



Chartered Institution of Highways and Transportation’s response to the Levelling Up and Regeneration Bill: reforms to national planning policy

The Chartered Institution of Highways & Transportation (CIHT) *is a charity, learned society and membership body* that provides strategic leadership and support to help our members develop, deliver, and maintain sustainable solutions for highways, transport infrastructure, and services.

Introduction

CIHT welcomes the opportunity to respond to the “Levelling-up and Regeneration Bill: reforms to national planning policy” consultation. CIHT has called for planning system reform for some time to properly integrate land-use and transport planning, most recently in the whitepaper ‘Fixing a failing planning and transport system’¹. This collaborative research included views from over 700 CIHT, RTPi and TPS members with over 3,500 written responses on how to fix the critical inter-relationship of land-use planning and transport planning.

As required, we have answered the specific questions but there are some important additional issues that we wish to raise. Fundamentally, CIHT’s immediate and pressing observation is that this consultation fails to immediately address the critical inter-relationship of planning and transport. On this basis the proposed changes to the planning system as currently set out represent a missed opportunity to make a greater contribution to transport decarbonisation and the car-dependent nature of too many developments.

As such, CIHT would like to reinforce the following points:

- the scale of the challenge is considerable: over **90%** of CIHT/RTPi/TPS members surveyed agreed that the relationship between planning and transport in achieving net zero is important ²;
- an RTPi recent study 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 ³;
- leaving some key changes to the next further review of the NPPF – which could be in 2023, 2024 or 2025 depending on elections and political uncertainty - is too late. There is an urgent need to change delivery on the ground more rapidly.

The correct integration of planning and transport can play a leading role in tackling the climate emergency, as well as supporting policy drivers including levelling up and

¹ [Fixing a failing planning and transport system, p.5, CIHT, \(2022\)](#)

² [Fixing a failing planning and transport system, p.5, CIHT, \(2022\)](#)

³ [NET ZERO TRANSPORT: The role of spatial planning and place-based solutions, RTPi, \(2021\)](#)



improvements to health. A new strategic NPPF is crucial for this challenge; the current consultation should have provided the opportunity for radical change.

Answers to the consultation's specific questions:

Q1: No comment

Q2: No comment

Q3: No comment

Q4: No comment

Q5: Do you have any views about the potential changes to paragraph 14 of the existing Framework and increasing the protection given to neighbourhood plans?

We agree that the importance of the Neighbourhood Plan, if approved, should be recognised but not only in the context of housing but also any references to accessibility or transport to ensure new development has sustainable transport access from the outset.

Q6: Do you agree that the opening chapters of the Framework should be revised to be clearer about the importance of planning for the homes and other development our communities need?

We believe the opening chapters of the Framework should not only be clearer about the importance of planning in respect of homes and other development, but it should also make explicit from the beginning the following:

- the key role of planning in tackling climate change and reducing carbon;
- its critical role in ensuring both new and existing development are located, and designed to ensure that there is an effective choice of accessing sustainable transport to services;
- that the planning of sustainable transport provision is integral to the planning processes both at the local plan stage and for all development.

Q7: No comment

Q8: No comment

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

We want to highlight here that any significant change that allows for lower density has the potential to compound challenges already faced in delivery. For example, this steer could hamper the effort to deliver adequate housing numbers by producing low-density urban extensions or ‘cowpat’ housing developments on greenfield sites. Not only does this type of development contribute to poor delivery of housing, but it also presents a major barrier to sustainable transport orientated development where it is easier to walk, wheel, cycle and use public transport, in turn supporting local business and promote walkable communities. By doing this it further embeds car-led development and fails to decouple road building from new development, being at odds with the Transport Decarbonisation Plan ⁴, as well as the recently updated DfT Circular 01/2022 ⁵.

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

Local authorities should also have regard to their wider vision and aspirations in respect of the provision of sustainable transport and ensure that such provision is supported and not compromised. This should be based on the evidence in the Local Transport Plan.

Q11: No comment

Q12: No comment

Q13: Do you agree that we should make a change to the Framework on the application of the urban uplift?

We support the proposal to ensure that this policy focuses on supporting sustainable patterns of development and reducing the need to travel.

