

Case Study Report

How planning reforms in England are making the first steps towards climate goals

From ideology to practice

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Abstract

The UK Conservative Government has been exploring ways to modernise planning ever since it came to power in 2010. In 2011 it published the Localism Act: ground-breaking legislation that gives power to communities to prepare a detailed and focused policy plan for their own area. The main aim of the legislation was to reduce local opposition to development by incentivising local people to consider the future of their own area.

At the same time, the government has published ambitious position papers about reaching net-zero by 2050 and decarbonise the country. However, there is a clear shift between the ambitious political discourse, where climate change is all about jobs, innovation and a green future, and its application on the ground: with progress in key areas like flood management and new urban development, and silence for urban areas more generally. Despite evidence that urban development and urban transport are by far the largest contributors to greenhouse gas emissions in the country not much is done to address cities as the biggest stumbling block to reaching net-zero by 2050. The current planning reforms sets out a refreshed policy to guides plan making, and a new planning law. Unsurprisingly, given the UK's poor public awareness of the environmental emergency, climate action is not even mentioned among the key objectives of the reforms; yet the restructuring of planning appears to be designed to actually introduce real change. This paper tells the story of recent and forthcoming planning reforms for England.

Keywords

Climate Emergency, Planning, Climate Action, Reforms

1. The climate emergency in the UK's public domain

1.1. Government policy and practice

The United Kingdom has made huge noises over the past years about 'leading the way' towards an economy and a society that is low in carbon (and carbon neutral by 2050) and highly resilient. This political emphasis was greatly ramped up in the lead to COP26, which took place in Glasgow in November 2021, and accompanied by a sequence of very ambitious policy papers, such as:

- The Ten Point Plan for a Green Industrial Revolution (Nov. 2020), focused on decarbonising energy and pivoting industrial activities towards 'the green economy'.

- The Decarbonising Transport Plan (July 2021), focused on the promotion of electric vehicle and achieving 50% active travel (walking and cycling) for all urban trips. This document also makes a single reference to the need to reconsider spatial planning in order to reduce the need to travel.
- The Net Zero Strategy (Oct. 2021) setting out the 'ambitions' to substantially reduce emissions by 2037 and eventually reach net zero by 2050 through investment in energy, ban gas boilers by 2035, upgrading social housing and supporting a range of pilot projects in transport and logistics.

These policy papers represent the government's direction of travel and its political commitment, but are not binding, and up until now, have not been followed by comprehensive and actionable implementation strategies. Their language is political, and heavily influenced by the stage that COP26 in the UK represented: 'leading the way', 'going first', being ambitious for the future. The outcomes of the proposals are presented in terms of new jobs, technological innovation, private investment: controlling emissions and achieving climate targets appear as a sort of by-product of a new tech revolution.

While these recent plans could be potentially considered 'greenwashing' and 'green growth blah blah blah', in the words of Greta Thunberg at COP26, the UK has in fact a relatively strong legal foundation for climate action.

The previous Labour Government passed in 2008 the Climate Change Act, which sets legally binding targets for emission reduction (80% less than 1990 levels by 2050) with non binding 5-yearly interim targets. The Act set up the independent Committee on Climate Change and introduced the duty of public sector bodies and some key agencies to report on progress, prompting government departments and local authorities to prepare carbon budgets to monitor reduction of emissions of their estate and operations. This remains today the most significant legislative commitment to tackle the climate emergency.

Still under the Labour administration, in 2010 the Flood and Water Management Act focused on the threats of flooding and water scarcity, expanding the responsibilities of the Environment Agency, a public sector organisation for England and Wales, in mapping, managing and monitoring areas at risk of flood from sea and surface water. In time, this has strengthened protection of flood zones from development and significantly expanded requirements for drainage modelling and nature-based flood compensation measures for infrastructure and new urbanisation. These expanded requirements have already borne dividends, as flooding episodes in the country have become less frequent and mainly affect older settlements where funding for maintenance of older infrastructure is scarce.

