

Certainty, flexibility and simplification to speed planning

It's time to 'speed up the speeding up' of planning and take advantage of any improvements whilst they last, says Jason Lowe

Planning in London has, like all other cities and regions, seen a slowdown in housing delivery, in part because of issues in the planning system. However, it is evident that the current administrations are aware of this and are bringing forward initiatives to try and solve it, which is of course welcome (although, in the context of current political uncertainty, it is unclear how long this commitment will last).

Despite media attention for schemes being called in – notably with Data Centres – the planning system seems to be increasingly challenging to navigate in relation to all development. It takes all sorts of development to create long-standing community-focussed neighbourhoods thus planning consents for employment land are also crucial but, of course, the greatest attention has in recent years all been about housing.

This has continued since the election, with the Government's repeated stance on delivering 1.5m homes, with a focus on affordable at the heart of its campaign.

By the end of 2024, just 32,000 homes in London were delivered – one third of what has been determined as required in the capital and almost a one third drop since 2020, despite need in London being at one of its highest levels.

Issues include:

- Complexities of planning system, which should change for the better as the Government's reforms kick-in over the next year or so, it is unclear as to how long these improvements will last when they come due to the prevailing political climate;
- Planning authorities are under-resourced and, despite the Government's pledge to recruit 300 more officers over 18 months ago, very few (if any) significant appointments have been made;
- Sites being stalled for so long their consents have lapsed;
- Viability changes in the meantime, due in part to affordable housing ratios and costs and margins being squeezed along the way;
- Extensive consultation requirements with bodies that do not have the resources to deal.

But, with so many potential initiatives announced via the media, what can the GLA and the UK generally do about it?

The main announcements by Government (and the GLA) have been around 'speeding up the planning process', but the initiatives announced themselves need speeding up. And herein lies the problem. In creating 'widespread planning reforms' to 'Get Britain building', unfortunately, despite the best intentions, we have slowed down the building and created short-term delays.

The talent situation is one that needs rectifying. The Government announced in the budget that they will be investing in talent. This will help in the longer-term but right now we need resource, fast. Simplifying the process will also help, with potential government intervention soon to be introduced for any Local Authority that looks to reject a development of more than 150 homes.

However, it still takes time to reach that decision in the first place and several hurdles to jump over to get a plan submitted.

As with the proposed site acceleration for railway locations, we need a 'yes' list for sites that meet a checklist of criteria across the country to provide more certainty to those that seek to build. But this shouldn't only be about homes, it takes all types of property to build a community.



Jason Lowe is Planning Partner at Rapleys

We have seen various announcements on proposed measures to tackle the supply issue over the last couple of months, the latest from the GLA looking at temporarily reducing the number of affordable homes needed to around 20 percent which would be helpful, as a deliverable consent delivering 20 percent affordable housing is evidently far more effective than a consent that requires 40 percent affordable housing but doesn't stack up commercially.

However, despite the overall challenges that developers are facing in navigating the planning system, the Government is talking a good game in terms of improving the system.

Planning applications can take a while to pull together, and our advice to our clients is to start pulling applications together now to take advantage of the Government's initiatives as they come through – in the current political climate, it is uncertain how long these improvements will be in place. ■

My five key suggestions to make a big impact for planning in the short to medium term are:

- 1 More certainty in the overall planning process, so developers can be more confident in promoting their sites.
- 2 An encouragement of more flexible planning permissions, so they are more robust to changes in circumstances, not least the market.
- 3 More streamlined approach to extensions to planning consents that are due to expire or, and to reviewing viability/affordable housing, again to take in changes in circumstances.
- 4 Simplification of the consultation process for all major schemes.
- 5 A better public resource strategy to deal with the changes and longstanding shortage of LAs across not just planning but all of the infrastructure needs associated with development.

New homes: why 2026 could be the year the market turns

Tim Foreman on how policy, land and confidence will shape the recovery

In property sales there are people who need to move and people who want to move. In the last few years, only those who have had to move have been active. Once conditions improve, those who want to move return to the show homes too. That shift creates a positive market: it increases the customer base, keeps chains intact and reduces fall throughs. It does not require a revolution in economics to trigger that change - a further modest reduction in interest rates early next year could be enough to move us over the line. On that basis, I expect to see a noticeably stronger market in early 2026.

From need to want: unleashing demand

If borrowing costs ease following the Bank of England Monetary Policy Committee decision on 18 December and inflation remains under control, discretionary movers will come back into the market. Many are waiting for the final interest rates reduction this year a clearer signal that era of expensive mortgage is far behind us.

Once they return, chains will lengthen, stock will turn more quickly and the market will feel less fragile. That is the moment when policy choices made in 2024 and 2025 will be tested, because the real question is not whether demand will return, but whether supply can keep pace.

Supply, land and the weight of regulation

Today there are enough new homes to meet demand in many areas, but only for the short term. Years of mixed messages about housing, together with layer upon layer of regulation, have slowed development activity. Costs have risen sharply, and so too have requirements such as biodiversity net gain, affordable housing and building safety regulations.

At the start of this process is land values. The cumulative effect of regulation has reduced what developers can afford to pay for land. A landowner with a strong income from their core business will not sell for half of what they were led to expect. If that gap is not lessened, sites will remain in agricultural/commercial use and a shortage of consented,

developable land will stall the market.

The recent action taken in London (the government's Homes for London policy note) shows that the government understands the problem. Once put into practice, reduced affordable housing requirements, lower Community Infrastructure Levy in some locations and more flexible design standards will begin to unlock stalled schemes. A similar, carefully calibrated approach will be needed elsewhere if ministers are serious about achieving 1.5 million homes this Parliament.

