

# Proposed reforms to the National Planning Policy Framework and other changes to the planning system

## Context

The Association for Consultancy and Engineering (ACE) is the association for the UK's professional consultancies and engineering companies operating in the social and economic infrastructure sectors. We champion infrastructure and the built environment to government and other stakeholders, representing the views of around 400 members.

Our members employ over 420,000 people, contributing more than £15 billion to the UK economy. The buildings they create actively contribute over £570 billion a year of GVA.

The Environmental Industries Commission (EIC) champions new environmental markets to Government and other stakeholders. We work to ensure environmental policies are thoughtful and progressive, regulations clear and enforced, innovation rewarded, and finance and export opportunities are available. We represent the views of around 70 members - companies, large and small, working in the environmental technologies and services sector. Multi-nationals, technology start-ups and consultancies can all be found within our broad membership base. EIC members have created £28 billion GVA over six years and make a contribution of 3.9% to GDP. EIC members support around 349,000 jobs.

Together, our members provide insight and guidance on infrastructure projects at all scales and stages of development. Leveraging insight from global best practice, they bring innovation, cost effectiveness and challenge to the built environment across the UK.

For more information and opportunities to engage further with our membership, please contact Andrew Gladstone-Heighton, [agladstone-heighton@acenet.co.uk](mailto:agladstone-heighton@acenet.co.uk).

## Response

ACE members broadly welcome the measures outlined in the reformed guidance including recognition of the need to increase the speed and efficiency of planning decisions to support housing and infrastructure enabling sustainable development and economic growth.

### National Industrial and Infrastructure Strategy

The ACE manifesto for the new Government highlighted the need for a national infrastructure and industrial strategy and a national infrastructure department. We welcome the Government commitment to establishing a new National Infrastructure and Service Transformation Authority. The new National Planning Policy Framework should align with these commitments.

We welcome proposals to strengthen the presumption in favour of sustainable development and think this needs to go further so that, in addition to the new commitments on housing development, there is stronger recognition of the need to support national infrastructure including energy, water, digital and logistics.

There is also an overall, wider strategic-level shift that is needed in introducing 'vision-led' planning as an alternative to 'predict and provide'. Whilst reference to 'vision-led' is included in the NNNPS in practice, the prevailing approach continues to be 'predict and provide'

The planning process should explicitly recognise the strategic national value of some projects, including potential spill over benefits, and enable better recognition of both national and local impacts.

This consultation is a critical building block for the Government Mission for economic growth and where decisions are delayed and or local planning decisions do not reflect national interests the Infrastructure Minister should use call in powers to ensure the right decisions are made in a timely way.

### Brownfield First

We welcome the commitment to brownfield first and recognition of grey belt. In order to unlock delays, the NPPF needs to be complemented by clearer guidance and incentives for example: the Government should prioritise:

- an updated Definition of Waste: Code of Practice
- land remediation tax relief;
- the introduction of a greenfield surcharge;
- funding opportunities such as renewed use of the Housing Infrastructure Fund model to unlock private investment; and
- ensuring infrastructure and housing development are aligned.

### Climate, Biodiversity and Pollution

Meeting legally binding climate and nature targets and global ambitions for a circular economy will require early planning decisions on the right infrastructure. We welcome the NPPF proposals on climate change however the planning framework needs to recognise the 3 crisis recognised by the United Nations – climate, pollution and biodiversity loss. Failure to recognise this in the National

Planning Policy Framework risks making the wrong decisions and or delays as projects are challenged in the courts.

### **Local Authority Planning resources**

We welcome new commitments to ensuring local authorities have the skills and resources to make timely decisions. Focussing on these priorities should also facilitate adequate funding for local authorities to rebuild critical planning capability.

We note that sometimes there is insufficient knowledge among the planning community at local level, both amongst officers and elected officials, about infrastructure, connectivity and the overall vision for a place in supporting sustainable growths.

The planning process as it stands focuses on the individual plans that are submitted, rather than longer term planning. The current planning system favours landowners/developers in their efforts to persuade local authorities to allocate sites that produce the greatest land value (e.g. housing) as opposed to industrial sites (including freight and logistics sites) which are often seen as 'low grade uses'.

Local plans tend therefore to be developer led rather than national infrastructure and planning led and this may result in short term considerations prevailing over longer term objectives. There are opportunities to ensure that local plans take account of national strategic interests including housing need and the national infrastructure strategy.

## Responses to specific questions

### **Q6. Do you agree that the presumption in favour of sustainable development should be amended as proposed?**

Yes – however it needs to be strengthened to recognise the need for national infrastructure.

We welcome the Government commitment to establishing a new National Infrastructure and Service Transformation Authority and a National Infrastructure Strategy. The new National Planning Policy Framework should align with these commitments.

