

CONSULTATION

Response Document



43 Southgate Street, Winchester, Hampshire, SO23 9EH, UK

Tel: +44 (0)1962 868 626 | enquiries@cieem.net | www.cieem.net

Planning for the Future

(Ministry of Housing, Communities and Local Government)

29 October 2020

Introduction to CIEEM

The Chartered Institute of Ecology and Environmental Management (CIEEM), as the leading membership organisation supporting professional ecologists and environmental managers in the United Kingdom and Ireland, welcomes the opportunity to comment on this consultation.

CIEEM was established in 1991 and has over 6,000 members drawn from local authorities, government agencies, industry, environmental consultancy, teaching/research, and voluntary environmental organisations. The Chartered Institute has led the way in defining and raising the standards of ecological and environmental management practice with regard to biodiversity protection and enhancement. It promotes knowledge sharing through events and publications, skills development through its comprehensive training and development programme and best practice through the dissemination of technical guidance for the profession and related disciplines.

CIEEM is a member of:

- Environmental Policy Forum
- IUCN – The World Conservation Union
- Professional Associations Research Network
- Society for the Environment
- United Nations Decade on Biodiversity 2011-2020 Network
- Greener UK
- Irish Forum on Natural Capital (working group member)
- National Biodiversity Forum (Ireland)
- The Environmental Science Association of Ireland

We welcome the opportunity to participate in this consultation. We would be happy to provide further information on this topic. Please contact Jason Reeves (CIEEM Head of Policy and Communications) at JasonReeves@cieem.net with any queries.

Comments from CIEEM

Introduction

The English planning system is central to the lives of everyone in society and has a pivotal role to play in improving the lives of all communities.

CIEEM agrees that there are issues with the current planning system in England and is supportive of appropriate reform. However, in this proposal – *Planning for the Future* – there is little acknowledgment the comprehensive way that planning and the environment are linked. The White Paper seems entirely focused on development, and neglects minerals or waste and the future approach to these in planning. The White Paper focuses solely on streamlining and simplifying rather than advocating better and more sustainable land use planning. In doing so it fails to support existing Government policy set out in the 25 Year Environment Plan, the ambitions of the forthcoming Environment Bill, a Green Recovery¹ and achieving the Sustainable Development Goals.

The consultation introductory text states that “[a]ssessments of environmental impacts and viability add complexity and bureaucracy but do not necessarily lead to environmental improvements nor ensure sites are brought forward and delivered”. It is not the purpose of either of those types of assessment to “ensure sites are brought forward and delivered”. Environmental Assessments are designed to identify negative environmental impacts so that they can be addressed through biodiversity and other environmental mitigation and enhancements – thus **enabling** sites to be brought forward and delivered **without** negative environmental impacts²³. If a site poses unacceptable environmental impacts or is not viable, it should rightly not be delivered.

The limitations on the success of environmental assessment leading to environmental improvements are twofold. Firstly, the lack of a robust evidence base in setting local plans can lead to situations where sites are allocated which have significant environmental constraints to their delivery, even where alternative sites that are less constrained might have been available. In this case, there may be issues that cannot be solved during the Environmental Impact Assessment (EIA) at the application stage, since the principle of development is already by then established. The lack of opportunity for environmental improvement (or even to avoid environmental degradation) is already “baked in”. Secondly, even where EIA has set out environmental improvements that can be delivered, there is rarely sufficient capacity to enable monitoring or enforcement by local planning authorities to ensure that they are delivered.

