PLANNING FOR THE FUTURE CONSULTATION

A written response from the Trees and Design Action Group

The Trees and Design Action Group (TDAG) was founded in 2007 as a not for profit and apolitical collaborative forum to promote best practice in the planning, planting and management of urban trees. TDAG was incorporated as a charitable trust in 2013.

The TDAG model was at the time of creation, and remains today, a unique and effective world leading model.

The group shares the collective vision that the location of trees, and all the benefits they bring, can be secured for future generations through strong collaboration in the planning, design, construction and management of our urban infrastructure and spaces.

The uniqueness of TDAG is that, as an organization, it crosses the boundaries associated with professional disciplines engaging with a wide range of professionals who have an interest in trees and the built environment. They include leading built environment practitioners and developers as well as organisations such as the Forestry Commission, the Woodland Trust, the Tree Council and the Community Forests. No other built environment organization in the UK provides such an effective forum or communicates with such a wide range of disciplines.

The key strength of TDAG is that those taking part in TDAG's work can do so in TDAG's name i.e. a neutral organisation with no commercial agenda influencing its guidance, proposals or actions.

TDAG has produced a series of good practice documents especially *Trees in the Townscape: A Guide for Decision Makers; Trees in Hard Landscapes: a guide for delivery* and is currently developing *Trees, Planning and Development: A guide for delivery* to complete a trio of documents providing a very broad understanding about the urban forest. In addition we have produced in association with Dr Andrew Hirons at Myerscough College with support from NERC *Tree Species Selection for Green Infrastructure: a guide for specifiers* and some short guidance documents *First Steps in Urban Air Quality* and *First Steps in Valuing Trees and Green Infrastructure.* TDAG has several other short guidance documents in development including *The Performance Gap* on why tree planting so often fails in terms of long term delivery; *Trees and Utilities* etc.

Overview

TDAG has liaised with a wide range of organisations in developing its response to the planning consultation including the RTPI, CIBSE, Landscape Institute, CBRE, the Edge, South Downs National Park, the Arboricultural Association and the Urban Design Group to name a few and offers general support to the views these organisations have expressed.

Having read the White Paper carefully TDAG's overview is that it includes many good proposals that need to be more fully developed, some areas of potential conflict and some areas of concern and caution.

The main thrust of our submission is to look at the role of urban trees and how to put forward ways in which the government's laudable ambitions can be delivered particularly in relation to urban trees as this is our primary focus. We consider that it will be more useful through this written response than by answering the specific questions raised in the White Paper.

TDAG's view is that responding effectively to the climate and ecological emergency must be at the heart of all policy and changes to planning offers the idea opportunity to put this into practice.

This also means that planners must be prepared for an increase in extreme weather events (https://www.bbc.co.uk/news/science-environment-54637086)

There is also effectively a legal requirement to achieve a net zero carbon built environment by 2050 and any changes to planning must be closely co-ordinated with tougher building regulations and infrastructure delivery.

Integrating planning changes with other policies and proposals
Any changes to planning policy must also be congruent with other emerging policies and proposals including:

- The Climate Change Act and the need to deliver 100% net zero carbon by 2050 – which means starting now.

- The 25 Year Environment Plan and the work of the Natural Capital Committee with its final report on the 25 YEP (published October 2020)

- The Environment Bill with its requirement for biodiversity net gain
  - TDAG would also support the call for the wider "environmental net gain" as called upon by the Natural Capital Committee, several professional institutions and other organisations.

- The England Tree Strategy (work in progress)

- The Urban ELMS Test and Trial (work in progress)

- As mentioned (pg. 46) the review and updating of Manual for Streets (work in progress)
  - TDAG recommends that this should be a mandatory rather than an advisory document.

