning and

transport need to work together to deliver sustainable growth and reduce carbon. At the moment the capacity and capability to do this across the planning and transport sectors does not exist, although the will to change is abundantly clear.

The process to produce the new national guidance should, we believe, take a two-stage cross-departmental approach for building capacity and capability in the planning and transport sector, similar to the approach taken for Manual for Streets by CIHT i.e.

1. A Scoping exercise - producing recommendations across government and professional bodies to clarify how planning and transport work together to deliver sustainable development and decarbonisation of transport e.g. <https://www.ciht.org.uk/knowledge-resource-centre/resources/improving-local-highways/>
2. Developing a set of tools for practitioners to use to rapidly and consistently increase their capacity and capability to undertake the revised planning and transport processes, to achieve the new wider objectives.

The omission of Active Travel England in the white paper needs to be addressed. The recently published Gear Change document by the Department for Transport states that Active Travel England will be a statutory consultee within the planning system to ensure adequate cycling and walking provision in all developments of over a certain threshold, and provide expert advice on ways in which such provision can be improved. The planning reforms should set out how this process will work. A recent study by the Place Alliance highlighted the importance of access to good walking and cycling infrastructure, its contributions to wellbeing and satisfaction with living accommodation¹³. This process should also be replicated for public transport provision and should include public transport operators.

6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally?

No – The variation in requirements across the country will make this difficult to put into effect and to achieve the objectives sought, but it will depend on the detail and there could be a limited number of national policies.

There could be considerable advantages to the development of national development management policies, but the content and nature of these will be critical. If they clearly establish the ground rules for: the allocation and development of sites; ensure that locations, design and delivery secure sustainability; support zero carbon targets; and ensure people can live healthy and active lives as the norm; they would be of substantial benefit. However, local development management policies will be essential additions. One size does not fit all, and there is a need to reflect the local vision as developed with stakeholders and the community. It will also be important for the local communities to be able to engage in those local issues that are important to them.

It will be essential to include within any national development management rules requirements that reflect the need to minimise the need to travel, prioritise active and public/shared transport for all new developments, and reflect these in national and local design codes.

¹³ Home comforts, Place Alliance (2020) http://placealliance.org.uk/wp-content/uploads/2020/10/Place-Alliance-Homes-and-Covid-Report_2020.pdf

7(a). Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of “sustainable development”, which would include consideration of environmental impact?

NO - The answer to this depends on the range and nature of the new sustainability test.

In principle this could be very beneficial but until the detail is clear it is not possible to support it. The new assessment of the sustainability of the plan should include an assessment of its transport sustainability including impacts on carbon and other pollutants, as well as on the health agenda and accessibility to key services.

Carbon Budgets

A sustainability test should assess whether or not a Local Plan is in line with the carbon budget for the area, taking into account lag time between development and adoption of the plan, and impacts on carbon budgets. The proposed White Paper reforms are likely to take time to come into force, meanwhile local authorities will continue to use up their finite carbon budgets. Inspectors should be expected to make recommendations where necessary to bring a Plan’s content into line with the pace of change required by the Climate Change Act (2008).

National policy should promote a strong legal duty on local planning authorities to ensure that their plans contribute to climate change mitigation and adaptation, which reinforces the need for the Local Plan to incorporate the relevant Local Transport Plan although timing will need consideration. Local authorities should be able to set more ambitious targets than national policy, and monitor compliance through the Sustainable Development test.

The zero carbon target should be established and include testing against clear transport accessibility and mode share requirements, and how far they achieve the highest practically achievable mode share for active and public transport. This could include mitigating off site infrastructure affecting a mode shift in the wider community too.

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

As indicated above we are proposing a new integrated model for strategic planning including transport which should work across an area that makes spatial sense, rather than local government boundaries as set out in the Advice BPBTBP.

Strategic planning for transport

A key outcome of strategic planning will be to align infrastructure with spatial planning. This is especially critical in the context of achieving net zero carbon transport, where radical change is needed to reduce travel demand, maximise accessibility by sustainable modes of transport, and facilitate the use of alternative fuels. The scale of the challenge is considerable: research by the RTPi (underway and soon to be published) clearly shows that most areas of England will struggle to reduce transport emissions at the scale and pace required *even if all* new development is car-free, strict traffic removal policies are in place, and the shift to electric vehicles and grid decarbonisation proceeds at speed.