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

Integrating the planning of transport networks with the Local Plan preparation would greatly enhance the ability of authorities to maximise the potential of sustainably located development, i.e., being accessible by active travel and public transport, and minimise development in inaccessible places. Using the same evidence base including a transport appraisal of the Local Plan within the

⁴ [Decarbonising Transport: A Better, Greener Britain, DfT \(2021\)](#)

⁵ [Department for Transport Circular 01/2022](#)



environmental assessment would also ensure consistency and cohesion.

Better bus provision requires the integration of land use planning and transport. CIHT firmly believes that buses have a significant role to play in providing sustainable connectivity.

Paragraph 114 of the NPPF states the aim of '*so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use*'

CIHT's Buses in Urban Developments ⁶ notes that the layout of streets and paths in new developments should facilitate direct and efficient bus operation, with direct and pleasant walking routes to bus stops.

CIHT propose that the following addition is made to Para 114 of the NPPF as follows:

New developments and regeneration schemes should be located where they can be served by extensions to existing bus services or where new services can provide direct and fast routes to the town centre and other major destinations. Once a development location has been decided, the outline street layout should be planned to allow direct and fast bus services that are both efficient for the operator and attractive to passengers. The local bus operator should be involved in the initial layout of streets and positioning of bus stops in a new development.

For this reference, CIHT would encourage the revised NPPF to signpost to CIHT's Buses in Urban Developments. This would be beneficial as Buses in Urban Developments provides further information on how bus provision can be effectively accommodated into developments.

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

For any effective spatial and transport planning it is essential that there is coordination across relevant local authorities and other key bodies (such as sub-national transport bodies) throughout the plan making and delivery process. An effective on-going mechanism needs to be established to facilitate this to ensure the integration of the wider economic, transport and housing market⁷.

Q16: No comment

Q17: No comment

Q18: No comment

⁶ [Buses in Urban Developments, CIHT, \(2018\)](#)

⁷ [Better planning, better transport, better places, CIHT, \(2022\)](#)

Q19: No comment

Q20: No comment

Q22: No comment

Q24: No comment

Q26: No comment

Q28: No comment

Q30: No comment

Q.32: No comment

Q21: No comment

Q23: No comment

Q25: No comment

Q27: No comment

Q29: No comment

Q.31: No comment

Q.33: Do you agree with making changes to emphasise the role of beauty and placemaking in strategic policies and to further encourage well-designed and beautiful development?

It will be important to ensure in this context that “beauty and placemaking” ensures not only that buildings and places “look good” but that they also function effectively and are “fit for purpose”. The functionality of a place needs to ensure that people can easily access services and facilities using sustainable transport (for example active travel and public transport). Subsequently, the place should have a suitable range of services for its size. Therefore, it is critical that, for places to be deemed ‘beautiful’ or ‘well-designed’, they must actively ensure that sustainable transport provision is well catered for and properly integrated.

Nature-based solutions (such as street trees, planters, verges, etc.) are often offered as a way of encouraging beauty when it comes to placemaking. Through our research, we have found that this leads to important nature-based solutions, such as green and blue infrastructure (GBI) being looked at as a ‘decorative add-on’ and not an important solution that can help to deliver biodiversity, decarbonisation, sustainability and economic targets ⁸. We therefore wish to emphasise that if nature-based solutions are used to promote beauty, then the other benefits they provide are equally promoted in tandem with this goal.

Q.34: No comment

⁸ [Green and blue infrastructure: A transport sector perspective, CIHT, \(2023\)](#)

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

We broadly agree with the concept that local authorities should have greater visual clarity to ensure well-designed and beautiful places are delivered, and to be able to refuse those who do not meet such standards.

However, we would also like it to make clear that if a scheme can be refused on not being 'beautiful' then local authorities should also have greater power on being able to refuse a scheme that does not prioritise sustainable transport modes. CIHT, TPS and RTPI, outlined in the publication, *Fixing a failing a Planning and Transport System*, that: ***“Local Planning Authorities should prioritise development that caters for sustainable transport as a natural first choice. We must see a move away from car-centric development and towards creating quality places that promote growth.”***⁹

Therefore, we would like to see support being offered to local authorities to enable car-led development to be refused, not only due to it compounding the growing climate and health crises, but also due to it contributing to 'ugly' development.

Q36: No comment

Q37: How do you think national policy on small scale nature interventions could be strengthened? For example in relation to the use of artificial grass by developers in new development?

