

Reforms to national planning policy

A response from the TCPA to the consultation by the Department for Levelling Up, Housing and Communities
March 2023

1 Summary

The Town and Country Planning Association (TCPA) welcomes the Government's review of national planning policy for England. The review is an opportunity to direct the focus of the planning system to deal with a post pandemic world in which health, the climate crisis and the delivery of well-designed affordable homes should be the Government's key priorities. Planning has a pivotal and positive role to play in finding solutions to these pressing policy issues, but national policy does not yet provide the priority or clarity to allow the system to fulfil its potential. While the TCPA welcomes some of the detail in the review on, for example, carbon forecasting, overall the changes to the NPPF do not create a platform for sustainable development. This is because the proposals are silent on health inequalities, risk resulting in a serious under-provision of homes and fail to shift current policy priorities in favour of addressing the climate crisis.

2 Introduction

2.1 About the TCPA

The Town and Country Planning Association (TCPA)'s vision is for homes, places and communities in which everyone can thrive. Our mission is to challenge, inspire and support people to create healthy, sustainable and resilient places that are fair for everyone.

Informed by the Garden City Principles, the TCPA's strategic priorities are to:

- Work to secure a good home for everyone, in inclusive, resilient and prosperous communities which support people to live healthier lives.
- Empower people to have real influence over decisions about their environments and to secure social justice within and between communities.
- Support new and transform existing places to be adaptable to current and future challenges, including the climate crisis.

The TCPA is a charity and company limited by guarantee.

2.2 About this response

The Association recognises the proposed changes to the NPPF represent two distinct consultations. The first relates to specific changes to the current NPPF as it applies to the existing planning system and the second comprises a prospectus of issues which will be subject

to further consultation on specific changes before a further update to the NPPF is published next year. Our response is structured to respond to both these elements. Part one (see section three below) recognises the very short time scales involved but sets out high level comments on specific proposed wording changes to the NPPF and urges the Government to make additional changes as part of their interim update.

Part two (set out in sections four onwards) focuses on the issues which will define the success of the longer-term update of national policy. Part two makes the case for substantive changes to national policy to address the climate crisis, health inequalities and housing delivery to secure healthy affordable and sustainable places.

Part one

3 Response to specific immediate proposed changes

3.1 The scope of proposed changes

The proposed specific, immediate, wording changes to the NPPF are largely focused on housing and onshore wind policy. These changes appear to be motivated by political considerations to change the focus of policy on the existing system. However, there is equal if not greater evidential justification for immediate changes to policy on issues such as population health and climate change. For example, reducing health inequalities should be included as strategic priority in paragraph 17 and climate mitigation should be explicitly linked to the achievement of relevant carbon budget regime. The fact that these issues will not be dealt with for at least a year is deeply regrettable and will result in a further delay and achieving national policy that supports sustainable development. We have therefore included a number of specific recommendations for further changes to the current NPPF in relation to health inequalities and climate change.

3.2 Policy changes on housing forecasting (questions 1, 7, 8 and 13)

The TCPA recognises that the current arrangements for housing forecasting can lead to unsustainable housing targets in areas which have demonstrable physical constraints relating to environmental designations or the impact of flood risk. There are also clear limitations that arise from the lack of basic infrastructure availability from grid connection to sustainable transport options to the upfront provision of health and education facilities. Development that ignores these constraints is both unsustainable and deeply unpopular. The evidence for these constraints must be logically considered when determining the capacity of communities to deliver new homes.

The proposed changes to the NPPF to make housing targets advisory as well as reductions in the components of five-year land supply may ease some of the growing conflicts in local plan preparation. However, coupled with the removal of the need for justification in plan making these measures will undoubtedly lead to a downgrading of the overall plan provision for housing in England. This process has already begun with the delay or halting of a number of

local planning processes,¹ as well as the collapse of strategic cooperation for, example in relation to the Black Country plan.²

The TCPA notes there has been no publicly available impact study of the likely effect of the NPPF changes on the quantum of housing allocations through the local plan process. Given that the impact is likely to be significant it is imperative that national policy sets out a route map for how any shortfall between local plan allocation and overall housing need is to be met. The answer to this question must be focused on greater obligations for strategic cooperation on housing delivery.

With the ending of the duty to cooperate in the Levelling Up and Regeneration Bill it is more important than ever that national policy creates clear obligations on local government to secure sustainable subregional solutions to housing growth. In this context the TCPA strongly objects to the deletion of the requirement for strategic cooperation in the examination of plans. The changes to paragraph 35 means not only that justification for policy is no longer required but neither is any evidence of exploring cross border solutions that reflect housing market areas.

The implications of proposed changes outlined above will have significant impacts on the ability of local authorities to plan strategically for housing growth in sustainable locations. In Part two of this response, the TCPA has outlined some of the issues the proposed further review of the NPPF will need to address in order to provide a strategic vision and strategy to deal with housing growth and renewal, including unlocking the opportunities for large-scale development. In the meantime, councils will be seeking to progress plans for housing, and the suggested wording changes set out below are designed to mitigate some of the significant negative impacts.

