

# CONSULTATION

## Response Document



Accelerating home-building in Scotland

Scottish Government

30th April 2026

**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 9,000 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:

- Scottish Environment Link
- Wildlife and Countryside Link
- Northern Ireland Environment Link
- Wales Environment Link
- Environmental Policy Forum
- IUCN – The World Conservation Union
- Society for the Environment
- United Nations Decade of Restoration 2021-2030 Network
- Irish Forum on Natural Capital (working group member)
- National Biodiversity Forum (Ireland)
- The Environmental Science Association of Ireland

CIEEM has over 890 members in Scotland who are drawn from across the private consultancy sector, NGOs, government and SNCOs, local authorities, academia and industry. They are practising ecologists and environmental managers, many of whom regularly provide input to and advice on land management for the benefit of protected species and biodiversity in general.

**This response was coordinated by Members of our [Scotland Policy Group](#).**

This is a response to the Scottish Government's consultation on [Accelerating home building - incentives and penalties to speed up housing delivery](#) (30th April 2026).

We have focused on questions relating to **Option 3: Reduce procedural time and costs for SME developers**.

4) Should we bring forward legislation to amend the development hierarchy, to enable us to introduce more streamlined planning processes on planning applications for smaller sites, as outlined in option 3? Yes/No/Unsure. Please explain your answer.

No.

#### **Evidence of the issue**

CIEEM recognises the importance of a speedy and effective planning process. It is therefore important to establish as clearly as possible what factors are contributing to delays in decision-making, and to ensure that any proposed reforms are well targeted. The consultation does not appear to provide evidence on the extent to which the planning process is delaying smaller sites, nor analysis of whether existing streamlining measures are proving ineffective in practice. In particular, it is not made clear which current requirements for smaller sites are considered disproportionate or time-consuming, or what would in practice be simplified or removed. Greater clarity on these points would help us to assess whether the proposals are likely to address genuine causes of delay while maintaining appropriate safeguards.

In many cases, ecological and environmental information is requested by planning authorities to demonstrate consistency with the development plan and national policy. If the Scottish Government considers that these expectations are disproportionate for smaller sites, this is more appropriately addressed through revisions to NPF4 policy and guidance, rather than through legislative changes to the planning system.

As the consultation document notes, NPF4 already requires that local developments have proportionate measures for biodiversity based on the nature and scale of development. The consultation does not explain which requirements for smaller sites might be removed or

simplified, nor how any such changes would improve delivery in practice. Given that NPF4 places the climate and biodiversity crises at its core, it will be important to ensure that any reforms do not weaken that emphasis.

The consultation document gives less attention to the extent to which delays may arise from LPA capacity constraints rather than from environmental regulations themselves. A survey conducted by CIEEM in 2022<sup>1</sup> highlighted lack of ecological capacity and expertise and lack of enforcement staff across LPAs.

This assessment is consistent with the Housing Investment Taskforce report, which in its 'Enabling viable development' section notes the potential of the planning system as an enabler where there is the right empowerment, leadership and accelerated decision-making, while also acknowledging the well-recognised resourcing challenges in the system.

The consultation also states that "advice could be provided on planning application information requirements, setting clearer and more streamlined expectations nationally". CIEEM would support a review of whether current advice is sufficient to facilitate consistent interpretation and decision-making across the development hierarchy and across different geographies, given the pressure on LPA capacity outlined above. The Proportionality of Assessments Short Life Working Group, which is referenced in the consultation document, also identified a wider set of issues that are not fully reflected here. For example, planning case officers require greater 'confidence, experience and skills'. This accords with CIEEM's own work. The proposed options could perhaps engage more fully with the wider range of issues identified through previous work. As currently framed, Option 3 appears relatively broad-brush and may give rise to unintended consequences if not accompanied by greater clarity, safeguards and resourcing.

In short, the consultation does not set out why the status quo for smaller sites is causing delays, nor does it clearly explain what specific changes to requirements are proposed and how these would resolve the identified issues. On the basis of the information currently presented, we are not convinced that the case for the proposed legislative change has been sufficiently demonstrated.