Whilst CIEEM can understand the attraction of simplifying the country into three planning zones, we believe that the proposals as set out in the White Paper would fail to achieve the required effects of **both** streamlining planning **and** protecting the environment (objectives which must be pursued together). In the ‘Growth’ zones where outline consent would be automatically permitted, there would still be environmental constraints, such as protected species. If the government wishes to act in line with its stated policies in the 25 Year Environment Plan, international treaties, and the EU law

¹ <https://www.gov.uk/government/speeches/building-back-a-green-and-resilient-recovery>

² Wood, Christopher, and Carys E. Jones. “The Effect of Environmental Assessment on UK Local Planning Authority Decisions.” *Urban Studies*, vol. 34, no. 8, 1997, pp. 1237–1257. JSTOR, www.jstor.org/stable/43083814

³ https://ec.europa.eu/environment/nature/legislation/fitness_check/index_en.htm

which it will have transposed into UK law on EU Exit then it would still be required to ensure that the development it consents does not result in a loss of biodiversity. To prevent such loss, then Growth zones could only be identified after extensive work to identify and mitigate or compensate for the environmental impacts and the currently proposed timetable does not allow for this. Additionally, as Biodiversity Net Gain will apply to *all* developments – including in the Growth zones – there will still be a need for baseline ecological assessments.

The level of protection of the ‘Protected’ zone is not clear, and some development would be permitted under the proposals; this does not appear to be different to the existing system, where an application which affects environmentally sensitive areas can be lodged and judged on its own merits. Given the loss of biodiversity which will result from the ‘Growth’ and ‘Renewal’ zones, the proposed system would need to have a strong ethos not just of protection in the ‘Protection’ zones, but also of deliberate and proactive ecological enhancement; this is not evident in the current proposals. We do not believe that this proposal would deliver the Government’s ambition to deliver on the Post-2020 Global Biodiversity Framework, which would require 30% of land and sea area under some form of protection for biodiversity, and 10% under strict protection. Furthermore, there is no consideration of how Nature Recovery Networks would fit into this system. There should be a clear and unequivocal link between development in the ‘Growth’ and ‘Renewal’ zones and the funding and delivery of biodiversity enhancement in the ‘Protection’ Zones. The Government’s proposals indicate that land such as Green Belt will be included in the ‘Protection’ Zone – such land is often (though not always) already environmentally and ecologically degraded (for example through farming activity). It is not enough therefore just to ‘protect’ such an area – it must be made subject to planned biodiversity enhancement.

There is no clear hierarchy of protection identified for sites that are of greater strategic importance – for example, a site of international importance for nature conservation is not shown to be more strictly protected than a local nature reserve. The mantra that protection should be focused on what local people decide undermines the importance of scientific evidence and expert understanding of the ecological complexities of an area, and the simple facts as to which species are endangered or vulnerable.

The White Paper goes to great lengths to promote a change to a digital, data-driven planning system. We do not disagree with this, but it must be underpinned by real-world site surveys to maintain up-to-date accurate baselines. The data needed to underpin such a system are currently lacking as desktop sources of data are often incomplete or inadequate, and can lead to perverse outcomes for nature conservation if not ground-truthed and validated.

Climate Emergency and Biodiversity Crisis

CIEEM has declared a climate emergency and biodiversity crisis⁴. Our declaration calls for action from our members, governments and society on reducing greenhouse gas emissions through nature-based solutions. The declaration stresses that the climate emergency and biodiversity crisis are inextricably linked and must be addressed together. Restoring biodiversity has the potential to both mitigate against the effects of climate change, through enhancing carbon-storing habitats such as

⁴ <https://cieem.net/cieem-declares-climate-emergency-and-biodiversity-crisis/>

peat bogs, and helping society and nature to adapt to the inevitable challenges we face from a changing climate.

We are pleased to see the stated ambition to: *“promote the stewardship and improvement of our precious countryside and environment, ensuring important natural assets are preserved”* and that *“we support net gains for biodiversity and the wider environment and actively address the challenges of climate change”*.

However, there is little actual consideration for nature in the proposals, and the climate emergency has a very low profile. Dealing with the inter-connected climate emergency and biodiversity crisis should underpin every section together with emphasis on nature-based solutions, as has been recommended by the Natural Capital Committee⁵. There are no consultation questions relating to biodiversity nor the natural environment and, despite passing mention of the 25 Year Environment Plan and Biodiversity Net Gain, the Government has not taken the opportunity to use planning reform as a really effective tool to deliver action on biodiversity protection and climate change. Using the planning system to set out adaptation and mitigation for the effects of global heating and loss of biodiversity on local communities and urban and rural residents and businesses should run through every proposal. There is a critical opportunity here to use planning reform to find and drive the delivery of such nature-based solutions (e.g. surface water management and energy conservation can both be addressed through ‘greening’ cities) by linking such expectations explicitly to development coming forward under the new approach – but this sadly has not been seized.

