



27 October 2020

## New London Architecture (NLA) response to ‘Planning for the future’ consultation – implications for Greater London

This consultation response is made by [New London Architecture](#) (NLA), the independent centre for London’s built environment, which brings together professionals, politicians and the public to shape a better city. Our membership includes over 600 organisations across the public, private and charitable sectors, and represents a broad base of built environment professionals, from the development community, to local authorities, planners, architects and others.

This response focuses on the implications of the proposed planning reforms for Greater London, and has been led by the NLA Expert Panel on Planning, informed by an extensive NLA membership survey, and with soundings taken from the New London Sounding Board, a cross-industry voice for the capital.

### Key points

- We **support the overall strategic objectives** presented in this White Paper to make the planning system more accessible, transparent and certain, and support the focus on digitalisation and for shorter, more focused Local Plans. However, following broad consultation with our members, we have **concerns about how some of these changes will work in London**. Our response includes specific suggestions and we look forward to engaging on the detailed proposals.
- We **welcome the focus on good design** throughout these reforms, including the establishment of a new design body and the introduction of a chief officer for design and placemaking in each local authority, enabling a clear vision for the type of growth that should be accommodated in each area. We stress that to make these reforms a success we must invest in proper resourcing and upskilling for our local authorities. We **await with interest the proposals for a National Design Code**, and note that it is important that Codes do not have the unintended consequence of levelling down design ingenuity.
- We have some concerns that the **three land categorisations of ‘Growth’, ‘Renewal’ and ‘Protect’ could limit the potential for sensitive development in central areas of London**. Under this categorisation, many areas of London would be granted ‘Protected’ status – for example conservation areas – where significant development is both possible and desirable. In a tight historic urban environment such as London, a more nuanced approach is needed to ensure appropriate development is able to come forward on a site by site basis. We **propose the inclusion of a fourth ‘Sensitive’ category**, recognising the significant capacity for growth that may exist within some conservation areas, especially in central urban locations. Any reformed planning system should retain the ability to be flexible to reflect changing circumstances and site-specific issues.
- The planning system in London is required to deliver on a broad remit, balancing the delivery of housing with driving economic activity, and promoting the city’s world-class cultural, historic and environmental assets. While much positive focus in these reforms is made on housing delivery and good design, **less emphasis has been made supporting the economic recovery of central urban areas, vital for our post-COVID recovery strategy**. This includes through the delivery of commercial, industrial and retail uses.
- These planning reforms **offer a unique opportunity to place sustainability at the heart of the planning system, and we must go further** to advance and embed a holistic approach to health, wellbeing and climate resilience into our national policies. London has made world leading commitments to become a net zero city by 2030, and its success will be dependent upon taking a holistic net zero carbon approach. This proposal should be integrated with other national commitments such as the Climate Change Act, and we should bring forward our national target to make all homes carbon neutral by 2030.



- We support the objective for greater community involvement in planning but propose that **this should be prioritised throughout the development process**, and not just at plan-making stage. In many cases development will come forward years after a Local Plan has been adopted. A lack of community engagement throughout the planning and development lifecycle could have the potential unintended consequence of slowing down rather than speeding up decision making. The last few months have demonstrated the many benefits of a more modern, digital planning system, but community engagement must not be overly reliant on digital means only. Again, given the complexity of this process, supporting local authorities with the adequate resources is essential.
- We note that **the White Paper does not refer to the role of the London Plan. We would stress the positive influence a strategic planning document has** and would suggest its role should be maintained in any reformed system.
- Our responses have been informed by a broad NLA membership survey – widely representing the development community, local authorities, planners, architects and others. The results showed strong support for simpler Local Plans and digitisation and that the reforms could deliver more certainty and quicker decision making. However, the results also demonstrated a belief that, as drafted, the proposals would not necessarily lead to better design quality, could see less community involvement in planning and that the outcome could be the delivery of less affordable housing and less money for infrastructure for local authorities. **There is a balance to be made between certainty and speed of decision making with quality and appropriateness of that new development.**
- Finally, throughout our consultation responses, our members have **stressed the importance of properly resourcing local authorities to manage this process**, which will be necessary in order to achieve the ambitions of delivering new Local Plans alongside the delivery of the current planning system.