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<sup>1</sup> <https://cieem.net/survey-of-scottish-local-planning-authority-capacity-highlights-risk-to-delivery-of-npf4/>

## **Wider causes of slow housing delivery**

More fundamentally, the factors influencing slow housing delivery appear to lie largely beyond the planning process. While some delays do occur at the planning stage, build-out rates are also strongly influenced by market and viability factors, including rising construction costs (for example, materials such as timber) and achievable sales values. Where developments are not currently viable, securing planning permission alone may not be sufficient to bring them forward more quickly. The consultation document itself acknowledges these constraints. This further underscores the need to focus any reforms on the main drivers of delay, rather than on environmental safeguards within the planning system.

## **Biodiversity metrics/BNG**

The consultation's reference to the UK Government's May 2025 consultation on reforming site thresholds applies specifically to mandatory Biodiversity Net Gain (BNG) in England and does not translate straightforwardly to the Scottish context. DEFRA's BNG metric may be used by some stakeholders in Scotland, but its use is not mandatory and the biodiversity metric being developed by NatureScot for use in Scotland will only apply to NPF4 Policy 3b and larger developments (i.e. all national, major and Environmental Impact Assessment (EIA) developments) and will not be mandatory. This suggests that the proposed biodiversity metric is not a process that can be 'removed' or simplified for smaller housing sites to speed up their delivery, as it will not apply to those developments in the first place.

Experience from England's BNG implementation demonstrates that threshold-based exemptions and simplified routes for smaller developments can create risks of cumulative biodiversity loss and perverse incentives around phasing of larger schemes. It will be important to ensure that any Scottish approach explicitly guards against the deliberate subdivision of sites or phases to avoid biodiversity requirements, and that cumulative impacts of multiple small developments are systematically assessed.

NatureScot published [Developing with Nature guidance](#) in 2023, which supports delivery of NPF4 Policy 3c and applies primarily to local development in Scotland. The illustrated version of this has never been finalised/published and it would be good to see this

completed so that LPA's can embed it in their planning advice and disseminate it to developers.

### **Ecological Considerations & legal risk**

Most ecological survey work is required to ensure that developments comply with protected species and wider environmental legislation, which would continue to apply irrespective of changes to planning procedure. As such, any procedural changes are unlikely in themselves to remove the need for ecological surveys or significantly reduce approval times unless wider legal duties are also changed, which would raise substantial concerns.

Environmental surveys are necessarily seasonal, likewise with mitigation, so we strongly caution against penalising developers who are following regulations and professional standards by commissioning appropriately timed survey work and addressing any biodiversity impacts identified. We suggest that seasonality of ecological surveys and mitigation be considered one of the "external factors" that do not count against a developer when considering penalties for build-out being "too slow".

There are a number of risks of unintentional harm which a focus on speed may precipitate. Any 'streamlining' that in practice omits or downgrades ecological surveys, environmental information, or mitigation measures, could increase the risk of non-compliance if applicants do not have access to the baseline information and mitigation needed to identify and address impacts appropriately. Reducing requirements for smaller sites also risks poorer placemaking outcomes and could undermine public confidence in the planning system, if communities perceive that environmental and quality safeguards are being relaxed in pursuit of speed.

We are also concerned that a stronger reliance on thresholds and simplified processes for smaller sites could create unintended incentives around phasing. For example, future Masterplan Consent Areas or other large sites could potentially be brought forward in smaller parcels that fall below particular thresholds. Likewise, an SME intending to deliver a larger number of homes might choose to proceed in smaller phases where this offers procedural or cost advantages. If not carefully designed, such an approach may fail to capture the cumulative biodiversity effects of multiple small developments over time, leading to incremental loss of habitats and ecological connectivity.

We recognise that phasing already occurs in practice, primarily for financial reasons, for example where revenue from an earlier phase funds a later phase, or where a later phase is sold on to another builder. While phase size can influence application costs, phasing is not generally undertaken primarily to manage environmental requirements.

We also caution against perverse incentives to favour development on greenfield/belt (which have biodiversity benefits in their own right). The consultation's primary focus will be land which already has planning consent or is identified for housing, rather than new incursions into green belt. Nonetheless, wider concerns about land availability are clearly linked to NPF4 Policy 16 on quality homes. Housing Land Audit<sup>2</sup> guidance notes that Policy 16(f) only supports proposals for new homes on land not allocated for housing in the local development plan in limited circumstances, including where delivery of existing sites is happening earlier than identified in the deliverable housing land pipeline, and only where there is evidence of such a sustained trend over two consecutive years. These provisions do not in themselves prevent environmental protections from being weakened to speed up planning. We therefore consider it important that the Scottish Government is explicit that the drive to accelerate housing delivery must not come at the expense of NPF4's wider policy objectives on climate, nature and place, and that it cannot foreground one policy (housing delivery) while effectively reducing the relevance or weight of others.