To deliver the government’s ambition of 300,000 new homes per year therefore requires very close integration with transport planning. Patterns of development will need to secure the very highest levels of accessibility by sustainable modes, and exploit opportunities to improve connectivity between different modes including through local and strategic mobility hubs. This means that all new development will need to be located and designed to take

advantage of the very highest levels of service by walking, cycling, shared and public transport modes, to ensure that sustainable travel choices are viable and the preferred choice for the widest range of journeys. Significant developments must be designed and located to ensure that the majority of trips, especially at peak times, can be serviced by sustainable modes which are credibly more attractive than the private car and support a substantial reduction in private car ownership.

Transport providers will therefore need to engage in the strategic planning process to assess and validate different spatial strategies, and continue this through local plan-making to de-risk the delivery allocations. They should also be part of the collaborative delivery body suggested in the BPBTBP.

8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced? [Yes / No / Not sure. Please provide supporting statement.]

No - the current proposal does not take into account constraints or the opportunities, and requirement, to ensure active and sustainable access is available or committed. Substantial new housing developed without these considerations is not consistent with delivering zero carbon communities and a healthy lifestyle.

8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated? [Yes / No / Not sure. Please provide supporting statement.]

No – A number of other organisations have commented on this and the way in which the proposed methodology produces outcomes which are incompatible with the vision in the White Paper.

There are many factors other than affordability and the scale of existing housing that are essential indicators for the quantity of housing appropriate. These factors are very far from sufficient on their own. They merely result in the continuation of existing trends, and do not take account of changes that will result from infrastructure investment, decarbonisation requirements, and access to services.

If this system of central determination of housing provision is ever introduced it must, at the very least, include demonstrable and transparent input from the Department for Transport to show how opportunities and issues in respect of transport, such as set out above, have been factored in.

9(a). Do you agree that there should be automatic outline permission for areas for substantial development (Growth areas) with faster routes for detailed consent?

No, not in principle as it stands.

This is too crude an instrument to grant planning permission. It is not possible to control the location of development via zoning when seeking to ensure it is located where public transport networks and capacity exists or are committed. The form of development will also be critical, so acceptability will depend on national and local “rules”. Automatic outline permission would also ignore local democracy and community engagement. For this to work effectively and deliver the right outcomes, quality national rules and a very high standard of Local Plan will be essential. The community engagement and stakeholder collaboration processes at Local Plan stage will be crucial for this to deliver the outcomes required.

9(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas?

No - for the same range of reasons as above in question 9a.

9c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime? [Yes / No / Not sure. Please provide supporting statement.]

Yes – but only for new settlements, and only if the proposals and the evaluation take full account of the objectives of decarbonisation, air quality, accessibility, active travel, 15 minute neighbourhoods and healthy active lifestyles.

It will also be important that the process leading up to the submission of a Local Plan has effectively involved key transport stakeholders and the local community.

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

Unsure – as much will depend on the detail proposed.

In principle, faster and more certain decision-making is in everyone's interest, as are simplified and automated forms and processes but it is often the clarification of the detail at application stage that is crucial. Digitising information will be a major advantage if local authorities have the technology and skills to receive and analyse it but many do not. Transport and transport assessments can be highly complex, expensive, data hungry and resource intensive but are critical to the assessment of applications, and the judgements of acceptability. This is also true of the detailed design of most elements of transport schemes.

The capacity of public to engage with this process given the data volume of plans in relation to the capacity of their internet networks, as well authorities could be a substantial barrier.

In addition, shorter timescales will limit the opportunity for specialist interest groups, many of whom give their time voluntarily, to engage with the volume of data that will be needed in the proposed new process. This could be of significant detriment to the end results.

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

Yes - in principle but as in other sections, the effectiveness of this will be dependent on the detail.

Maps need to be a key part of the Local Plan, and they need to demonstrate the inter-relationship of transport to development locations and existing settlements both as current, and as perceived at the end of the Plan period. Issues of capacity, mode share, service levels etc. all need to be clear and not all of this can be map based or digital.

12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans? [Yes / No / Not sure. Please provide supporting statement.]

No – although a clear and short timetable is to be welcomed, 30 months is too short.