The role of streets, roads and highways as green linkages that reverse the effects of biodiversity fragmentation should have more significance in the NPPF.

It should be made clear that access to nature has been proven to encourage local engagement in biodiversity and help to deliver a sense of place within a community. Safe roads and streets are critical to providing urban areas with this access to nature, and has the additional benefit of also encouraging active travel.

Q38: No comment

⁹ [Fixing a failing planning and transport system, p.5, CIHT, \(2022\)](#)

Q.39: What method and actions could provide a proportionate and effective means of undertaking a carbon impact assessment that would incorporate all measurable carbon demand created from plan-making and planning decisions?

We support the need for carbon assessment to be embedded in planning policy. It is vital that assessments are carried out on a consistent basis. The Department of Transport is currently devising quantified carbon reductions guidance for local transport planning. We believe when complete this should be supported by the revised NPPF through clear referencing and a requirement for it to be used as part of a transport assessment of the Local Plan and any proposed development. Implementing and utilising these tools should be seen as a priority.

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

There is a co-dependency of nature-based solutions, i.e., green and blue infrastructure (GBI) ¹⁰ and roads. We need GBI to create climate resilient streets, roads and developments; at the same time roads house many GBI features whilst creating green linkages and reversing biodiversity fragmentation.

As discussed in our (Green and Blue Infrastructure: A Transport Sector Perspective ¹¹) we believe the many benefits that GBI can bring to an area are overlooked. This stems from a lack of planning, integrating and maintenance of GBI features that leads to:

- A lack of variety in GBI features being used;
- GBI features not being used in optimal locations;
- GBI features being seen as a 'decorative add on' rather than a way of creating climate resilient roads that can reduce whole life costs of these assets, whilst providing environmental, social, economic and health benefits to a local area and its residents.

To remedy this, the CIHT recommends that more is done to establish an end-to-end process for projects on our streets/roads/highways and developments to include GBI features.

This includes:

- Establishing formalised systems to include GBI within existing highway networks and planned improvements, especially at the crucial stages of:
 - Planning
 - Design and delivery
 - Adoption

¹⁰ GBI is defined as natural and semi-natural features, interventions and structures that provide functions and benefits for an area through ecosystem services.

The 'green' component in GBI refers to features which can be grown such as plants, trees, hedges, etc.

The 'blue' component refers to water management systems such as rivers, ponds, rain gardens, swales, etc. - all of which integrate into the management train of sustainable drainage systems (SuDS).

¹¹ Green and blue infrastructure: A transport sector perspective, CIHT, (2023)



- Maintenance
- Setting GBI guidelines for Local Authorities to follow, such as:
 - Model street design and adoption standards
 - National underground design code
 - Guidelines on risk and liability
 - How to effectively maintain GBI
- Creating a performance framework for GBI to measure success and assign responsibility for targets.

The NPPF must consider the important role that GBI can play in making sure that beautiful, well-designed and sustainable development is delivered. To do this, we would like to see paragraph 133 (previously 131) changed to:

“Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, and include other green and blue infrastructure (such as Sustainable Drainage Systems (SuDs)) where appropriate...”

Q.41 No comment

Q.42: No comment

Q.43: No comment

Q.44: No comment

Q.45: No comment

Q.46: No comment

Q.47: No comment

Q.48: No comment

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

We agree with the benefit of having National Development Management Policies (NDMPs) that are statutory, however we believe they should have a wider scope. Given the crucial role of planning and placemaking to the Government’s wider agendas on climate change, decarbonisation of transport and enhancing peoples’ opportunities to improve their health through being more active, we believe these aspects should become part of the NDMPs. The NDMPs should include policies for ensuring all new development is based on reducing carbon, facilitating access for all by sustainable transport means as a preferred /easy choice e.g., by including an accessibility index, and they take full account of the Local Transport Plan in terms of networks and funding.

Chapter 10, paragraph 3 of the consultation states: ‘These would be given the same weight in certain planning decisions as policies in local plans, neighbourhood plans and other statutory plans (and could, where relevant,



also be a material consideration in some other planning decisions, such as those on Nationally Significant Infrastructure Projects). While in practical terms this may make sense, this should not prevent ambitious Local Authorities from going above and beyond targets set in local plans or NDMPs, they should actively be encouraged.