## Questions

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

Flexible, Accountable, Complex

Over the last 15 years, the NLA has hosted dialogues with multiple other global cities about the functions of different planning systems. Our current system compares well internationally and especially since the establishment of the GLA it has delivered increased housing numbers, far greater affordable housing and greater and more diverse design quality. Its key strength is its flexibility and democratic accountability to enable specific local decisions to be made, based on local need and site-specific context. However, there is no doubt the system is complex, it can be lengthy, and requires significant local authority skills to implement effectively. There are certainly improvements that can be made to speed decision making, to improve certainty, enable better community engagement, and prioritise the key issues most important to our communities – from better local infrastructure, creating places that support our health and wellbeing, to tackling the climate emergency. London's complex urban fabric demands a planning system that is flexible, gives nuanced guidance and is subject to professional judgement and local scrutiny.

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

N/A

2(b). If no, why not?

*[Don't know how to / It takes too long / It's too complicated / I don't care / Other – please specify]*

N/A

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]

N/A

### 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]

— Economic recovery: we must support the economic recovery of urban areas, many of which have been heavily impacted by COVID-19. Housing remains a key priority but we must also place a strong emphasis on non-housing matters

— Sustainability: we must respond to the climate emergency, and ensure that we embed a holistic approach to health, wellbeing and climate resilience

— Good growth: development in London must provide for community need, including but not limited to affordable housing, transport and social infrastructure. Tangible social infrastructure benefits should be seen from new development in the immediate locality

### 5. Do you agree that Local Plans should be simplified in line with our proposals?

[Yes / No / Not sure. Please provide supporting statement.]

Yes. We support the simplification of Local Plans and welcome the potential to shorten the process of producing new Local Plans. Local authorities must be supported with the right skills and resources in order to achieve this.



**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.]

Not sure. There is a role for nationally set general development policies in order to avoid unnecessary duplication of similar policies by each local authority. However, there must still be scope for local flexibility. Councils should have the ability to set up local frameworks for more local-based policies around particular areas that cannot be covered at a national level, which can bring added value to an area. For instance, London's Knowledge Quarter (KQ), a dense concentration of scientific and knowledge-based organisations within a 1-mile radius of King's Cross station, exists within the framework of the London Plan and has a significant influence over the evolution of these parts of Camden and Islington.

**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.]

Yes. We welcome these proposals as a simplification of the existing system and look forward to commenting on the next stage of detail.

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

The London Plan already plays a key role in coordinating strategic planning issues across the capital, and therefore the formal Duty to Cooperate is not required in London. However, we note that the White Paper does not refer to the role of the London Plan and we would stress the positive influence a strategic planning document has and would suggest its role should be maintained in any reformed system.

**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.]

No. The GLA already provides this role for London and has successfully driven up housing numbers in the capital, working together with local authorities. This role should remain with the Mayor of London through the London Plan. The implications of the new housing algorithm for London would require 93,000 homes per annum, far above the current targets, and would require a significantly creative approach to small sites across the capital.

**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.]

N/A

**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.]

Not sure. We agree in principle, provided the areas are appropriately allocated through the Local Plan. However, appropriate levels of democratic accountability will need to be maintained, and a stronger commitment to engagement with local communities will be needed beyond a site's adoption as a Growth area in the Local Plan. It is as yet unclear how this would work in practice, and we would note most development sites in London have complex site-specific issues that require a bespoke design response.



**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. Under this categorisation, many areas of London would be granted 'Protected' status – for example conservation areas – but where significant development is both possible and desirable. In a tight historic urban environment such as London, a more nuanced approach is needed to ensure appropriate development is able to come forward on a site by site basis. The redevelopment of King's Cross, for example, has been rightly praised and pictured in this White Paper – however the proposed reforms could have made it more difficult for a scheme of this nature and quality to come forward. We propose a potential solution could be to include an additional 'Sensitive' category, which would enable appropriate development to happen in more sensitive areas.

**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. This approach is not appropriate nor relevant for London. The Mayor of London through the London Plan fulfils this role.

**10. Do you agree with our proposals to make decision-making faster and more certain?**

[Yes / No / Not sure. Please provide supporting statement.]

Not sure. There is a balance to be had between certainty and speed of decision making with quality and appropriateness of that new development. Our member survey indicated a concern that while the proposals could make decision-making faster and more certain, they could also result in lower design quality and a reduction in community engagement, trust and democratic accountability. We propose the focus should be on providing greater certainty on timescales, while providing proper resourcing and skills to local authorities.

**11. Do you agree with our proposals for accessible, web-based Local Plans?**

[Yes / No / Not sure. Please provide supporting statement.]