- The recommendations of *Gear Change: a bold vision for walking and cycling* (https://www.gov.uk/government/publications/cycling-and-walking-plan-for-england)

- The HM Treasury commissioned Dasgupta Review on the economics of biodiversity (Interim report published, final report due autumn 2020)

- The work of the National Infrastructure Commission especially reports on resources such as *Preparing for a drier future* which could influence decisions on where development can take place in terms of resources for example. (https://nic.org.uk/app/uploads/NIC-Preparing-for-a-Drier-Future-26-April-2018.pdf)

- The National Model Design Guide, the National Model Design Code (work in progress) and the Building Better, Building Beautiful Commission Report and government response (work in progress).

- The work of Transport for New Homes with recommendations for the importance of sustainable transport for all new residential developments.

- As mentioned (pg. 46) the review and updating of Manual for Streets (work in progress)
    - TDAG recommends that this should be a mandatory rather than an advisory document.

- The links between planning and health with the need to reduce obesity and improve other physical and mental health indicators.

    - TDAG supports Parliamentary Early Day Motion number 903 *Planning for Health and Wellbeing*.
    TDAG supports the recommendation that access to urban green space is a human right and Covid-19 has further exacerbated this need.

Investing in skills for local authority planning departments
To deliver the ambitions identified in the White Paper will require financial investment in local authority planning departments so that the right skills are in place to deliver effective local plans and ensure that delivery is achieved on the ground. This may require more investment than reassigning resources (pg. 59).

Key points that the Planning White Paper is calling for

1. *"Digital"*
    There are several references made to the value that increased use of digital technologies could bring to the planning process.

    TDAG response: With the caveat that not all those members of the public who might wish to comment on planning applications are necessarily engaged or prefer to be engaged in an entirely digital process and see the value in planning notices on lamp-posts, increased digitisation could provide a valuable resource for more strategic and project based decision making.

    TDAG recommends: There should be a **land use framework for England** which is open source with compatible data and enables a range of layers to be used across the social, economic and environmental spheres to improve decision making.

2. **"Where to develop"** – one of the topics of the consultation is to *"ensure more land is available for development where it is needed."*

   TDAG response: But, how do we determine where the right places are as this needs to be decided on more than identifying areas of economic growth – again, a land use framework would enable multiple issues to be reviewed at the same time including critical issues like resource availability (e.g. water – see NIC report quoted above), avoiding the use of prime food producing farmland or areas that are subject to the impacts of climate change and increasing extreme weather events.

3. **"Value of design"** – *"There is not enough focus on design, and little incentive for high quality new homes and places: There is insufficient incentive within the process to bring forward proposals that are beautiful and which will enhance the environment, health, and character of local areas."*

   TDGA response: The mechanisms put forward have focused on having 'directors of place', 'national design codes', some kind of 'design quality unit' all of which should promote the value of good design.

   It is important to recognise the value of investing in good design from the outset as good design should overcome conflicts, for example, of 'housing density' or 'greenspace', when, clearly, both are needed for quality of urban living.

4. **"Community engagement – neighbourhood plans – the unheard must now be heard"**

   TDAG response: We support the need for the 'unheard to be heard', but much needs to be considered here in terms of a) finding/identifying the community given the extent of population 'churn' in some of the urban areas where many of the unheard may be living; b) how to encourage engagement; c) what makes effective engagement and what are the beneficial outcomes; d) which communities have the resource to undertake neighbourhood plans? How many neighbourhood plans in the areas where the 'unheard to date' live?

   TDAG recommends: More clarity is needed as to what is required in local plans and the planning process regarding consultation and engagement.

5. **"Ensure planning certainty"**

   TDAG response: This could be valuable if there are robust local plans that clearly set out what a development must deliver. This would enable the developer to cost delivery more accurately from the outset and therefore establish a suitable value for the land. It would enable a developer to invest in site investigations at an early stage in the process to ensure that proposals put forward could actually be delivered. It could also remove the need for planning conditions and viability testing given that this often leads to value engineering whereby value is engineered out, not in!

> *"This then reduces planners' time on planning applications and frees them to ensure enforcement etc"*

> **TDAG response:** Needs more consideration of what is asked for, what is embedded in local plans and how enforcement would be monitored and what consequences are available for lack of delivery.