The Government states that *“we have continued to protect the Green Belt”* and *“protections for environmental and heritage assets – such as Areas of Outstanding Natural Beauty (AONBs), and Sites of Special Scientific Interest (SSSIs) and Conservation Areas – continue to protect our treasured countryside and historic places”* but neglects a raft of other ecological designations, not to mention that AONBs and National Parks are landscape and cultural designations rather than explicitly biodiversity ones. Additionally, planning reform needs to help improve the condition of protected sites.

The focus of the consultation on ‘beauty’ rather than biodiversity and the goods and services provided by the natural environment suggest that Government does not yet grasp the importance of the natural environment in supporting societal well-being. The concept of ‘beauty’ is subjective and does not help to define what the planning system should be aiming to achieve. There also appears to be no overt recognition that ‘beauty’ may be natural and extant, rather than artificial and constructed.

The Nature Recovery Network should be a key element of any new strategic planning system, but there is no indication of how the Nature Recovery Network commitments of 500,000 ha of new wildlife habitat outside protected areas would be delivered by this system. It is also unclear how the proposals will work with new schemes coming on-stream in the near future such as Biodiversity Net Gain, Local Nature Recovery Strategies and Environmental Land Management schemes.

The paper does say that Government will *“take the opportunity to strengthen protections that make the biggest difference to species, habitats and ecosystems of national importance”* and that there will be a separate, more detailed consultation published later in the year, but if the planning system is to be an effective means to deliver government environment policy, then biodiversity and the

⁵ <https://www.gov.uk/government/publications/a-natural-capital-approach-to-attaining-net-zero-nature-based-interventions>

natural environment must not be an add-on to the planning process. If Government is serious about its 25 Year Environment Plan ambitions, and its commitment for us to be the first generation to leave the environment in a better state for future generations, then protecting and enhancing the natural environment must be front and centre in the planning system – fully integrated and embedded.

Resources, Monitoring and Enforcement

We are pleased to see that the Government recognizes the need to adequately resource the planning system, and to *“develop a comprehensive resources and skills strategy for the planning sector to support the implementation of our reforms.”* And that the *“cost of operating the new planning system should be principally funded by the beneficiaries of planning gain – landowners and developers – rather than the national or local taxpayer.”* Frontloading the system has many benefits that we applaud, but this must not be at the expense of effective monitoring and enforcement.

The benefit of frontloading decision-making means that development can be directed away from inappropriate areas, making actual delivery then swifter and easier at the planning application stage because EIA and parallel processes do not then have to deal with as many constraints. However, the White Paper sets out the expectation that environmental assessment would be curtailed at both the beginning and the end of this process – meaning that frontloaded decisions are not accompanied by frontloaded environmental assessment that is robust, which could lead to poor decision-making. There is scope to reduce the complexity of environmental assessment at the application stage, but only if those assessments have been done earlier in the process.

We recognize that the planning system cannot fund all local planning authorities’ activities, but with ongoing cuts to local authority budgets it is unreasonable to expect *“the cost of preparing Local Plans and enforcement activities [to be] largely funded from the local planning authority’s own resources.”* These costs will be significant if the zoning proposed is to be underpinned by evidence.

Any change to the planning system, and new obligations introduced by the forthcoming Environment Bill (e.g. Biodiversity Net Gain and proposed Site and Species Strategies), will increase the burden on already stretched local authorities.

The Government recognizes that few authorities have in-house ecological expertise, and if numbers of planning staff are decreasing, then there is little chance of adequate oversight and scrutiny, nor of effective monitoring and enforcement. It is imperative that sufficient competent professionals (both planners and ecologists) are employed in all local authorities.