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

See above – decarbonisation, climate change, resilience, health in as far it is relevant to placemaking and sustainable transport and accessibility.

Q51: Do you agree that selective additions should be considered for proposals to complement existing national policies for guiding decisions?

Yes.

Q.52: Are there other issues which apply across all or most of England that you think should be considered as possible options for National Development Management Policies?

CIHT believes that the promotion of public transport and active travel (walking, wheeling, cycling) to support the delivery of local living should be adopted as a National Development Management Policy (NDMP), something that CIHT has previously advocated for this through several different publications^{12 13 14}.

Communities that are dense, accessible and connected where individuals can meet their daily needs within a reasonable distance of their home by walking, wheeling or cycling or using public transport, can be delivered by distinct spatial planning principles across all or most of England. A NDMP setting out these principles would ensure that new and existing communities are planned to embed high-quality public transport and active travel from inception, bringing together homes, jobs and key local infrastructure (schools, greenspaces, health and social care services),

Such a network of high-quality, accessible, mixed-use communities and neighbourhoods will help deliver four of the government's levelling up missions across England on health, wellbeing, pride in place and public transport.

The 20-minute neighbourhood concept is something that is increasingly being adopted by local authorities in England. According to the Sustrans-commissioned Walking and Cycling Index (WACI) survey in 2021, 79% of residents support the creation of more 20-minute neighbourhoods.¹⁵

However, CIHT outlined in its response to the Scottish Governments National Planning Framework 4 consultation that the 20-minute neighbourhood approach must be clear

¹² [Buses in Urban Developments, CIHT, \(2018\)](#)

¹³ [Better planning, better transport, better places, CIHT, \(2022\)](#)

¹⁴ [Fixing a failing planning and transport system, p.5, CIHT, \(2022\)](#)

¹⁵ [Walking and Cycling Index, Sustrans, \(2021\)](#)



on how active travel and public transport (sustainable transport) is fundamental in enabling the concept and giving clear guidance on how it does so for example ¹⁶.

Q.53: What, if any, planning policies do you think could be included in a new Framework to help achieve the 12 levelling up missions in the Levelling Up White Paper?

Planning policies and the Infrastructure Development Plan should be consistent and integrated with the national, regional and local transport plans and proposals so that they reinforce each other thereby supporting levelling up. Transport underpins economic as well as social and environmental conditions so, as has been recognised by Government¹⁷, it is one of the key pillars to levelling-up.

In terms of specific policies, the inclusion of Green and Blue Infrastructure (GBI) on our streets and roads will be key to achieving 'Mission 9' of the 12 levelling up missions. Providing features such as rain gardens, planters, trees, green roofs/walls and SuDS will create beautiful, biodiverse places, with cleaner air and less noise pollution that are resilient to extreme climate events such as floods and droughts. Thus, this will increase pride in place, people's satisfaction with their town centre and engagement in local culture and community.

However, to unlock all these benefits, GBI needs to be appropriately planned for in early design stages, with a key emphasis on maintenance. Our research has shown that the costly nature of maintenance is often seen as one of the biggest disadvantages to including GBI in projects.

If the NPPF states that maintenance of GBI should be a key consideration of planning policies, and provides guidance on how to do this effectively, this will help to correct people's misunderstanding that GBI is too difficult and expensive to maintain.

Q.54: How do you think the Framework could better support development that will drive economic growth and productivity in every part of the country, in support of the levelling up agenda?

Economic growth and productivity are a priority for all parts of the UK to ensure that the country remains prosperous. However, there must be a green route to growth. The challenge of achieving net zero by 2050 and levelling up goes hand-in-hand. Therefore, all opportunities should be explored as to how updates to the Framework can both support development and drive green economic growth.

To do this, transport must be better integrated into the Framework to support sustainable development. Transport plays a fundamental role in the productivity of our places. Transport allows our places to be connected and provides the backbone of our economy and is a key pillar to Levelling Up the country; a transport system that caters for the many, not the few, can provide a positive benefit for people and business, providing access to jobs, increasing productivity, supporting the growth of the economy, as well as unlocking new areas for development and providing the opportunity for innovation.