6. *"Infrastructure levy in place of S.106, S.278, CIL...more than these deliver..."*

   TDAG response: We need to know more about this and how it would work in practice. It is important that trees are specifically included on the list of new infrastructure and funds should be included for trees to become independent in the urban landscape as well as any ongoing maintenance required as set out in the local urban forest management plan.

7. *Infrastructure – local access, public transport, active travel, schools, services etc*

   TDAG response: We support the need for all these elements – the 15 minute city? Again the land use framework!

8. *"Sustainable Development"* – The PWP is keeping the definition in the present NPPF:

International and national bodies have set out broad principles of sustainable development. Resolution 42/187 of the United Nations General Assembly defined sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

The UK Sustainable Development Strategy Securing the Future set out five 'guiding principles' of sustainable development: living within the planet's environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.

TDAG response: TDAG supports the retention of this definition of "Sustainable Development".
If the government is serious about delivering truly 'sustainable development' and wants to do so described in the NPPF above then this really needs to be embedded in all government decision making – sustainable development means responding to the climate and ecological emergency in the context of social, environmental and economic development decisions. It should also align with the UN Sustainable Development Goals.

9. *The EIA process should be simplified with a single statutory 'sustainable development test.'*

   TDAG response: In principle simplifying the EIA process is to be welcomed, but more detail is required about the 'sustainable development test' and how will this

work in practice in terms of what is embedded in the local plans and what is required of master plans etc, especially in areas identified as 'growth areas'.

10. **"Trees" –** *"We will also deliver our commitment to make all new streets tree-lined, by setting clear expectations through the changes to the National Planning Policy Framework"*

TDAG response: TDAG welcomes this proposal.

TDAG recommends: If trees are to be successfully delivered for the benefit of both new and existing places there are certain factors that must be taken into account.

- Funding for tree planting needs to be assessed differently. It is not a matter of numbers, which is often a competitive political driver, but actually involves the quality of the design, the tree stock, the planting method, the immediate post planting care and then the whole life management provisioned through the local authority management plan that delivers functioning canopy cover etc.

1. **The long life of trees – transgenerational, cultural icons**

- Trees are the largest and longest lived of all the elements of 'green infrastructure (GI)' and many trees planted today may live for 100 + years even in urban environments if correctly planted and maintained.
  It should also be understood that trees need to live for a long time if they are to deliver the benefits attributed to them – so effective tree planting should be recognised as permanent tree planting.

- Unlike other elements of infrastructure, trees gain in asset value over time rather than diminish and it is the asset value of trees and the services they provide – environmental, social and economic – that should be factored into all decisions about trees.

- This means that trees should be considered as part of our 'core' infrastructure (pg. 67 – along with parks and open spaces i.e. permanent features not transitory ones as some elements of GI such as roofs and walls might be.

2. **Trees and planning policy**

- The forthcoming England Tree Strategy should provide the overall strategic framework for trees in all contexts i.e. urban, rural, peri-urban etc, etc.

- At the same time every local authority should have a robust, evidence based tree strategy embedded in its local plan and should also have an urban forest management plan to ensure that the aspiration is translated into action and achievement over time that is beyond the influence of personnel and political changes.

- These tree strategies should be developed by a cross-departmental group so that arboriculture, highways, health, housing, planning etc are engaged with the opportunities that trees can offer to deliver the healthy, beautiful places that the PWP calls for.

- There are well recognise key issues that all tree strategies should include, but there will also be local and regional differences – not all locations in England, for example, require the same level of canopy cover or have the same existing environmental priorities, so a one size fits all approach may have unintended consequences. The strategy and urban forest management plan in every local authority should respond to the following questions:

  1) What do we have?
  2) What do we want?
  3) How do we achieve it?
  4) How are we doing? (Monitoring and maintenance being very important elements)

  It should also be recognised that the average breakdown between publicly and privately owned urban trees is about 30% to 70% and so the privately owned trees have a significant role to play in delivering tree benefits.