The first Conservative Government, under David Cameron as Prime Minister, introduced in 2012 a single and streamlined national land-use policy applicable to all areas of England and Wales: the National Planning Policy Framework of NPPF. This replaced a full shelf of documents and guidance with a short 30-50 page national scale policy to guide all planning activities in the country. This has proven to be an agile, easy to update document – and therefore an important promoter of change:

- In 2012 it established the principle of 'presumption in favour of sustainable development', to expedite new developments deemed 'sustainable' and prevent 'unsustainable' ones. This ensured that 'sustainability' became part of mainstream development.
- In 2018 the revised NPPF required that 'mitigating and adapting to climate change' is a core planning objective. This meant that all Local Plans, to meet legal requirements, had to include strategic policies on climate change to ensure that new development aims for reduction of carbon emissions and takes a proactive approach to mitigating and adapting to climate change. There is no obligation, however, for climate action where no new development is involved.

- In 2021 further revisions included reference to the United Nations Sustainable Development Goals (SDGs, finally recognised as relevant for England and not only a foreign aid matter) and a duty for Local Plans to support renewable energy developments and develop policies for climate change for new development.

This overview shows that there is a clear rift between the ambitious pattern of political discourse, where climate change is all about jobs, innovation and a green future, and its application on the ground: with clear and comprehensive progress in key areas like flood management and new urban development, and wide gaps in policy, support and funding for urban areas more generally. This happens despite evidence that urban development and urban transport are by far the largest contributors to greenhouse gas emissions in the country and the biggest stumbling block to reaching net-zero by 2050.

1.2. The media and public opinion

English people have always been passionate about nature and have a deep cultural attachment to the countryside. This should have made it easy to communicate the need to protect the environment and address climate change. Unfortunately, this has not been the case.

Public messaging, even at the time of COP26 and beyond, is still following three main patterns:

- The naïve denial approach: British weather will improve, with better beaches and better wine.
- The economic opportunity approach: there will be plenty of new jobs and British technology and manufacturing will lead the way to a new industrial revolution.
- The ad hoc or sideways response: energy grid failures during exceptional storms are because of poor maintenance and the need to actually prepare for the storm is ignored.

This contributes to making climate change a difficult subject: openly acknowledged when it happens elsewhere but hidden when evident in the UK. Weather forecasters were attacked earlier this summer for linking high temperatures to the climate emergency and British journalists reported on the personal charisma of the Prime Minister during COP26 and not on the contents of the Glasgow Pact. Reporting on recent environmental protesting emphasised the inconvenience to day to day activities and did not report on the messages the protesters wanted to convey.

This makes the public completely unprepared to accept any form of change that directly affects daily life. For example, while Government Plans aim for 50% reduction of car use in cities, this is presented as ‘choice’ and not accompanied by any actual restriction to car use beyond Central London. Public transport receives comparatively little funding and investment in cycling infrastructure, while significantly increased in relative terms, is dwarfed by funding for road improvement. Similarly, on-shore wind turbines are considered ‘unattractive’ and the installation of solar panels restricted by traditional aesthetic models. The same standard of visual and aesthetic scrutiny is not applied to other infrastructure like roads and car parking.

1.3 The planning professionals’ debate

While sustainability and environmental mitigation have become mainstream in planning, climate action (i.e. deliberate and systemic action in the built environment to reduce emission and increase climate resilience) is not.

Planning institutions such as the Royal Town Planning Institute (RTPI), the statutory association of planners, or the Town and Country Planning Association, a well regarded pressure group, have been highlighting the need to update planning to recognise climate change for years. In 2018 they published *“Rising to the*

Climate Crisis – A Guide for Local Authorities on Planning for Climate Change” to emphasise the duty of focus on climate change in strategic planning both through policies for low carbon and resilient new development and, to a certain extent, for climate action in relation to biodiversity and flooding.

The report falls short of suggesting the need of plans centred on climate action and urban systemic change to reduce emissions and promote resilience. The RTPI nevertheless has been quite vocal.

However, unlike the members of Landscape Institute for waterscapes, nature and biodiversity and the members of the Royal Institute of British Architects (RIBA), for net zero carbon buildings, planners, as professionals, have been far less outspoken about the need to change cities and not actively engaged with the COP process or the Built Environment Champions of the International Panel for Climate Change (IPCC), one of which was based in Britain in the run up to COP26.