3.3 The removal of the requirement for plans to be justified (question 11)

The TCPA recognises the test of justification in the examination of the soundness of plans has been controversial and that improving the clarity of how this concept is applied would be welcome. However, we do not support the removal of the requirement that local plans will only be considered sound if they are justified. It is vital that plans are based upon, and justified by, detailed evidence of current circumstances and future trends across a range of data from health inequality to housing needs to future climate impacts.

Logically, determining the best way of meeting each of these needs requires a consideration of alternative policy approaches. The provisions of the Strategic Environmental Assessment regulations support this approach which remains the foundation of the way that robust spatial policy is developed. For example, a local planning authority can only justify lower housing targets if there is robust evidence surrounding significant practical constraints in an area. Likewise, local planning authorities must have detailed evidence on the carbon profile of different policy options in order to fulfil their legal obligation to mitigate climate change and their policy obligation to do so in line with the provisions of the 2008 Climate Act.

¹ *Discussions on Local Plan sites to wait while Government clarifies flexibility of housing targets* (East Devon.gov.uk, 15 February 2023): <https://eastdevon.gov.uk/news/2023/02/discussions-on-local-plan-sites-to-wait-while-government-clarifies-flexibility-of-housing-targets/>

² *Dudley Council pulls out of Black Country housing plan* (BBC News, 7th October 2022): <https://www.bbc.co.uk/news/uk-england-birmingham-63165436>

As a minimum, if justification is to be removed, then a new requirement for robust and proportionate evidence coupled with the need to demonstrate how alternative policy options were considered must be introduced. If this requirement is not introduced it is difficult to see how any individual or organisation wishing to make objections on the adequacy of, for example flood risk mitigation, would ever have a basis for such an objection.

3.4 Changes to onshore wind policy (related to questions 41 – 43)

The TCPA strongly supports the provision of onshore wind technologies as a crucial way of meeting the nations net zero targets. We recognise the need for the deployment of onshore wind to be carefully considered against landscape and other environmental considerations as well as having the support from the community. Current national policy for onshore wind is unnecessarily complex and restrictive, particularly where communities wish to take the lead in deploying community energy schemes. We believe that there is no justification for a separate policy approach to onshore wind that requires particular and complex tests of, for example, community support. Other forms of development which have a much more significant impact on the local and global environment are not subject to such onerous provisions including the extraction of hydrocarbons.

The proposed changes to onshore wind policy in footnote 63 of the NPPF are, in the judgement of the TCPA, marginal and insignificant. Onshore wind should not be subject to any form of special tests and policy should be guided by a plan led approach to the deployment of onshore wind in which communities are fully embedded in both policy and site allocations. Particular encouragement should be granted to schemes led by have the local community and further guidance is required on the expectations of community benefit from private sector schemes.

3.5 Proposed additional changes relating to the current NPPF

The consultation proposes specific amendments to the NPPF. The TCPA urges the Government to consider more extensive changes throughout the NPPF, as set out below. Proposed new text is highlighted in yellow.

Chapter 2 – Achieving sustainable development.

Paragraph 8

b) a social objective – **to reduce health inequalities and** support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, **well-managed**, beautiful, **walkable** and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being;

After paragraph 8 insert a new paragraph

Climate change is the greatest long-term challenge facing the world today. Addressing climate change is therefore the Government's principal concern for sustainable development. For the avoidance of doubt, achieving sustainable development includes securing the mitigation of, and adaptation to, climate change. All planning strategies, and the decisions taken in support of them, must reflect the Government's ambition to help business and communities build a zero-carbon future and prepare for the impacts of climate change. Accordingly, planning policies and all planning decisions must be in line with the objectives and provisions of Climate Change Act 2008 including the 2050 net zero carbon target.

Paragraph 11

For plan-making this means that:

a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; **reduce health inequalities**; improve the environment; mitigate climate change **in line with the relevant statutory carbon budget** (including by making effective use of land in urban areas) and adapt to its effects **identified in the relevant Climate Change Risk Assessment**;

Chapter 3 – Plan-making

Paragraph 15

The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for ~~addressing~~ meeting housing needs, **responding to the climate crisis** and addressing other economic, social, **health** and environmental priorities; and a platform for local people to shape their surroundings.

Paragraph 20

Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, **and their management** (to ensure outcomes support beauty, ~~and~~ placemaking **and reduce health inequalities**), and make sufficient provision for:

d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation **in line with objectives and provisions of the 2008 Climate Act and specifically the relevant statutory carbon budget.**

Paragraph 32

Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social, **health** and environmental objectives (including opportunities for net gains).

Chapter 4 – Decision-making

Paragraph 38

...They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, **health**, social and environmental conditions of the area.