Ground-truthed surveys need to occur prior to zoning, which will transfer the resource burden from developers to LPAs and 'upstream' environmental consideration, which we strongly support. However, this is incompatible with the Government’s aspirations for rapid plan production and is a significant resource demand on authorities already under unprecedented financial pressure. Zoning must only take place once a LNRS is adopted and a national NRN have been formulated and once LPAs have been provided with sufficient resources to enable detailed site-based appraisals.

In bringing forward proposals for resourcing planning departments more broadly, there should be a clear requirement for all local authorities to employ adequately trained in-house ecologist(s), whose key purpose would be to help deliver better outcomes for biodiversity through the local plan-making and development management processes.

Consultation Questions

Pillar One – Planning for development

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

2. *Do you get involved with planning decisions in your local area? [Yes / No]*

2(a). *If no, why not? [Don't know how to / It takes too long / It's too complicated / I don't care / Other – please specify]*

3. *Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future? [Social media / Online news / Newspaper / By post / Other – please specify]*

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

PROPOSAL 1: The Role of Land Use Plans Should Be Simplified
--

5. *Do you agree that Local Plans should be simplified in line with our proposals? [Yes / No / Not sure. Please provide supporting statement.]*

No. Whilst there are certainly grounds for improving the system, we have concerns about the proposals put forward in the White Paper.

- There is an insufficient evidence base on which to base the zoning system. Without such evidence there could be significant environmental impacts in the 'Growth' and the 'Renewal' zones. This would severely undermine the ambitions set out in the 25 Year Environmental Plan.
- Additionally, without an expectation of enhancements being delivered, the 'Protection' zone will achieve little more than maintaining the status quo in these areas, or perhaps even permitting slow decline of biodiversity. The proposals should be revised to place a clear expectation that biodiversity **enhancement** will be expected in all zones, but particularly within the 'Protection' zone.
- It is not clear how such automatic planning consent would work with other planned legislative requirements such as Biodiversity Net Gain.

- It is not clear that the ‘Protected’ zone has any real protection from development, only from automatic grant of consent. It would therefore perhaps be slower to build on, but not protected. Calling this the Protected zone is misleading to the lay person.
- There is no specific benefit for protected areas. The White Paper suggests that SSSIs and National Parks will be safe in this system, but it is set up to allow the repeated special-case pleading that results in impacts on protected areas in the current system.
- The identification of ‘Growth’ zones, where the environment does not need to be protected, would disproportionately affect poorer people in urban areas. As such it is an inequitable and potentially discriminatory approach. By only attempting to protect in certain zones, most people would miss out on the wider societal benefits from, for example, access to nature, tree planting, nature recovery networks, etc.
- ‘Protected’ zones need a more ambitious objective – that of **enhancement** as an expectation, with some strict or inalienable protection for irreplaceable habitats. This would be in line with Government commitments under the post-2020 Global Biodiversity Framework and would allow genuinely irreplaceable natural assets to be appropriately protected.

We strongly reject the alternative proposal, that: *“Alternative options: Rather than dividing land into three categories, we are also interested in views on more binary models. One option is to combine Growth and Renewal areas (as defined above) into one category and to extend permission in principle to all land within this area, based on the uses and forms of development specified for each sub-area within it.”* The outcomes of this approach would be even more severely detrimental to the restoration and enhancement of the natural environment and undermines everything that the Environment Bill and 25 Year Environment Plan are trying to achieve.

<p>PROPOSAL 2: Development Management Policies Established at National Scale and An Altered Role For Local Plans</p>

6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally? [Yes / No / Not sure. Please provide supporting statement.]

No.

Many current Local Plan policies do reflect national policy and many planning policies are aimed at setting standards for design and development. It is however important to recognise that each local planning authority area has different landscape and natural environment characteristics (e.g. location and distribution of protected sites and species) and different constraints.