  This is an area where digitisation could be very useful as it could map existing trees, canopy cover, identify soil types etc

- Tree strategies should also take heritage value into account and require the retention of existing trees identified as significant in the view of the local authority's arboricultural adviser. Investment in design for new developments should aim to keep as many existing good quality trees as possible as this has been shown to deliver many benefits to the development (Ref. RICS Value and Placemaking https://www.rics.org/globalassets/rics-website/media/upholding-professional-standards/sector-standards/land/placemaking_and_value_1st_edition.pdf is one of a number of documents demonstrating the value that existing as well as new landscapes with trees can deliver in terms of enhanced speed and quantity of benefit delivery.

  This should also apply to the designated 'growth' areas.

- In the unfortunate event that trees on a development site need to be felled and approval has been obtained for this, then the tree strategy needs to have a clear replacement policy for lost tree canopy and other benefits. For example, Wycombe District Council requires 25% tree canopy cover for all new residential developments.

3. **Trees and other benefits**
   Trees have been shown to deliver multiple benefits (see guidance documents from TDAG at www.tdag.org.uk; reports on i-tree Eco from Treeconomics

https://www.treeconomics.co.uk/) and ensuring that trees deliver these benefits can support the economic case for protecting, planting and maintaining trees.

There are some specific benefits set out below for both new developments and retrofitting:

- Trees and Sustainable Urban Drainage Systems (SuDS). SuDS for all new developments should be mandatory as a way of managing surface water. Trees integrated with SuDS increase the benefits and justify the costs.

- Retrofitting
    ▪ New urban extensions or urban infill sites need to knit into the existing urban environments and street tree planting may be a way of improving these linkages through connecting fragmented and isolated habitats.

    ▪ Existing urban environments may also have problems with surface water management and need to retrofit SuDS. Projects such as Grange Town in Cardiff has shown that adding both trees and SuDS to existing streets can be effective and solve a significant problem while increasing both the environmental and amenity value of the streets.

- Traffic calming
Trees have a useful role to play in traffic calming (see TDAG *Trees in Hard Landscapes: A Guide for Delivery* at www.tdag.org.uk)

- Biodiversity net gain
The most effective places for a healthy urban biodiversity has been shown to be in 'blocks' and so planning new developments to create blocks of open space with trees and landscape layers is important. However street trees can provide linear 'biodiversity' routes between blocks.

    Again this is where digitisation could be very useful as it would enable local authorities to record current levels of biodiversity on all development sites so that a 10% net gain was exactly that – a net gain on what already existed. This means that it is vital that local planning authorities have this information before there can be any question of site clearance – in which case biodiversity net gain would be easy to achieve!

- Microclimate impacts and the environmental performance of buildings
As we respond to climate change and the impact on our urban microclimates, it is important to recognise the role of trees in both cooling the urban climate and, when placed correctly, cooling the facades of low rise (up to, say, 4 storey) buildings.

4. **Ensuring the successful delivery of trees in new developments.**
   If the government's ambition to deliver tree lined streets for all new streets in new developments, then there are some actions that need to be taken and embedded in policy to enable this to happen and support the long life of trees.

   A critical first step is that trees are considered at the very early stage of a development proposal – existing trees and proposed street trees along with the other key issues that need to be considered at this time…they cannot be an afterthought.

   - Shrinkable soils, low rise buildings (housing) and subsidence.

     At the moment recommendations for foundation depths from the NHBC (Chapter 4.2) and distance requirements for trees from insurance companies mean that, in areas of shrinkable soils (which are increasing in the UK with changes in weather patterns) it would not be possible to plant street trees unless there are considerable lengths of front gardens (which is unlikely).

     It is essential that all foundations for low rise buildings in areas of shrinkable soils should be future-proofed and Buildings Regulations Approved Document A along with changes to NHBC Chapter 4.2 should reflect this.

   - Utilities

     There are too often conflicts between tree roots and utilities. This need not be the case even in existing situations, but can readily be resolved in new developments by making the use of shared utility corridors/ducts etc a mandatory requirements. This would have many advantages including the constant digging up of streets to access utilities!