Paragraph 51 Local planning authorities are encouraged to use Local Development Orders to set the planning framework for particular areas or categories of development where the impacts would be acceptable, and in particular where this would promote economic, **health**, social or environmental gains for the area. **The preparation of such orders must have full regard to current and future flood risk and to the necessity of making radical reductions in carbon emission in line the provisions of the 2008 Climate Act.**

Paragraph 53

B: in other cases, be limited to situations where an Article 4 direction is necessary to protect local amenity or the **health** and well-being of the area.

Chapter 5. ~~Delivering a sufficient supply of homes~~ **Delivering beautiful, sustainable new communities**

Paragraph 74 (based on proposed new numbering in consultation)

The supply of large numbers of new homes can be often best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well-sustainably located and designed, and supported by the necessary infrastructure and facilities (including a genuine choice of active travel and transport modes). Working with the support of their communities and with other authorities as appropriate, strategic policy-making authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way. Where there is significant unmet need as a result of legitimate constraints, local planning authorities must work with neighbouring authorities, through the preparation of a Joint Strategic Development Plan, to identify the scale of, and suitable locations for, such development where this can contribute to meeting identified needs in a sustainable way. Local authorities considering larger scale solutions to housing need In doing so, they should:

- a) consider the opportunities presented by existing or planned investment in infrastructure, the area's economic potential, the opportunity to deliver net zero carbon development, and the scope for net environmental gains;
- b) ensure that their size and location will support a sustainable community, with sufficient access to a range of services and employment opportunities within the development itself to enable sustainable travel patterns (without expecting an unrealistic level of self containment), or in larger towns to which there is good access;
- c) set clear expectations for the quality of the places to be created and how this can be maintained to a high standard, in perpetuity, (such as by following Garden City principles); and ensure that appropriate tools such as masterplans and design guides or codes are used to secure a variety of well-designed and beautiful homes to meet the needs of different groups in the community;

Chapter 7 – Ensuring the vitality of town centres.

Paragraph 88(e) where suitable and viable town centre sites are not available for main town centre uses, allocated appropriate edge of centre sites that are well connected by active travel and public transport routes to the town centre.

Paragraph 90

When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre by active travel and public transport routes.

Chapter 8 – Promoting healthy and safe communities.

Paragraph 94

Planning policies and decisions should aim to achieve healthy, inclusive, beautiful and safe places and beautiful buildings which help to reduce health inequalities and:

Paragraph 96

Planning policies and decisions should consider the social, health economic and environmental benefits of estate regeneration. Local planning authorities should use their planning powers to help deliver estate regeneration to a high standard.

Chapter 9 – Promoting sustainable transport.

Paragraph 106

c) opportunities to promote walking, cycling and public transport use are identified, prioritised and pursued;

Chapter 11 – Making effective use of land.

Paragraph 121

Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment, **reducing health inequalities** and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land.

Paragraph 126

Planning policies and decisions should support development that makes efficient use of land, taking into account:

c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote **walkable neighbourhoods** and sustainable travel modes that limit future car use;

Chapter 12 – Achieving well-designed, **healthy** and beautiful places.

Paragraph 128

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates **healthier better** places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

Paragraph 132

Planning policies and decisions should ensure that developments:

f) create places that are safe, inclusive and accessible and which **reduce health inequalities and** promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Chapter 14 Meeting the challenge of climate change, flooding and coastal change

Paragraph 154.

The planning system should **support the transition to a low carbon future fully support the Governments achievement of net zero by 2050 in a changing climate**, taking full account of **all climate impacts including overheating**, flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

Part two

4 Response to the NPPF policy prospectus

The TCPA recognises that the longer-term review of the NPPF is designed to reflect further changes to planning law contained within the Levelling Up and Regeneration Bill. The TCPA is opposed in principle to those aspects of the reforms which centralise planning powers and remove long standing community rights to be heard from elements of the local plan. As a result,

we are not commenting in this response on the role of NDMPs. We have engaged in detail through the legislative process on how a compromise could be reached on the new status of national policy but those suggestions around scrutiny and public participation have not been accepted by the Government.

The longer-term review of NPPF policy provides an exciting opportunity to frame national policy that reflects the creative power of planning to shape sustainable places and healthy lives. The TCPA has a wealth of policy detail which can contribute to this process from the role of stewardship in place-making to the importance of community participation and promotion of inclusive civic spaces for all sections of society. The longer-term review provides the opportunity for Government to outline in policy a vision and strategy for dealing with housing growth and renewal, which is currently absent from the NPPF. The TCPA has outlined evidence and recommended approaches for such as strategy and would be pleased to discuss this in further detail with the Department.³ In providing more detail on just three of the key issues which national planning must address we would stress the need for a both more detailed engagement with the planning sector but also with communities about the future direction of policy. The NPPF represents the Government most comprehensive statement of a national development model and is of critical importance to the future of some of our most vulnerable communities. As a result, the NPPF should not be conceived as series of criteria-based policy but articulate a narrative founded on sustainable development which offers a pathway to resilient and inclusive futures.