As clear from the preceding text we support a statutory requirement to produce a Plan within a short period of time. But the proposed timescale, especially as it will in effect grant

planning permission, is too tight to provide for the necessary collaborative working with transport stakeholders; undertake complex transport assessments and scenario testing (which will now need to be more detailed); and engage the community to ensure the right vision, allocation of sites, policies and detailed “rules”, are included in the Plan. The resources and skills are not available among local authorities, stakeholders, politicians and the public, to undertake this task. Unless all can engage at speed and have the right skills the Local Plan will not achieve the government’s vision and objectives or probably the local ones.

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

Yes – these are a key way for the local community to identify the local transport issues they experience and present ways for them to be resolved.

The TPS together with the National Association of Local Councils produced The Good Councillor’s Guide to Transport Planning¹⁴ which sets out how local councillors and communities can integrate transport into the Neighbourhood Plan. This work on neighbourhood planning needs to be an input to the Local Plan, the IDP and the subsequent delivery of transport schemes.

13(b). How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?

Neighbourhood Plans that already exist should be an input to the Local Plan and design codes. Where they don’t exist, they should be encouraged to develop a clear understanding of community views. In both cases, the aspects of active and sustainable travel in relation to places should be included. Local communities will need support to be able to use digital tools.

TPS, CIHT and RTPI, together with other partners, are working with the Royal College of Art on a project to develop a prototype range of tools, including digital ones. The project is working with w three communities to help them look at and understand the best way to interact with the tools and ensure a clear understanding of current issues and options for the way forward¹⁵.

¹⁴ The Good Councillor’s Guide To Transport Planning, TPS, NALC (2019)
<https://tps.org.uk/public/downloads/Glczi/Neighbourhood%20planning%20&%20transport-planning.pdf%20Oct.%202019.pdf>

¹⁵ Our futures: our future journeys. Royal College of Art, (current project underway)
<https://tps.org.uk/public/downloads/WXtya/Imagining%20the%20future%20together%201st%20press%20release%20200731.pdf>

PILLAR 2 Planning for Beautiful and Sustainable Places

Our position:

Developer profitability and the search process

Unfortunately, there is a noticeable trend whereby the maximum profitability for a developer is to be had by minimising the wider community and environmental benefits to be provided and paid for. In the future it would help if achieving maximum profitability became far more dependent upon successfully delivering wider benefits, and thereby replace a policy of avoidance with one of incentivisation to create really sustainable places.

The White Paper includes many references to 'beautiful' housing but it is critical that we define what we think of as beautiful. It is important to establish this at an early stage as 'beauty' will differ across different locations depending on the character/ history of the area. Perceptions of beauty will also differ across different groups e.g. a young person's vision of a 'beautiful' development may differ from an elderly person's vision. Beautiful to one person may refer to aesthetics, but to someone else it may focus on how well something works in practice. It should include the efficiency of the functionality of building and place.

We support a national model design code in principle **provided** it reflects the Transport for New Homes Checklist¹⁶ and the Better Planning, Better Transport, Better Places Advice document¹⁷.

It will be critical to have clarity and consistency across the different codes which clearly reflect the wider objectives. At the moment many authorities and consultancies are still using guidance that was withdrawn by the government many years ago e.g. DB32. Clear reference to the guidance in the NPPF will be needed. At present, a number of different guidance documents exist (e.g. produced by CIHT¹⁸) but do not hold the same status as government standards or guidance. How will the new proposals ensure that walking and cycling integrate with public transport when currently public transport and walking are lacking any national guidance? The reference to the Manual for Streets is supported, but this will only relate to more detailed aspects of design and not some of the wider strategic spatial issues that are critical in planning for the future.

It will be essential for close working between different tiers of government and different bodies with planning or transport roles on any design codes, their application, and fitness for purpose.

Our answers to specific questions:

15. What do you think about the design of new development that has happened recently in your area? [Not sure or indifferent / Beautiful and/or well-designed / Ugly and/ or poorly-designed / There hasn't been any / Other – please specify]

¹⁶ Checklist for new housing developments, Transport for new homes (2019) <https://www.transportfornewhomes.org.uk/wp-content/uploads/2019/10/checklist.pdf>

¹⁷ Better planning better transport better places, CIHT (2019) https://www.ciht.org.uk/media/10218/ciht-better-planning-a4_updated_linked_.pdf

¹⁸ Planning for cycling, CIHT (2014) https://www.ciht.org.uk/media/4461/ciht_-_planning_for_cycling_proof_v2_singles.pdf

Planning for walking, CIHT (2015) https://www.ciht.org.uk/media/4461/ciht_-_planning_for_cycling_proof_v2_singles.pdf

Buses in Urban Environments, CIHT (2018) https://www.ciht.org.uk/media/4459/buses_ua_tp_full_version_v5.pdf

It has been clearly evidenced through the work of Transport for New Homes (TfNH) that the quality of new development is often very poor¹⁹ and provision for active and sustainable is minimal in many locations. There is evidence of new developments with no footpaths, cycle provision or bus access. Dependence on cars is built in for every trip.. This should not be permitted in the future as we seek to decarbonise transport and help people to live active lives.