The focus of the professional planning debate remains firmly the provision of housing, as the overwhelmingly prevalent role of spatial planning in England, and occasionally on well-being. Aesthetic considerations (design and beauty) are also becoming more and more prevalent in plan making. But a comprehensive effort for climate action, not just in new development, but across all urban areas, is largely ignored.

As planning is inherently a public facing discipline, the low level of public awareness could be a main factor contributing to the poor professional debate on climate action in planning.

2. An evolving planning system – But what about climate goals?

2.1. The direction of recent planning reforms

The Conservative Government has been exploring ways to modernise planning ever since it came to power in 2010. In 2011 it published the Localism Act: ground-breaking legislation that gives power to communities to prepare a detailed and focused policy plan for their own area. The main aim of the legislation was to reduce local opposition to development by incentivising local people to consider the future of their own area.

Since 2019 a new theme emerged: that of ‘beauty’ as a main factor making development locally acceptable. The Building Better Building Beautiful Commission, an independent advisory commission formed of academics, practitioners and developers, was formed and published in 2020 their influential report *“living with Beauty”*. This was at the foundation of planning reforms explored since summer 2020 and the promotion of detailed Design Codes to give a foundation to what is intended as beauty. Sustainability was included as a running theme, but not the urgency of addressing climate change.

A year later the Government Department responsible for planning reforms changed hands, and a new theme was added to the plan for reforms, that of ‘Levelling Up’: a strongly politically-driven objective about rebalancing wealth and economic opportunity across the country and away from the areas of London and the dynamic South East of England. Planning reform therefore evolved into the Levelling Up and Regeneration Bill, which was being debated in Parliament before Boris Johnson’s resignation in summer 2022.

As of summer 2022, the timetable for scrutiny of the reforms and the all important update of the national framework for spatial planning (NPPF) have been suspended, pending appointment of a new Government. It is possible, however, to glimpse at some of the potentially important changes being included in the draft legislation

2.2. Emerging Changes and Climate Action

The proposed planning reforms have two parts: a change to the NPPF, the policy that guides plan making at the national scale, and the requirements for a new planning law addressing plan-making.

Unsurprisingly, given the poor public awareness of environmental emergency we are facing, climate action is not even mentioned among the key objectives of the reforms; yet the restructuring of planning appears to be designed to actually introduce real change:

- The prospectus for the revision of the NPPF, which is due for publication shortly, is anticipated to include ways by which the famous English Green Belt 'could be even greener'. At present, the planning objective of the green belt is containment and avoidance of sprawl, already an important element of low carbon urbanism. In future, it is possible that green belts will be reservoirs of biodiversity, regulators of water flows and micro-climatic balancing agents.
- It is also a possibility for the NPPF to introduce mandatory carbon budgets for urban Scope 1 and 2 emissions – now left to the devices of individual councils and often mixed up with the carbon budget of the council as an organisation, rather than as managers of the urban and built environment.
- Planning policy legislation, in addition, is proposing to have a bulk of national level policies that will apply across all regions and authorities, to simplify plan making and ensure that plans are more clearly focused on local distinctive issues. Among the anticipated national policies are those addressing sustainability, flood management and biodiversity. This approach will make it easier to connect policies and national level targets, such as the climate pledges.
- Another innovation is in the way land is to be allocated for development in the new legislation: no longer essentially proposed by landowners, but positively identified by the Local Plan as the most sustainable option for development. This corrects a uniquely English planning customary approach that equates 'deliverable and sustainable' with a landowner's willingness to dispose of their land.
- Finally, exit from the European Union has given rise to another possible change: that of revising the Environmental Assessment process no longer to simply identify mitigation measures, but primarily to set environmental goals and targets that the proposed development is bound to meet. This will potentially imply the potential duty to improve on current conditions, rather than to only mitigate impacts.

2.3. Conclusions

These could be important steps towards a planning system that includes climate action. But it is not a systematic and comprehensive approach: transport planning remains part of a separate process, and not included, in most cases, within the remit of the planning authority. Also planning has very limited power to mandate the localisation and provision of public and community services, such as sewage treatment works, social care and hospitals, thus making efforts to increase local resilience virtually impossible.

Nevertheless, what is being proposed, however partial, constitutes potentially real change: the only risk is that, being silent rather than aiming for public support, climate action will be bypassed by expedient decision making.

3. References

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