¹⁶ [CIHT response to NPF4 Consultation, \(2022\)](#)

¹⁷ [Levelling Up the United Kingdom, HM government, \(2022\)](#)

Levelling up is an opportunity to create better, more sustainable, connections to our market towns and rural communities. As well as delivering fast, reliable, and sustainable inter and inner-city transportation that is inclusive not exclusive.

As outlined in *Better Planning, Better Transport, Better Places*¹⁸, *Improving Local Highways*¹⁹, and *Fixing a Failing Planning and Transport System*²⁰, as well as failing transport systems and networks is essential to deliver the outcomes we need.

Therefore, for the Framework to be a better driver of green economic growth and productivity in every part of the country, it must be better integrated with transport. This means clearly referencing other policies, such as: *Manual for Streets*, *Gear Change*, *Local Cycling and Walking Infrastructure Plans*, *Bus Strategies*, and *Local Transport Plans* within Chapter 9, *Promoting Sustainable Transport*, of the NPPF. With transport being a key pillar of the levelling-up agenda, it is imperative that we see the Framework better integrated with it to support green economic growth and increased productivity.

Q.55: Do you think that the government could go further in national policy, to increase development on brownfield land within city and town centres, with a view to facilitating gentle densification of our urban cores?

Yes.

Q.56: Do you think that the government should bring forward proposals to update the Framework as part of next year's wider review to place more emphasis on making sure that women, girls and other vulnerable groups feel safe in our public spaces, including for example policies on lighting/street lighting?

We agree that it is important that all vulnerable groups such as women and girls, those with a disability and older people should feel safe in public spaces and should be seen as a priority. Planning for equity should be at the heart of planning like sustainability.

In the light of our answer to Q55, the Framework and NDMPs should include the role of planning in terms of equity not only in terms of the examples given but all placemaking and transport.

Q.57: Are there any specific approaches or examples of best practice which you think we should consider to improve the way that national planning policy is presented and accessed?

It will be important for the Framework and the NDMPs to be accessed via several different means: digitally but also in hard copy. It will also be important for it to provide direct links to further national guidance and other key reference documents, for example, *Gear Change*, the *National Model Design Code* and the yet to be published *Manual for Streets* update, which set out best practice.

¹⁸ [Better planning, better transport, better places, CIHT, \(2022\)](#)

¹⁹ *Improving Local Highways: The Route to a Better Future*, CIHT, (2020)

²⁰ [Fixing a failing planning and transport system, CIHT, \(2022\)](#)

In CIHT's response to the MHCLG (Ministry for Housing, Communities and Local Government) consultation on National Planning Policy Framework and National Model design Code, CIHT noted: 'A recent survey of CIHT members also indicated a strong desire for strengthening Manual for Streets position (76% of respondents said Manual for Streets should be mandatory). This could be achieved through putting greater emphasis on Manual for Streets and the National Model design code in the National Planning Policy Framework or by making it Statutory guidance.'²¹

As such, CIHT would like Manual for Streets (MfS) and the National Model Design Code (NMDC) signposted in National Planning Policy, and for MfS and NDMC to clearly signpost National Planning Policy. Doing so will improve the way that planning policy is presented and accessed.

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

CIHT made a number of recommendations for better street design in the publication, 'Creating better streets: Inclusive and accessible places'²², on how to make street spaces more inclusive and how this sits in regard to the Public Sector Equality Act.

The recent publication by Sustrans, 'Disabled Citizens' Inquiry'²³, outlined that 88% of disabled people say that a planning system which ensures more services people need are provided within walking or wheeling distance of where people live would be useful for them to walk or wheel more. Therefore, giving weight to proximity within a new NDMP is a good starting point, but, specifically, work needs to be done to understand and ensure how this works for disabled people. This should include ensuring amenities are within a walkable distance and duration (time) for disabled people. It should also be recognised that disabled people must often walk or wheel further to reach their destination because of direct routes being inaccessible.

Furthermore, many services and amenities are not fully accessible, and disabled people may not have the same choices in where to go. Finally, disabled people may also be likely to require access to specialised services, hence the importance of aligning walking and wheeling with public transport for longer journeys.

²¹ [CIHT response to Ministry of Housing, Communities and Local Government's Planning for the future consultation, \(2021\)](#)

²² [Creating better streets: Inclusive and accessible places, CIHT, \(2018\)](#)

²³ [Disabled Citizens' Inquiry, Sustrans, \(2023\)](#)