The TfNH research was further highlighted through the 2019TPS Transport Planning Day Awards for “quality new development by communities.” Submissions were very low, and sustainable transport provision in the most part was poor.

16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?

Access to active and sustainable transport should be at the heart of any sustainable community. It is not at the “heart” of the proposals in the White Paper. An integrated approach to creating a vision is needed that involves multiple stakeholders including highway/transport authorities and transport operators to ensure that transport is in place at the right time, and the right form. This should be a statutory requirement and is crucial to sustainability.

For the new planning system to advance the decarbonisation agenda, sustainability must be at its core. A fundamental part of creating sustainable places is transport. The planning reforms must work along-side the Department for Transport’s upcoming decarbonisation strategy.

There must be effective working between the DfT and MHCLG, along with other departments, to ensure that housing delivery is coordinated with other actions that enable significant modal shift to healthy, spatially efficient and low-carbon modes of transport.

NPPF must change to reflect explicitly within its policies the need for carbon reduction. The revisions to the NPPF should remove those elements of the NPPF that currently undermine that requirement e.g. changes are required to para 109 which states that only “severe” impacts are accepted as a criteria for refusal of planning permission and include a requirement for net gains in terms of sustainable transport opportunities.

The NPPF must require new development to be located and designed so that people have the ability to live without a car should they so choose.

Transport and accessibility must be included within the national development management rules and requirements to reflect the need to minimise the need to travel, prioritise active and public/shared transport for all new developments. These requirements should also be reflected in national and local design codes.

The new assessment of the sustainability of the plan should include an assessment of its transport sustainability including impact on carbon and other pollutants as a fundamental element. Those aspects of health that relate to transport should also be included e.g. obesity, asthma, cancer and heart disease. The transport assessment process should also be fundamentally revised to take full account of the sustainability requirements.

¹⁹ Transport for new homes (2018) <https://www.transportfornewhomes.org.uk/wp-content/uploads/2018/07/transport-for-new-homes-summary-web.pdf>, Garden Villages and Garden towns: Visions and realities, Transport for new homes, (2020) <https://www.transportfornewhomes.org.uk/wp-content/uploads/2020/06/garden-village-visions.pdf>

17. Do you agree with our proposals for improving the production and use of design guides and codes?

Yes, in principle, subject to the content of the design codes, how they are applied and their ability to reflect the varied characters of places in England. They must not be a detailed straight-jacket producing identikit places and homes.

CIHT is currently working on the revision Manual for Streets with the DfT. The Manual for Streets Project Board is in communication with the National Design Codes team and are working to ensure that the documents work in conjunction. The documents will reference each other where appropriate. CIHT, TPS and RTPi welcome the cross-departmental approach to ensure that design of streets and housing is consistent.

18. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making? [Yes / No / Not sure. Please provide supporting statement.

Unsure, and:

Any new body established needs to reflect on the wider definition of “beauty” so that functionality and sustainability are included. It should include representatives from the transport planning sector.

19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England? [Yes / No / Not sure. Please provide supporting statement.

Unsure.

As above this should include the aspects of transport. Meeting active and sustainable transport requirements should be a core objective of Homes England if they are to lead on sustainable housing development and be an “exemplar” of sustainable development.

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

Only if full account is taken of the issues raised in this submission in respect of active and sustainable transport, and they are included in the proposals.

PILLAR 3 Planning for Infrastructure and Connected Places

Our position:

The White Paper proposals give the impression that delivering transport will simply be a case of collecting development charges then providing the necessary infrastructure. It proposes the local authority fund requirements upfront. It is essential that transport planning comes much earlier and is a key part of the plan-making process and its delivery but authorities are not in a position to pay especially as there is no security of replacement funding.

The delivery of vital transport infrastructure cannot be left to this revised planning process if it is to be effective in achieving the outcomes. Fundamental changes are. We would ask, will there be a requirement for an Infrastructure Delivery Plan and how will this relate to the national funding mechanism proposed to replace CIL/Section 106?