Yes. We support the shortening and digitalisation of Local Plans although, as above, local authorities will need the right skills and additional resourcing to do so effectively. There is a key role for Government to set out approved suppliers and infrastructure guidelines in order to provide some standardisation. The last few months have demonstrated the many benefits of a more modern, digital planning system and many advances have been made – yet proper community engagement must not be overly reliant on digital means only. Over-reliance on digital, and only at plan making stage, could reduce trust in democratic accountability. We are also conscious that development will come forward many years after a Local Plan has been adopted, and so continued community engagement will be key, not only at the plan making stage.

**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.]

Yes. We agree with the objective, but practical delivery will be significantly dependent on appropriate resourcing of local authorities, in particular the availability of skilled officers, including more design officers. The EiP process would also need to be speeded up, and we would encourage engagement to occur earlier than in Phase three of the process. It is challenging therefore to see how this can all happen simultaneously across the country, and so some flexibility over timing may be appropriate.



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

N/A

**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?

N/A

**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.]

N/A

**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]

London is a beacon for world-class design and home to many of the world's best architecture firms with a thriving design and architecture community and talent, in demand across the world. Development across the capital is delivered in response to its complex set of parameters, within historic street settings and tight urban sites with design typically developed in partnership with local authorities and following community consultation. When it comes to reforming the planning process, we would comment therefore that we must not lose the elements of the current planning system which have helped enable this framework to work successfully in London.

**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]

Other. London has made world leading commitments to become a net zero city by 2030, and its success will be dependent upon taking a holistic zero carbon approach. We face a climate emergency that we must tackle on all fronts, and we must embed a zero-carbon ambition in all key policies. This proposal is currently lacking integration with other commitments such as the Climate Change Act that set the zero carbon targets for 2050. We should bring forward the target to make all homes carbon neutral by 2050.

**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.]

Not sure. This depends on the scope and detail of codes. Historically, design guides and codes have played a key role in the development of London from the Rebuilding Act of 1667 to the planned Great Estates, creating locally distinctive areas which continue to be some of the most successful areas of London today. There is a lack of detail in this proposal over how prescriptive new design codes and guides would be – whether they enable a framework for interpretation and creativity, or a prescriptive approach to design. London is a city of villages with many distinctive areas, and we must ensure that design guides can be appropriately applied. This would again require significant resourcing within local authorities.





**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.]

Yes. We strongly support the emphasis on good design throughout these reforms and note the good work done by the Commission for Architecture and the Built Environment (CABE), now Design Council. More detail however is required on the remit of the new body in response to Q17 above. We are very supportive of each authority having a chief officer for design and place-making, enabling a clear vision for the type of growth that should be accommodated in each area.

**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.]

N/A

**20. Do you agree with our proposals for implementing a fast-track for beauty?**

[Yes / No / Not sure. Please provide supporting statement.]

No. 'Beauty' is a subjective term, and our member survey indicated a significant concern over who decides what beauty is, and what parameters are set to make such decisions. We would also comment that beauty needs to be considered alongside other issues such as sustainability, social equity and economic resilience.

**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]

N/A

**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.]

Not sure. This process is hugely complex, and a decision should not be rushed. The current CIL regime has taken a great deal of time and refinement to work and should not be abolished without reviewing the opportunity to make improvements to the existing system. Further work and clarification would be required over how charges would be set, and we would point to the Barker Review which looked extensively at the best system for developer contributions. London varies hugely and any assessment of value is highly granular and subject to fluctuation – basing the Levy on an assessment of end value is therefore problematic. It is important that the existing value of assets is taken into account in order to ensure development is deliverable. We would also note the importance of the continued role for the GLA and the London Plan, which together with local decision making, have made the CIL regime function increasingly effectively in London.

**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]

N/A

**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.]

N/A



**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.]

N/A

**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.]

Yes. The Government is increasingly enabling a greater quantum of development through permitted development rights, and it is right that such permissions should be required to contribute to mitigate its impact.

**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.]

Yes. Government 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. Less delivery of affordable housing would be particularly detrimental for London.

**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.]

Affordable housing should be secured as in-kind payment towards the Infrastructure Levy. However, it should not only be secured through the Infrastructure Levy and local authorities must retain their current flexibilities in how they deliver affordable housing, especially as many local authorities in London have their own delivery arms which have proven highly effective.

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

N/A

**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.]

N/A

**25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?**

[Yes / No / Not sure. Please provide supporting statement.]

Not sure. Infrastructure Levy payments should remain available only for the mitigation of development and should not be opened up as a way to fund wider services. Local authorities need to retain accountability for how they spend the Levy, and this is key in ensuring greater trust in the system.

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

N/A

**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?

N/A