We welcome proposals to strengthen the presumption in favour of sustainable development and think this needs to go further so that, in addition to the new commitments on housing development, there is stronger recognition of the need to support national infrastructure including energy, water, waste, digital and logistics. The planning process should explicitly recognise the strategic national value of some projects, including potential spill over benefits, and enable better recognition of both national and local impacts.

This consultation is a critical building block for the Government Mission for economic growth and where decisions are delayed and or local planning decisions do not reflect national interests the Infrastructure Minister should use call in powers to ensure the right decisions are made in a timely way.

Q13 and 14. Should the tests of soundness be amended to better assess the soundness of strategic scale plans or proposals? Do you have any other suggestions relating to the proposals in this chapter?

See response to question 6 above.

### **Q20 - 27 Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports? Further questions on grey belt definitions including biodiversity net gain requirements.**

We welcome the brownfield first approach including recognition of the need for biodiversity net gain and proposals for a new grey belt definition. In order to unlock delays, the NPPF needs to be complemented by clearer guidance and incentives for example, the Government should prioritise:

- an updated Definition of Waste: Code of Practice
- land remediation tax relief;
- the introduction of a greenfield surcharge; and
- funding opportunities such as renewed use of the Housing Infrastructure Fund model to unlock private investment.

### **Q62. Do you agree with the changes proposed to paragraphs 86 b) and 87 of the existing NPPF?**

Regarding paragraph 86 b) (new paragraph 84), we support the identification of freight and logistics for building a strong, competitive economy and are pleased to see the amendments related to this. It is key that planners receive guidance and policies on the needs of the freight and

logistics network, particularly to ensure that local authorities are aware of the national level at which freight operates, and that they make planning decisions keeping this in mind.

**Q69. Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?**

This question relates to the introduction of ‘vision-led’ planning as an alternative to ‘predict and provide’. Whilst reference to ‘vision-led’ is also included in the NNNPS in practice, the prevailing approach continues to be ‘predict and provide’. The new guidance on ‘vision-led’ that the Government has committed to provide alongside the revised NPPF will, therefore, be key. We agree with the sentiment to shift planning from ‘predict and provide’ to ‘vision-led’, and the Government’s direction in this area is positive. However, the proposed amendments to the NPPF do not go far enough. At present, the use of ‘vision led’ in paragraph 112 could be interpreted as only relating to the transport mode mix choices for specific developments. While important, it is a lot more than that.

A place vision needs to inform transport planning policies at the international, national, subregional and local scales. The Government should take this opportunity to strengthen the language in the original paragraphs 108, 109, 110 to emphasise transport’s enabling role in achieving place visions set out in the SDS and local plans:

Original paragraph 108 (new paragraph 106) - we suggest adding wording to the end of the opening sentence: “... proposals, to set out transport’s enabling role in achieving the place vision, so that: ...”

Original paragraph 108 (new paragraph 106) – we suggest adding a new opening bullet: “the place vision agreed with the community through the plan-making process is enabled;”

Original paragraph 110 (new paragraph 108) – we suggest adding a new opening bullet: “describe the role that transport infrastructure, and services can have in enabling the vision of a place;”

Regarding the original paragraph 114 (new paragraph 113), the use of “in all tested” scenarios is too vague. The updated guidance, when published, should be explicit about how these scenarios are decided, and by whom. This will require considered thinking to avoid unintended consequences and circumnavigation of the revised NPPF.

To fully address the challenge of the “default assumption of automatic traffic growth, where places are designed for a ‘worst case’ peak hour scenario”, the Government must go further than amending the NPPF. Places where this assumption has previously been an issue should be sought out to develop an in-depth understanding of its effects, existing technical work and guidance in this area should be built on, and what is intended by ‘vision-led’ should be made explicitly clear.

It is crucial that the Ministry for Housing, Communities and Local Government (MHCLG) and Department for Transport (DfT) work closely together on this issue and listen to stakeholders.

**Q78 – 81. In what specific, deliverable ways could national planning policy do more to address climate change mitigation and adaptation? What is your view of the current state of technological readiness and availability of tools for accurate carbon accounting in plan-making and planning decisions, and what are the challenges to increasing its use? Are any changes needed to policy for managing flood risk to improve its effectiveness? Do you**

**have any other comments on actions that can be taken through planning to address climate change?**

Meeting legally binding climate and nature targets and global ambitions for a circular economy will require early planning decisions on the right infrastructure. We welcome the NPPF proposals on climate change however the planning framework needs to recognise all 3-crisis recognised by the United Nations – climate, pollution and biodiversity loss. Failure to recognise this in the National Planning Policy Framework risks making the wrong decisions and or delays as projects are challenged in the courts.

Flood risk policy should recognise the value of nature-based solutions.