One suggestion is that the government should consider giving powers to allow local authorities to determine development locations based on sustainable accessibility standards and the option to specify in some detail the mandatory sustainable transport infrastructure to be delivered with development e.g. walking and cycling routes, public transport routes and levels of service.

Section 106 and Community Infrastructure Levy

We are not convinced that a national system to wholly replace both section 106 agreements and the Community Infrastructure Levy can reflect the range and timing of requirements at local level. There are also likely to be issues as to who receives the funding and whether it is available when required.

Developer contributions remain a difficulty in view of their limited scope and requirement, but they do relate directly to a particular development. Transport infrastructure and services should be a priority for any levy but should not focus on new roads. Walking, cycling and public transport provision should have priority. For example, a development relying on a new motorway junction should be regarded as a failure, not a standard to be followed. The consequences of car-dependency are well rehearsed; air and noise pollution, intrusion, safety, carbon, congestion and so on – and should be designed out in the initial stages of a major development. Achieving this will be dependent on the national and local rules proposed. Developers should pay in full to ensure that adequate walking and cycling routes and facilities, even basic footpaths on both sides of a road, feature strongly in their applications and that developments are designed for /have access to bus services. While CIL or its successor has a role as a flat rate charge, it needs to be adequate to cover all requirements including transport, not just some of them.

Our answers to specific questions:

21. When new development happens in your area, what is your priority for what comes with it? [More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space / Don't know / Other – please specify]

These items should not be traded off each other as all are part of a sustainable future and all can be delivered, where appropriate, simultaneously. If communities are to have the lifestyles proposed, and to live in a more sustainable way, all are required and if made part of the initial requirement they should all be deliverable.

22(a). Should the government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold?

22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally? [Nationally at a single rate / Nationally at an area-specific rate / Locally]

22(c). Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities? [Same amount overall / More value / Less value / Not sure. Please provide supporting statement.]

22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area? [Yes / No / Not sure. Please provide supporting statement.]

No in respect of all the above questions - looked at briefly it seems attractive but there are major concerns with this approach in operation.

While the concept of a consolidated Infrastructure Levy is appealing, analysis by RTPI suggests that implementation could create another complex system and generate new risks. Given the lack of detail in the White Paper, it is therefore difficult to support this proposal. The ambition to raise more revenue than the current approach is admirable, but distracts from the wider changes needed to fund affordable housing and infrastructure. Many aspects of infrastructure as well as affordable housing are currently in conflict for resources and should not be as both are essential.

Our concerns with this proposal within the White Paper include:

- the White Paper does not recognise the need for site-specific S106 agreements to set contractual arrangements between local authorities and developers around a wide range of issues in a way that is flexible and responsive to local needs. These arrangements should include open space, carbon reduction, transport plans, and commitments over the phasing of development. These would need to be replicated under any new system.
- A single National Infrastructure Levy will struggle to raise sufficient funds to address affordable housing needs as well as other infrastructure requirements. There is an essential need to provide physical infrastructure to support development, given the significant variations in market values across the country. A single rate would therefore require mechanisms to redistribute income, introducing complexity.
- Variable Infrastructure Levy rates, while preferable, would similarly fail to account for differences in market values *within* local areas, resulting from size, location, infrastructure provision, contamination, land use etc. Setting a single Infrastructure Levy rate for a local authority at plan-making stage, which covers infrastructure *and* affordable housing, and works across different land uses and development types, would prove to be highly complex and work against ambitions to speed up plan-making.
- By levying at the point of occupation, it introduces uncertainty about how the value-based minimum threshold would be applied in practice. It also exposes local authorities to market volatility which could affect the delivery of affordable housing as well as infrastructure. It places increased responsibility on local authorities at a time when many are under severe financial stress, with existing liabilities that could make local authorities reluctant to borrow to fund new infrastructure.

In these circumstances much greater clarity is needed on how the consolidated Infrastructure Levy would operate. Questions that need to be addressed include:

- Who will set it?
- How will it relate to transport?
- What will local governments' involvement be?
- How will local needs for transport be addressed?

There are many current ways to secure developer funding for infrastructure, including planning conditions, obligations under Section 106, and the Community Infrastructure Levy (CIL). It is not clear how the new system will meet the same requirements and provide the flexibility needed. One problem of the current system is that transport is often excluded unless a major road scheme is involved. Providing for active and sustainable transport, especially where it is revenue that is required, is very difficult and should be addressed by the White Paper, but isn't.