Local policies provide opportunity to increase specificity in development guiding policies and so reduce uncertainty for developers whilst also considering important local sensitivities without unnecessary repetition of national policy. Therefore, if we were to remove local development management policy, we reduce specificity in the planning system and decrease confidence by planners, developers and stakeholders creating a wider democratic deficit.

Therefore, the flexibility to design bespoke local policies needs to be retained to address these types of local issue. We do, however, support the principle of stronger national policy on biodiversity and land use.

PROPOSAL 3: Local Plans should be subject to a single statutory “sustainable development” test, replacing the existing tests of soundness

7(a). Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of “sustainable development”, which would include consideration of environmental impact? [Yes / No / Not sure. Please provide supporting statement.]

Not sure.

This could be an effective approach if implemented well. This requires not just making the process simpler (which is needed) but also to make it more impactful in terms of the consideration of appropriate evidence, rather than simply a tick-box exercise – which is what it has become in many instances.

The proposed “test” must include biodiversity and ecosystem services, and must comply with our existing international obligations. If sustainability is assessed through the lens of the natural environment (in addition to the other pillars of society and the economy), then it is more likely to be an accurate reflection of development which meets the needs of the present generation without compromising the ability of future generations to meet their needs. This will require competent environmental expertise to be available to all local planning authorities.

It is critically important that any single statutory test of sustainability if implemented, includes a Strategic Environmental Impact Assessment and that this incorporates the requirements of the current Conservation of Habitats and Species Regulations, or something similar in purpose.

If local planning authorities are required to identify Growth and Renewal zones where outline planning permission is presumed to be granted automatically, then these areas need to be subject to a thorough and rigorous sustainability assessment to establish that they are suitable for growth and to identify what mitigation measures will be required to ensure that development in those areas can be delivered sustainably. Development in these areas will still need to meet the requirements of Biodiversity Net Gain, and this should partly ensure that these areas do not become nature-free zones.

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

Cross-boundary issues relating to biodiversity could potentially be addressed through the process of devising and delivering Local Nature Recovery Strategies as envisaged in the Environment Bill. However, as noted above, it is unclear how Local Nature Recovery Strategies will integrate with the proposed planning reforms.

Similarly, consideration needs to be given to the fact that many strategic environmental concerns do not map neatly onto one another nor planning authority boundaries – such as Catchment Partnerships and National Character Areas.

There is little evidence in the White Paper as to how the recommendations of the Glover Review of national landscapes have been incorporated into the planning reform considerations. It is imperative that the opportunity to take these recommendations forward through planning reform are not missed.

PROPOSAL 4: A standard method for establishing housing requirement figures which ensures enough land is released in the areas where affordability is worst, to stop land supply being a barrier to enough homes being built. The housing requirement would factor in land constraints and opportunities to more effectively use land, including through densification where appropriate, to ensure that the land is identified in the most appropriate areas and housing targets are met.

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

This would need to fully consider the value of designated nature sites and also the value of local green space for local people in terms of connections to nature for mental and physical health and well-being. And indirect effects of densification need to be carefully considered.

The blanket approach to brownfield sites is not helpful: *“the opportunities to better use existing brownfield land for housing, including through greater densification. The requirement figure will expect these opportunities to have been utilised fully before land constraints are taken into account”*. Brownfield sites can often be important sites for biodiversity and should not automatically be seen as sites for unscrutinized development. Some brownfield land is actually more biodiverse than land proposed to be included within the ‘Protection’ Zone (e.g. parts of the Green Belt). Local policies can however have a role in constructively making more efficient use of brownfield potential – for example, policies in London for brown/biodiverse roofs to replace lost brownfield habitats.

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

Proposal 5: Areas identified as Growth areas (suitable for substantial development) would automatically be granted outline planning permission for the principle of development, while automatic approvals would also be available for pre-established development types in other areas suitable for building.

9(a). Do you agree that there should be automatic outline permission for areas for substantial development (Growth areas) with faster routes for detailed consent? [Yes / No / Not sure. Please provide supporting statement.]