   - Highway departments

     Too often local highway departments resist tree planting on streets as they tend to regard trees as liabilities and not as assets. There can be a reluctance to adopt tree-lined streets on the grounds of cost to maintain the trees and so apply onerous commuted sums on developers.

     If trees are planted in the most appropriate way for their location and the needs of the tree are taken into account from the outset then, once the tree has achieved independence in the landscape (BS8545), post planting structural pruning undertaken to raise the canopy etc, then there should not be significant ongoing costs beyond regular tree inspections until the tree reaches its end of life.

     It will be very helpful if the reviewed and revised Manual for Streets can take some of these issues into account as well as integrating trees in street design (see below)

- Species selection and the 4-D impact of trees over time

  Whatever the prevailing 'climate' it is recognise that trees in urban environments particularly those in hard landscapes, such as street trees, are actually planted in the equivalent of arid deserts. So the correct species selection needs to take this into account as well as the implications of a changing climate which will occur over the life of the trees. TDAG has produced, with support from NERC funding, an interactive tree species guide (www.tdag.org.uk)

- Designing with trees

  - Designing streets with trees effectively can be achieved in many ways and do not necessarily have to have trees spaced at regular intervals. There are many streets with trees where the trees are placed, perhaps in a group, at a land mark link for examples. Investing in design skills to make the best use of trees for a particular street is important.

  - Linked to tree species selection and the increased problems of tree diseases which will leave single species streets and avenues vulnerable and the impacts of local microclimates, it is possible to mix species in a successful tree-lined street (for example Wembley Way (Dixon Jones, Gross Max/Quintain http://www.dixonjones.co.uk/news/wembley-olympic-way/) which included a range of different tree species in one avenue or Cheapside in the City of London which planted one trees species on one side of the street and another on the other to reflect the different microclimates (see TDAG case study library http://www.tdag.org.uk/casestudies/category/design-species-selection)

  - When designing with trees it is vital that the 4th dimension of time for trees is taken into account. Trees grow and this impacts what their roots are doing underground, what their trunks are doing at ground level and what their canopies are doing above ground. All this needs to be taken into account when planting trees – it is amazing how often this doesn't happen.

5. **Trees as part of a green growth strategy – literally**
   If the ambitions of the planning reform are to be achieved particularly in relation to creating beautiful, liveable, healthy places for which trees have a major role to play, then there will be the opportunity to invest in training to have the right skills both in local authority departments – clearly planning but also those departments that influence planning decisions – highways, arboriculture etc, etc, as well as in delivery where skills are needed to deliver on the ground.

6. TDAG *Trees Planning and Development*

TDAG would also draw attention to its next guidance document specifically on trees in new developments.

The first section on "**Creating Value into the Future:** A fresh look at why trees matter to new developments and their value – and how to measure it" will offer useful evidence for planners and developers incorporating trees in new developments as part of the drive to high quality, beautiful places for people to live, work and play.

And finally…Potential conflicts and contradictions in the Planning White Paper and other proposals…

Although some of the points below go beyond the TDAG focus of trees, it was noticed that there are some potential conflicts and contradictions in the White Paper itself and in relation to other government actions such as the changes to Permitted Development Rights.

1. Vacant sites/brownfield development – actually some brownfield site can often be very rich biodiversity, industrially farmed areas of greenbelt are often not…land exchange to also create more green space in cities as all need to be within 15 minutes of green space?

2. Tree planting – Defra and the Forestry Commission are eyeing up vacant urban and peri-urban sites for tree planting, MHCLG are eyeing them up for development sites.
   Demonstration projects and case studies are needed to show that investing in design can provide housing, green space, trees and biodiversity net gain.

3. Identifying the need to reuse existing buildings in the PWP is refuted by the Permitted Development rights to demolish vacant buildings and replace them with housing.

4. Placemaking, beauty etc…. again somewhat refuted by permitted development rights to add two storeys to existing buildings…what will this mean in terms of the visual quality of places?

5. All new housing must be 75-80% zero carbon today, and easily increased to 100% by 2050….what will be needed to make up the 20-25% additional carbon savings? Does it exist?

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