Plan makers should be clear on which mechanisms will be used to fund private sector transport interventions and how far they can expect to rely on external funding. There should also be clarity about the sequence of priorities for allocating developer funding to ensure that funding for transport measures will be available to the level, and at the time required.

The Infrastructure Delivery Plan is an essential part of this process and it should be produced through a collaborative process. The delivery of the Local Plan should be overseen by a collaborative body that should be responsible for the IDP and its regular review – see the BPBTBP Advice for more detail. Funding for sustainable transport should be included as a high priority.

Funding policies should incentivise sustainable transport, for example, promoting a levy for transport that is directly proportional to the number of car trips generated and equal to the cost of taking that number of trips off the network. This would incentivise the delivery of the most sustainable sites and disincentivise the delivery of the least sustainable sites.

23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights? [Yes / No / Not sure. Please provide supporting statement.]

Yes - where there are transport implications this will be important. At present, permitted development rights often create unsustainable developments as there is no mechanism to resource transport needs.

24(a). Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present? [Yes / No / Not sure. Please provide supporting statement.]

24(b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities? [Yes / No / Not sure. Please provide supporting statement.]

24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk? [Yes / No / Not sure. Please provide supporting statement.]

24(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality? [Yes / No / Not sure. Please provide supporting statement.]

Previous comments made above reflect our views on this whole area of questions and the issues raised by them. Trading off the provision of affordable housing and transport is not appropriate.

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

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

No – local authorities need the flexibility to respond to the needs of the local area and this cannot be done centrally or by developers.

Our comments on ‘Delivering Change’ – moving into the new system

These proposals involve substantial change. They will require a significant amount of capacity in local authorities, as well as different skills, which are already stretched for transport and planning. How is the government going to ensure that there is the capacity and capability to deliver this very new approach rapidly, and ensure it reflects the paradigm shift required to deliver development that reflects the climate change, decarbonisation and health agendas?

In relation to a rule-based planning system, it can be easier for professionals, stakeholders, politicians, and communities to be united in what is not wanted, than to be united in what is wanted. So, the conversion from a policy-based planning system to a rules-based system within 30 months would be very difficult and demanding. Planning authorities will be under a lot of pressure to deliver within the 30 month time limit and deliver also fundamentally different outputs and outcomes if the challenges of sustainability and quality of life are to really be addressed.

We would value the opportunity to work with the government to ensure a much improved planning system focused on ensuring the outcomes sought. We would be very willing to support the development of some model rules based upon last year’s comprehensive “Better Planning Better Transport Better Places” document and the comments already submitted on the transport assessment process.

The proposed changes to the system necessitate a shift in focus from development management to forward planning. We see this as positive but there is still a need for development management at the more detailed level, even if the principles are set out at plan level. It will require a re-balancing of resources, effort and mind-set, which is not exclusive to planning and transport authorities. Many politicians, consultants and the community will find it very difficult. Current practice by some local authorities, both officers and politicians, as well as by developers and consultants highlight how difficult radical change can be to implement and enforce. Many, as the government is aware, are still using approaches which have long been superseded. It will be necessary for transport authorities, transport bodies and other technical stakeholders to undertake a similar re-balancing, in order to achieve proper integrated plan-making on the basis proposed.

In conclusion

- We very much welcome the opportunity to comment
- We agree with the ambition of the White Paper in striving for decarbonisation, improved health and access for all by improving the planning system
- **But** we believe that the document and proposals as currently set out in the White Paper will not deliver the objectives sought unless the changes we suggest are pursued
- There are many theoretical and practical concerns that are not answered by the White Paper, and some that have been answered do not take account of the practicalities and reality of the process: there is a need for significant improvement

We have very grave concerns that the White Paper will exacerbate the considerable issues already experienced with the planning process in relation to transport. It will not produce sustainable communities, reduce the health impacts of the current transport patterns, or support the country in meeting its zero carbon targets. The problems of inequality of access will continue as will the economic consequences of congestion.

We would, as always, wish to work with the government to share our combined experience to address the issues raised and offer and test constructive ways forward. We wish to ensure that at all stages of delivery of - local plans, specific sites and creating communities, the government prevents poor practice and succeeds in achieving the outcomes sought.