5 The future of strategic housing delivery

Revising the NPPF provides an important opportunity for Government to outline the role which strategic planning will play in securing the undoubted benefits of larger scale development and in meeting the significant housing needs which, as a direct result of policy changes set in the consultation, will not be delivered through the local plan process.

The TCPA welcomes the Government's commitment to delivering 300,000 homes per year. However, current demographic and population forecasts along with a backlog of unmet need suggest that 340,000 new homes will be required each year up to 2034.⁴ Meeting these housing and growth needs within environmental limits will require a portfolio of solutions, from new Garden Cities to the renewal of our existing towns and cities using Garden City Principles.⁵ Government's current reliance on de-regulating planning to increase housing numbers through tools such as the extension of Permitted Development Rights is leading to the delivery of poor quality, unhealthy homes, which are damaging people's life chances.⁶

Decisions on where we build new homes requires a nationally strategic approach and should be based on a wide range of considerations – such as the need and demand for new homes, the

³ Unlocking the potential of large-scale new communities <https://tcpa.org.uk/resources/unlocking-the-potential-of-large-scale-new-communities/>

⁴ Glen Bramley, Heriot-Watt University, May 19 - Research for Crisis and the National Housing Federation, 'Housing supply requirements across Great Britain for low-income households and homeless people'. <https://pure.hw.ac.uk/ws/portalfiles/portal/24741931/HousingSupplyMay2019.pdf> (Exec Summary) referenced in HoC Research Briefing: Tackling the under-supply of housing in England - House of Commons Library (parliament.uk) (Feb 2022)

⁵ <https://tcpa.org.uk/garden-city-principles/>

⁶ Read more via the TCPA Campaign for Healthy Homes: <https://tcpa.org.uk/collection/campaign-for-healthy-homes/>

ability to mitigate the climate crisis and enhance biodiversity, and the opportunity to provide more local jobs and sustainable and active travel by public transport.

The case for large scale new communities as part of this portfolio, remains clear. The Government has committed to the principle of new communities through the NPPF and its Garden Communities programme and has advocated new communities delivered by Development Corporations in the Oxford-Cambridge Arc. The local authorities who are members of the TCPA's New Communities Group are together planning for and delivering around 300,000 new homes.⁷ They are live projects contributing to meeting Government's housebuilding targets, with ambitions for creating high-quality and healthy communities. Despite this interest, the opportunity for Government to enable a step-change in both housing quality and delivery rates by building highly sustainable new places remains largely unrealised. The TCPA has written in detail about the remaining barriers to achieving this, including how to unlock existing projects, and the changes needed to realise the full opportunity of this approach. The further review of the NPPF must address these barriers as part of a strategic approach to housing and renewal. The TCPA recognises the positive changes to CPO and to update Development Corporations, but national policy is urgently required to make clear when and when these new powers might be used.

Changes to the Development Plan system, housing needs assessment, duty to co-operate and justification at examination proposed through both this consultation and the Levelling Up and Regeneration Bill will have significant implications for the ability of local authorities to plan strategically for growth. The projects now being delivered, by the TCPA New Communities Group and others, emerged from lengthy processes of cross-boundary co-operation. These strategic, national, regional and sub-regional processes enabled consideration of needs across housing market areas. It forced consideration of longer-term needs, for often politically sensitive projects. By enabling authorities to set their own housing targets, without justification, and removing the duty to co-operate, along with existing changes to housing needs assessment, undermine the need and incentive to plan strategically.

While evidence suggests that these changes will result in the delivery of fewer housing numbers overall,⁸ the need for 340,000 homes per year, and Government's commitment to 300,000 homes per year remains. The longer term review of the NPPF must consider how this unmet need will be addressed. The NPPF should

- Clearly set out the Government's expectations for how large-scale new communities can help meet national housing needs.
- Make clear how the Government intends to incentivise groups of local authorities to seize the opportunity of new highly sustainable locations.
- Set much stronger requirements for authorities to work together at a sub-regional level through JSDPs to identify needs and suitable location for large scale development.

⁷ TCPA New Communities Group: <https://tcpa.org.uk/areas-of-work/garden-cities-and-new-towns/new-communities-group/>

⁸ The TCPA does not hold the same position on the Green Belt as the authors of this paper, but the evidence outlined in this research indicates how housing delivery numbers might be reduced through the proposed NPPF changes: https://lichfields.uk/media/7853/making-a-bad-situation-worse-the-impact-on-housing-supply-of-proposed-changes-to-the-nppf_lichfields_feb-23.pdf

- Address the barriers to unlocking larger scale new communities in sustainable locations with a commitment to the Garden City Principles.
- Articulate how larger scale development can be a unique opportunity for high quality design for healthy living and net zero. Make clear the benefits in terms innovation in construction and diversifying delivery.

6 The role of planning in addressing climate change

The planning system plays a pivotal role in dealing with the climate crisis. It is the gateway to consent for a range of mitigation and adaptation projects and a keyway of securing long term strategic responses to climate impacts. It can do this by offering a forum for community voices and by enabling community led initiatives on energy and flood defence. In committing to review the NPPF Government has made clear that it will ensure it contributes to climate change mitigation and adaptation ‘as fully as possible’ through the Net Zero Strategy.