No, for the following reasons:

- Automatic planning permission could set a dangerous precedent for destruction of our most important habitats and species across the country unless detailed and compelling environmental evidence is available to inform the designation of such zones beforehand

(which is not presently in existence). Speed of development is affected by a wide range of considerations and automatic planning permission is only one factor. It must not be at the expense of sustainable development in line with our international obligations.

- The existing data and mapping information we have on our habitats and species remains outdated (and in some cases actually incorrect), with modern data approaches like geospatial mapping and satellite imaging currently lacking.
- Important habitats and species will be missed due to inadequate coverage and become open to Growth zone expansion.
- Ecological data inventories, such as ancient woodland, and priority habitats and species are not comprehensively mapped, and therefore do not map our most important habitats across the country at a local level. These would need to be updated and maintained to fulfil the White Paper's ambition of a reliance on visual and map-based, standardised, digital technology. Decisions based on incomplete and inaccurate data could have unintended and perverse outcomes for nature.
- Decision-making on what is defined as land required for Growth zones across local authorities will fall under the expertise of the planners within that given authority. Most Local Planning Authorities do not have ecological expertise; therefore, decision-making will be carried out by individuals without adequate knowledge, putting valuable areas of ecological habitat at risk.
- The government's Local Nature Recovery Strategy (LNRS) and Nature Recovery Network (NRN) across England will be vital to the successful reform of planning, to securing local community support, and to realising the aspirations of the 25 Year Environment Plan. However this cannot be implemented effectively unless the above points are acted upon.

9 b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas? [Yes / No / Not sure. Please provide supporting statement.]

No.

- The Protected zones do not provide any certainty or clarity on what is protected. The document makes reference to Sites of Special Scientific Interest (SSSI) and Local Wildlife Sites (LWS), however this does not include other major statutory designations or those requiring protection, such as National Nature Reserves (NNR), Local Nature Reserves (LNR), irreplaceable habitats such as lowland bog and ancient woodland, and priority habitats.
- The definition of a Protected zone does not provide any additional protection and will simply be open to decision-making under the National Planning Policy Framework (NPPF).
- The protection afforded will not be adequate to meet the challenge. If protection means the status quo, then in many cases the biodiversity in 'Protected' zones will simply continue to decline. Biodiversity **enhancement** must be the default position.

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

No.

More context is needed to decide whether this would be beneficial. It would be contradictory to all of the Government's environmental ambitions if such large housing projects were deliberately excluded from a requirement to deliver Biodiversity Net Gain.

Proposal 6: Decision-making should be faster and more certain, with firm deadlines, and make greater use of digital technology

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

No.

- We agree that faster decision-making is beneficial and that proposals to make decision-making faster should be considered. However, the proposals in the White Paper do not provide any assurances that our most important habitats and species will be sufficiently protected in the short- or long-term through quicker decision-making, nor that Biodiversity Net Gain will be delivered as per the Government's aspirations.
- Improving Local Planning Authority (LPA) access to ecological expertise will be a key component of a digital mapping planning tool that the government strives for, so that decision-making on Growth and Renewal zones can be guided by appropriate expertise. LPAs need to be better resourced with clearer validation processes to ensure environmental considerations are appropriately 'upstreamed' from the determination processes.
- All local planning authorities should be required to work to appropriate standards of biological data to support plan-making and applications.
- Local Environmental Record Centres need government support to provide the sufficient access to data and knowledge that is needed. These tools however cannot replace the need for periodic site-specific surveys in order to provide robust ecological data in order to ensure legal and planning compliance.
- Periodic updating of existing data mapping is vital, and in particular, for irreplaceable and priority habitats.

Proposal 7: Local Plans should be visual and map-based, standardised, based on the latest digital technology, and supported by a new template.

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

Yes.

But assuming that they are supported by quality data and evidence. Ground-truthing will still be necessary.

Proposal 8: Local authorities and the Planning Inspectorate will be required through legislation to meet a statutory timetable for key stages of the process, and we will consider what sanctions there would be for those who fail to do so.

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

No.