Pursuing accelerated decision-making without sufficient capacity and expertise may increase the risk of poorer-quality decisions, with implications for both biodiversity outcomes and longer-term housing delivery.

- A. How many categories should be defined by the development hierarchy, and what size of development should these cover? For example, four categories, that define major, medium, small and very small developments.

CIEEM does not currently see a clear case for introducing additional categories within the development hierarchy. The existing distinction between national, major and local

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<sup>2</sup> <https://www.gov.scot/publications/housing-land-audit-guidance/>

development already provides a basis for proportionate decision-making, and the consultation has not presented sufficient evidence that further subdivision would accelerate housing delivery.

Introducing additional categories also risks increasing complexity and inconsistency in application across authorities, and could divert limited planning resource into administering a more fragmented system rather than improving delivery on the ground.

B. What are your views on, and do you have any evidence relevant to whether creating more categories in the development hierarchy might have an overall effect of speeding up or slowing down build-out of housing?

CIEEM has not seen evidence that increasing the number of categories in the development hierarchy would speed up build-out rates. On the contrary, further subdivision may increase administrative burden, create greater scope for inconsistency and dispute, and risk slowing decision-making rather than accelerating it.

As set out in our response to Question 4, the principal constraints on build-out appear to lie less in the structure of the planning hierarchy and more in wider issues such as market conditions, viability and local planning authority capacity.

C. What are your views on whether we should review and rationalise policy requirements for smaller housing sites, or introduce a new rules based policy for smaller housing sites?

CIEEM would not support any review or rationalisation of policy requirements for smaller housing sites if the effect were to weaken biodiversity, environmental or placemaking outcomes. NPF4 already provides a proportionate framework, including through Policy 3, and those requirements are important to securing high-quality, nature-positive development across all scales of development.

If there are concerns about how proportionality is operating in practice, these would be better addressed through clearer guidance, stronger implementation and improved resourcing of planning authorities and statutory consultees, rather than through weakening

policy requirements or introducing a rules-based approach that could reduce necessary site-specific consideration.

D. Do you think that further advice on planning application information requirements would support faster delivery of housing on smaller sites? Yes/No/Unsure. Please explain your answer.

Yes, in principle.

Further advice could support more consistent and efficient decision-making, provided that it reinforces proportionality without weakening environmental outcomes. In particular, clearer and more accessible guidance on biodiversity requirements, including implementation of NPF4 Policy 3 and supporting material such as Developing with Nature, could help applicants and planning authorities better understand expectations at an earlier stage.

However, guidance alone will not be sufficient unless it is accompanied by adequate resourcing and ecological expertise within planning authorities and NatureScot, so that advice can be applied consistently and effectively in practice.

E. Do you think there are any further options that creating more categories in the development hierarchy might open up, further to those outlined in option 3? Yes/No/Unsure. Please explain your answer.

No.

CIEEM does not consider that creating additional categories in the development hierarchy would open up further options that would address the underlying causes of slow housing delivery. There is a risk that further restructuring would increase procedural complexity without delivering corresponding benefits in speed or certainty.

The priority should instead be on improving implementation of the existing policy framework, ensuring appropriate safeguards are maintained, and resourcing the planning system so that decisions can be made efficiently and robustly.

F. Do you think that this measure would have any particular benefits for SME housebuilders? Yes/No/Unsure. Please explain your answer.

No.

CIEEM recognises the important role that SME housebuilders can play in housing delivery, but does not consider that reducing environmental or placemaking requirements is an appropriate or effective means of supporting them. As noted above, the main constraints on smaller developers are often viability, build costs, infrastructure and financing, rather than the existence of biodiversity or environmental safeguards.

Reducing standards for smaller sites could also create a two-tier planning system and lead to poorer environmental outcomes. Support for SMEs would be better focused on measures such as access to land, infrastructure provision, financing and delivery mechanisms, together with clearer and more consistent guidance through the planning system.