The Committee on Climate Change (CCC) has recognised the contribution of local government in delivering on the drive to net zero. The development of future planning policy should be set within the CCC’s recommendations set out in the 2020 report *Local Authorities and the Sixth Carbon Budget*. The TCPA recognises that national policy is particularly deficient on framing an efficient system for climate mitigation and our response is focused on that opportunity. However, while greater national policy guidance is provided on adaptation in relation to flood risk there remain major omissions which future policy will need to address particularly on relocation and overheating and its impact on public health.

The TCPA and the RTPPI have recently updated a national guide to planning for climate change and this document⁹ provides a practical example of the kind of national policy approach which the NPPF might wish to adopt. The TCPA, in partnership with the Centre for Sustainable Energy (CSE), is currently undertaking research on behalf of the CCC to identify how planning can contribute more effectively to adaptation and mitigation. The outputs of this research will form an important evidence base for the further update of the NPPF. It is already clear that the lack of skills and resource in the planning service is the major barrier to delivery but so too is the overall policy prioritisation of climate mitigation and adaptation. There remains deep confusion across planning practice about both the overall weight to be placed on climate change in relation to other policy issues (such as development viability), and significant confusion about basic methodologies on issues such as carbon accounting.

While the focus on climate change in chapters 7 and 8 of the consultation is welcome, it does not adequately reflect the scale of the climate crisis which the science clearly indicates. Nor does it sufficiently emphasise the need for rapid systemic change to our development model in order to achieve both net zero and required resilience to the growing climate impacts. The consultation fails to articulate a clear policy pathway by which planning can deliver upon the Government's ambition for net zero and the stark warnings contained in the third UK Climate Change Risk Assessment¹⁰ published in 2022.

⁹ *The Climate Crisis: A guide for local authorities on planning for climate change*. TCPA and RTPPI, January 2023. <https://tcpa.org.uk/resources/the-climate-crisis-a-guide-for-local-authorities-on-planning-for-climate-change/>

¹⁰ *UK Climate Change Risk Assessment*. January 2022. <https://www.gov.uk/government/publications/uk-climate-change-risk-assessment-2022>

Future policy development needs to be founded on an accurate understanding of the current dysfunction in the planning system including how positive climate policy initiatives at the local level are being frustrated by the application of out-of-date national policy¹¹. The first objective of national policy should be to clarify the important relationship between the planning system and the provisions of the Climate Act 2008 as well as providing much greater prioritisation to climate actions in the strategic objectives of the planning system.

6.1 Developing an effective carbon impact assessment methodology

There are two transformational policy changes which would support the drive to net zero through local plans. The first is greater clarity on the legal and policy obligations which link the 2008 Climate Act budgetary regime to the outcomes of the planning system. The best option is a new legal duty to ensure the assessment and target regimes of the Climate Act are bound to the strategy and delivery mechanisms of the planning system. Short of this objective national policy contained currently in footnote 53 of the NPPF should be prioritised and amplified to make clear that carbon budgets set under the Climate Act are directly relevant to all forms of planning decisions.

The second transformational change is the development of a national carbon assessment regime for local plans. The TCPA strongly welcomes the commitment in chapter 7 of the consultation to develop such a process. A great deal of delay in plan making results from a lack of guidance on how the carbon assessment of plan policy should be conducted and how to select from a growing set of carbon assessment tools. Without a way of auditing the carbon emissions inherent in a local plan's commitments and policies, there is no way of knowing whether a local plan is in alignment with either the council's own carbon reduction commitments or the legal requirements of the Sixth Carbon Budget.

The CPRE recently undertook a review of 24 local plans that have been adopted since the net-zero 2050 target came in to force. They found that only one of these plans contained a quantified, strategic policy to achieve the council's net-zero carbon target,¹² yet none of these councils were required to carry out substantive modifications to their plans to ensure they achieved radical reductions in greenhouse gas emissions. Likewise individual planning decisions giving rise to significant carbon emissions (such as fossil fuel extraction or airport expansion) continue to be taken with no clarity as to how the individual and cumulative impacts from carbon emissions are to be addressed in the planning process. The lack of any requirements on planning authorities and developers to use robust methodologies for carbon impact assessment in both plan making and development management are a major threat to the UK achieving its carbon reduction commitments.

6.2 The key components of a carbon assessment methodology

Given the carbon assessment is the foundation of a successful approach to climate mitigation in local plans the question should not be whether to set out national methodologies but how these can be proportionate and effective. There are obvious lessons from housing, waste and aggregates planning but the process of planning for flood risk is directly relevant by demonstrating how data can be used for plan making and for those applications which fall outside plan allocations. The lesson from this process is that the Government needed to provide detailed guidance on the process of flood risk assessment upfront in order to secure both

¹¹ For example, the 2015 written ministerial statement in relation to the 2008 Energy Act

¹² *Climate emergency: time for planning to get on the case*. CPRE, March 2022.