Whilst we agree that a uniform timetable would be helpful, it is uncertain that the 30-month timescale is reasonable or achievable for local authorities given the volume of data that will need to be collected to underpin the Plans and current resourcing levels. Hastily developed and poorly conceived plans will not benefit local people or the natural environment in line with the Government's objectives and international obligations.

Proposal 9: Neighbourhood Plans should be retained as an important means of community input, and we will support communities to make better use of digital tools

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

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

Proposal 10: A stronger emphasis on build out through planning

14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support? [Yes / No / Not sure. Please provide supporting statement.]

Yes.

We would expect further monitoring through build out and post construction to ensure that Biodiversity Net Gain and other environmental obligations are achieved.

Monitoring needs to be linked to explicit feedback loops – i.e. if an objective is not being met, then agreed action(s) will be taken to get back on track to meeting those objectives.

Pillar Two – Planning for beautiful and sustainable places

Proposal 11: To make design expectations more visual and predictable, we will expect design guidance and codes to be prepared locally with community involvement, and ensure that codes are more binding on decisions about development.

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

16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area? [Less reliance on cars / More green and open spaces / Energy efficiency of new buildings / More trees / Other – please specify]

There is no evidence of sustainability being at the heart of these proposals.

For CIEEM and its members, our two priority areas are halting and reversing the alarming national declines in biodiversity and simultaneously mitigating for the effects of climate change. We also recognise the great importance of regular access to the natural environment for the physical and mental health and well-being of local communities. Putting these priorities together means that we want to see an increased emphasis on planning for, and the delivery of, Green Infrastructure and Ecosystem Services that can simultaneously deliver multiple benefits for people and nature.

It is critical that any design code has the key principles for environmental protection and enhancement as core components.

17. Do you agree with our proposals for improving the production and use of design guides and codes? [Yes / No / Not sure. Please provide supporting statement.]

Proposal 12: To support the transition to a planning system which is more visual and rooted in local preferences and character, we will set up a body to support the delivery of provably locally-popular design codes, and propose that each authority should have a chief officer for design and place-making.

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

Not sure.

If agreed, the chief officer should be appropriately competent in all aspects of sustainability and accredited by a relevant professional body.

Further to this there needs to be a requirement for all local planning authorities to have at least one in-house professional ecologist.

Proposal 13: To further embed national leadership on delivering better places, we will consider how Homes England's strategic objectives can give greater emphasis to delivering beautiful places.

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

Proposal 14: We intend to introduce a fast-track for beauty through changes to national policy and legislation, to incentivise and accelerate high quality development which reflects local character and preferences.

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

No. See introductory remarks regarding beauty.

This is not a proxy for environment and will not alone reverse the crises in biodiversity loss or climate change.

Additionally, there is no recognition that 'beauty' can be natural as well as man-made, and may already be present and due to be displaced. The type of 'beauty' envisaged in the White Paper is always built!

Pillar Three – Planning for infrastructure and connected places

Proposal 19: The Community Infrastructure Levy should be reformed to be charged as a fixed proportion of the development value above a threshold, with a mandatory nationally-set rate or rates and the current system of planning obligations abolished.

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

22(a). Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold? [Yes / No / Not sure. Please provide supporting statement.]

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

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

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

Proposal 20: The scope of the Infrastructure Levy could be extended to capture changes of use through permitted development rights

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

Proposal 21: The reformed Infrastructure Levy should deliver affordable housing provision

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

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

24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk? 53 [Yes / No / Not sure. Please provide supporting statement.]

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

Proposal 22: More freedom could be given to local authorities over how they spend the Infrastructure Levy

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

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

26. Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?

The planning system must ensure that all communities have access to high quality nature and green space for its well-documented physical and mental health and well-being benefits. In our view these proposals will create barriers to achieving this, especially for people from low socio-economic communities.

In digitising the planning system, Government must be mindful of stakeholders who are less familiar with online technology (e.g. older people), less able to engage with it (e.g. disabled), are less able to afford access to it (people on low income) and those who lack reliable and adequate internet connectivity (e.g. rural communities and low socio-economic communities).