<https://www.cpre.org.uk/resources/climate-emergency-time-for-planning-to-get-on-the-case/>

efficiency and quality in the plan making process. Carbon forecasting in local plans is conceptually more straight forward than considering the complexity of adaptation issues because many of the key factors, like housing typologies for energy performance, can be set out nationally. There are five key components of a successful carbon assessment methodology for local plans.

a. **Baseline and targets.** Local planning authorities are using a variety of carbon baseline years and differing carbon reduction targets based on differing time horizons. National policy should make clear that the default position is to ensure local plans are in line with the approach adopted in the Climate Act and with the relevant statutory carbon budget. The CCC has an important role in supporting the development of this policy. Local planning carbon reduction targets designed to deliver a trajectory to the net zero 2050 national target should be framed by the science. This requires an application of our cumulative emissions rather than whether emissions are still increasing in 2050. National policy should explore whether local authorities are assessed against their “fair share” of the remaining carbon budget to 1.5 degrees under the Paris Climate Accord. The Tyndall Centre has created a tool to calculate each authority’s fair share so tools already exist to support this.

b. **The scope of relevant carbon emissions.** Planning has a range of direct and indirect impacts on carbon mitigation from the location and performance of buildings, to the operation of transport systems, to the direct provision of renewable energy technologies. National policy should make clear the extent of carbon emissions within the effective policy competence of the local planning regime. The CCC provides high level guidance about the emissions of those sectors which sit within the direct or indirect control of local government planning powers. Where national regulatory frameworks effectively deal with specific sectors then those can be legitimately excluded from local control. Where such regimes only partially deal with emissions, however, such as the Future Homes Standard, then the presumption should be that local policy can set standards to deal with the remaining emissions. The emissions which would be in scope for local plans¹³ would include but are not limited to:

- Operational and embodied emissions from buildings (including regulated and unregulated emissions) including consideration of whole life and operational carbon emissions, drawing on principles set out by the UK Green Building Council (which includes consideration of building fabric, embodied carbon, energy demand, operational fossil fuel use, energy generation, performance and energy control mechanisms).
- Emissions from energy generation
- Energy demand from building / land use
- Waste planning
- Resource efficient design (energy, water, build quality).
- Transport emissions, based on locational choices and modal choices.

c. **The application of carbon assessment methods.** Carbon assessment methodology must be applied to all the new elements of the statutory development plan and be embedded in the broader assessment of plans in the forthcoming environmental outcomes reporting regulations. The expectation of the strengthened plan led system is that the vast majority of

¹³ Some local plans have set out spheres of influence for activities and sectors with most influence upon greenhouse gases between the local plan and the wider UK/international sphere. Source: Central Lincolnshire Local Plan Climate Change Evidence Base

local decisions will be made in accordance with policy based on robust carbon assessment in plan making. Where applications are brought forward outside plan policy the expectation will be that these will be assessed for their carbon impact so that such impacts can be accounted for against the budgetary regime set out in the plan. While there remains some legitimate uncertainty as to whether carbon assessment should apply to minor household applications it must be applied to the permitted development regime which now includes an extensive range of development with a significant carbon footprint.

There are already a range of carbon assessment tools being offered by consultancies and academic institutions.¹⁴ While having some common analytical elements these tools often contain differing typologies of development and differing assumptions about carbon profiles. It is important that national policy takes a view on which of these tools is most effective for local plan making. Given that these tools are being offered in a commercial setting it may be wise for guidance to set out the components of an effective methodology without prescribing a specific product. This is the approach taken on climate adaptation in terms of the guidance for the production of strategic flood risk assessments. National guidance should also emphasise the cost and time saving that results from joint commissioning of carbon assessment across sub regions, and of the extensive learning which already exists from authorities such as Cornwall, as well as the carbon assessment approaches applied for major infrastructure, for example, by the Welsh Roads Review Panel in its recent assessment of its road programme for the Welsh Assembly Government.¹⁵

There is an opportunity to draw in the extensive evidence on energy planning from Government bodies such as Energy Systems Catapult who offer net zero tool kits for local councils¹⁶ and the experience of the carbon hubs¹⁷ to help inform this guidance. As a minimum, guidance would need make clear that assessments tools need to model:

1. Operational emissions – housing numbers x housing type x predicted emissions (testing different policy options)
2. Embodied emissions – housing numbers x development typology (and height) x predicted embodied carbon - (testing different policy options and heights of development)
3. Trip generation - housing numbers x housing locations (typologised by location and development type to predict modal share) X emissions.

Policy assessment mechanisms would support consistency but must be proven to be robust and assumptions must properly account for ‘real life’ carbon impacts. For example:

- Transport assessment models must make realistic assumptions about the modal share of journeys and the associated carbon impact. Over-estimating modal shift away from car use based on ‘best case scenarios’ can lead to under-estimating the carbon impact of some development locations and may under-represent the need for public transport investment to support modal shift.

¹⁴ See the RTPI's Climate Tool Directory, at <https://rtpilearn.org.uk/course/view.php?id=140> (account registration required) – and also ‘RTPI launches ‘invaluable’ guide to climate action tools’. News Release. Royal Town Planning Institute, 18 Sept. 2020. <https://www.rtpi.org.uk/news/2020/september/rtpi-launches-invaluable-guide-to-climate-action-tools/>

¹⁵ *The future of road investment in Wales*. Roads Review Panel, February 2023. <https://www.gov.wales/roads-review>

¹⁶ [Net Zero Go - Energy Systems Catapult](#)

¹⁷ [Carboncarbonhub.org](https://carboncarbonhub.org)

- Transport models (such as WEBTAG) have traditionally been weighted to prioritise the accommodation of vehicle movements over reduction of carbon emissions. These would need to be weighted differently to address climate change.¹⁸ In addition, new journeys that support modal shift away from car use should be given higher weighting in economic assessments of transport interventions.
- Other land use planning interventions that impact travel behaviour must be properly accounted for within the model. Investment in active and sustainable transport must be complemented by a wider strategy for placemaking that create compact, connected and complete communities and reduce the need to travel.
- The model must include realistic assumptions about the ‘performance gap’ of buildings. Assumed policy compliance which is not achieved in build out is a significant challenge for the construction industry to overcome, and also presents a risk in carbon modelling as the impact of emissions is likely to be underestimated.

d. Local plan policy development. The development of local plan policy would involve the testing of a bundle of policy options to determine which was most effective in delivering on carbon reduction targets. This provides for a considerable local choice depending on local aspirations and characteristics to tailor packages of policy which emphasise differing renewable energy mixes or transport solutions. The outcome should be a methodology which can weigh up different strategies including options such as urban extensions, densification, new towns or distributing development equally across all larger settlements within a plan area.

e. Reporting and delivery. Progress against carbon targets need to be embedded in annual monitoring reports and needs to be a key element of an effective enforcement regime. Future policy should consider the merit of introducing a carbon delivery test which requires plan policy to be reviewed where there is evidence of a failure to deliver a pathway to the 2050 carbon reduction target.

The TCPA recognises that national policy cannot directly address the major **capacity and skills** crisis within the public sector planning service. We understand that some organisations representing public sector planners are resisting new obligations on the local plan system on the basis of very limited capacity. A solution to capacity and skills is vital but action on climate change is a legal obligation relating to our basic survival. It cannot be ignored. The key question is how national guidance can provide clarity to support local action.

6.3 The importance of supporting local innovation

The consultation document recognises that ‘some local authorities have already made significant progress’ and ‘we want to ensure these frontrunners continue to innovate and lead the way.’ Given that local authorities have been the driver of innovation on spatial policy on climate change and technical solutions to mitigation and adaptation are changing quickly, national policy should be careful to set a policy baseline and not a ceiling. The future NPPF should explicitly encourage local authorities to continue to innovate and set requirements in response to their local context and ambition. For example, updating Planning Practice Guidance that anticipates amendments to the Planning and Energy Act 2008 that were never

¹⁸ Powershift. UK100, May 2021. <https://www.uk100.org/publications/power-shift>

bought in to force would give confidence to local authorities that they can require energy performance standards higher than those set out in building regulations.

7 Promoting health and wellbeing and reducing health inequalities

The proposed further review of the NPPF provides an opportunity to help transform the built environment to deliver healthier lives with immense benefits to individuals and to future viability of the NHS. This requires a significant evolution of policy from its current approach, which focuses on the provision of health facilities, to one which ensures that reducing health inequalities and promoting health are engrained in all aspects of spatial policy. This reflects the multiple actions required to address healthy place making.

There is clear evidence that although the NHS is good at ‘mending’ people when they become ill, the things that keep people healthy are the places and communities in which they live.¹⁹ Estimates suggest that around 70% of the causes of good health lie outside the NHS.²⁰ Good homes, clean air, jobs, parks and green spaces, and trusted friends and neighbours are all important determinants of population health. The influence of the environments in which people live on their health is illustrated below.



Notably, the blue rings are shaped, to varying extents, by planning policy and practice.

In the last decade there has been a paradigm shift across the public health and planning professions, in countries all around the world, recognising that the built and natural environments are important determinants of health, and that to maximise the potential of them to support good population health and wellbeing the two professions must collaborate.

¹⁹ See, for instance, *Health is made at home: hospitals are for repairs*. Crisp, 2020

²⁰ *What makes us healthy?* The Health Foundation, March 2018. www.health.org.uk/publications/what-makes-us-healthy

The World Health Organisation and UN Habitat have concluded that *‘If the purpose of planning is not for human and planetary health, then what is it for?’*²¹. Evidence of the influence of places on health has grown significantly; the evidence about how to plan and design places that support good population health is now compelling. We know what healthy places are like: the question is how to make them happen.

7.1 The role of planning in supporting good population health

Planning shapes the places in which people live, and so shapes their ability to live healthy lives. Consequently, there is a strong argument that national planning policy should be considered one of the ‘determinants of health’. Speaking at the TCPA’s conference on 22 November 2022, the chief medical officer, Prof Chris Whitty, said, ‘If you look back over the last 150 years, more has been done for public health by proper planning than almost any other intervention (except, perhaps, vaccination).’ Despite this, it is not until paragraph 91 that the NPPF explicitly mentions health.

Among other things, the results are:

- New homes being built to low standards, undermining the health of residents.²²
- New developments that are isolated and force residents to rely on cars rather than walking, cycling or public transport.²³
- Poorer communities having less green space than wealthier areas.²⁴

Part of the problem is that although planners are trained to think about creating healthy places, their understanding of ‘health’ is often outdated. In particular, they are usually unaware of local health inequalities and how planning could help address them or, unintentionally, make them worse. Because the NPPF does not mention health inequalities it is easy for the role of planning in mitigating – or entrenching them – to go unnoticed.

Among the UK nations, England now lags behind both Scotland and Wales. Both nations now have national planning policies that explicitly state the role of planning in supporting population health and in supporting the reduction of health inequalities.²⁵

7.2 The importance of addressing health inequalities through planning

Health inequalities are avoidable, unfair and systematic differences in health between different groups of people.²⁶ Lower-socio economic groups tend to experience compounding and magnifying factors that act in complex ways and trap people in ill-health and poverty. For example, people experiencing poverty tend to have less opportunity to lead healthy lives and worse access to health care. This can lead to higher levels of unemployment, with a direct negative impact on mental health, harming future earning potential, leading to low incomes, which can then impact on health behaviours and decision-making processes. Health inequalities affect individuals, families and can become intergenerational.

²¹ *Integrating health in urban and territorial planning: a source book*. UN Habitat and World Health Organisation, 2020

²² See ‘Why healthy homes are a priority’. tcpa.org.uk/collection/campaign-for-healthy-homes/#learn

²³ *Building Car Dependency*. Transport for New Homes, 2022

²⁴ *Improving Access to Green Space – a new review for 2020*. Public Health England, 2020

²⁵ For Scotland see National Planning Framework 4; for Wales see Future Wales: the national plan 2040 and Planning Policy Wales.

²⁶ *What are health inequalities?* The Kings Fund, 2022 <https://www.kingsfund.org.uk/publications/what-are-health-inequalities>

Before the pandemic, health inequalities in the UK were estimated to cost the NHS an extra £4.8bn a year, cost the UK between £31-£33bn each year in lost productivity, and between £20-£32bn each year in lost tax revenue and higher tax payments.²⁷ The Marmot Review²⁸ provided strong evidence that if we want a healthier population, policies and investment should help everyone, but must focus on the people with the worst health. A healthier population will be created by focusing resources on reducing health inequalities.

For planners, this means using public health data to understand where in their communities the worst health is located; and ensuring that new development is shaped in ways that could help improve it. For instance, if a new development is proposed for an area with high childhood obesity, planners could specify that it includes a children's playground to provide an opportunity for local kids to become more active.²⁹

The NPPF does mention 'health' but says nothing about reducing health inequalities. This matters for two reasons:

- Firstly, as Marmot explained, tackling health inequalities is essential to creating a healthier population.
- Secondly, unlike 'health', which is a slightly vague and contested term, health inequalities are clearly defined, objective, measurable and measured. This means that as a policy objective 'tackling health inequalities' is likely to be far more effective than a vague commitment to supporting 'health'.

7.3 What needs to change?

- National planning policy should be recognised as one of the determinants of health and revised to state clearly that the role of planning is to support population and planetary health. This would be achieved through including the changes in the NPPF set out in section 3.5 above but also needs to be a central element of the proposed future review of planning policy.
- National planning policy should have an explicitly stated aim of supporting a reduction in health inequalities. This would align it with the health 'mission' in the Levelling Up and Regeneration Bill.
- Any new government must ensure that HM Treasury accepts and acts on the evidence set out by The Marmot Review and others such as Andy Haldane,³⁰ that investing in place-making represents an investment in population health and, consequently, is an investment in the UK's future productivity and economic growth.

For more information please contact:

Dr Hugh Ellis, Director of Policy, TCPA
hugh.ellis@tcpa.org.uk

²⁷ www.gov.uk/government/publications/inclusive-and-sustainable-economies-leaving-no-one-behind/inclusive-and-sustainable-economies-leaving-no-one-behind-executive-summary

²⁸ *Fair Society, Healthy Lives: The Marmot Review*. Institute of Health Equity, 2010.
<https://www.instituteofhealthequity.org/resources-reports/fair-society-healthy-lives-the-marmot-review>

²⁹ This is a simplistic example to illustrate the point.

³⁰ See: www.health.org.uk/publications/reports/health-is-wealth