Affordable housing, S106 and confidence

It is not only the level of affordable housing that matters, but the way it is funded. Registered providers are finding it harder to commit to new Section 106 homes due to a lack of funds, and developers are increasingly left with affordable units that have no obvious buyer. We need a realistic conversation about how S106 homes are priced and supported.

Additional regulatory burdens would be a tipping point for many schemes. Policy now needs to focus on removing friction in the system, not adding to it.

At the same time, many households are hesitating because of the wider cost of living. If government wants 2026 to be the year that first time buyers return in force, it will need to address this problem. A refreshed Help to Buy style scheme or a time limited Stamp Duty holiday for first time buyers would certainly help. There is also a case for recycling receipts from earlier Help to Buy loans to support the next generation, who in many areas face tougher deposit hurdles than those to benefited from Help to Buy (2013-2021).

Policy risks and wild cards

The one thing the property market does not need in 2026 is further legislation. Additional regulatory



Tim Foreman, Managing Director of Land and New Homes, LRG

burdens would be a tipping point for many schemes. Policy now needs to focus on removing friction in the system, not adding to it.

New towns will be part of the long term answer if we are to deliver more than 400,000 homes a year, but they will not help meet housing targets in the remaining 3½ years of this Parliament. Infrastructure, land assembly and governance mean long lead times. Interim policies that allow central government to call in applications near proposed new towns may even reduce delivery in those areas in the short term.

We should also watch the transition from leasehold to commonhold. From my experience, the existing leasehold system usually works well for flat owners and the more extreme examples of poor practice are not the norm. Commonhold may look attractive in theory, but shared responsibility for major works is difficult to manage in practice. You cannot mend a roof by committee. If the shift is not handled carefully, it could unsettle buyers in an already fragile flats market.

What needs to happen next

If I had to pick one action for 2026, it would be a genuine reduction in the regulatory burden across planning and development, combined with targeted support for first time buyers. That means following through on promises to cut red tape at every stage of the planning cycle, revisiting the cumulative impact of requirements on viability and giving households a reason to believe that now is the right time to move.

Do that, and when demand moves from need to want, the new homes sector will be ready to respond rather than left struggling to catch up. ■

Planning in 2026: from ambitious promises to practical delivery

Why this must be the year reform turns into permissions, homes and infrastructure, says Lawrence Turner

Over the past twelve months the development industry has, on paper, been given much of what it asked for: a new National Planning Policy Framework (soon to be revised again) and legislative reform (the soon to be enacted Planning and Infrastructure Bill), both designed to turbo-charge housebuilding. This is alongside the beginnings of a new towns programme, a move back to regional strategic planning, a fundamental rethink of London's growth model and serious attempts to tackle longstanding constraints such as water scarcity and nutrient neutrality. Planning has been firmly pushed back to the centre of the growth debate, as the government looks to planning and development as a key lever for kickstarting economic growth.

But on the ground, consents have fallen, housing completions remain well below what is needed, and many local planning authorities are working with skeleton teams, ageing local plans, and increasing uncertainty for what's to come. Despite the big announcements, the housing crisis persists. We still build too few homes, affordability continues to worsen, and many communities are already experiencing increased pressure on local schools, roads, healthcare and local services.

As a planning consultant, I see both sides of this every day. On the one hand, we now have a much better planning policy environment, with clearer signals about the need for growth. On the other, the reality on the ground, is that nothing has yet changed. The real question is whether in 2026 that momentum can finally be turned into delivery. This means more permissions, more construction and more first-time buyers.

What 2025 changed

The real first shift over the past year has been less about ambition and more about intent. The previous Conservative and Coalition governments have long set out plans to deliver millions of homes. What has been missing, until now, is the political capital to tackle the obstacles that stood in the

way. In particular, difficult decisions about housing on greenfield land on the edge of settlements have often been ignored, reflecting the reality that many existing communities, and voters, live precisely in the places where new homes are most needed. The current approach marks a stark change in tone, with government now more actively seeking to confront these issues, rather than manage around them. The Green Belt is no longer treated as untouchable, with the emergence of the Grey Belt concept enabling a more honest discussion about where sustainable growth can sensibly be accommodated around our towns and cities. New towns are back on the table; and Strategic Authorities are being created to help deliver coordinated infrastructure and housing growth across entire housing and labour market areas.

In London, the Mayor's consultation on a new London Plan and the Homes for London policy package, which is currently being consulted upon, have finally acknowledged that the capital cannot rely solely on brownfield sites and even high affordable housing targets to meet its needs.

Alongside this, there have been pockets of genuine progress. The unblocking of strategic schemes in water-stressed areas such as Cambridge (which Boyer has experienced first-hand at Waterbeach New Town), shows what can be achieved when government, agencies and developers work together on water resources and mitigation. Early work on the Nature Restoration Fund and nutrient solutions hints at a more strategic approach to environmental constraints.

However, 2025 has also been a year of strain. Planning departments are under unprecedented pressure, with significant vacancies, ongoing local government reorganisation and uncertainty about future responsibilities. Local plan timetables remain fragile and confidence in plan-making has been undermined in many areas.

Overlay this with nervous market sentiment, tighter regulation and rising build costs, and the



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result is that too many viable schemes fail at the first hurdle. That matters for all tenures, from market homes through to Build to Rent (BTR) and affordable housing, as well commercial, leisure and town centre regenerations schemes.

What needs to change in 2026

We do not need another revolution: we need to make the reforms already in train to work on the ground, with fewer pauses, clearer national rules and faster, more strategic delivery.

1. Keep plan-making moving despite local government reorganisation

Strategic Authorities will only help if they add clarity rather than delay. Every area should enter 2026 with a clear, published timetable for its spatial development strategy or local plan review, and stick to it. Transitional arrangements must be used to keep plans alive, rather than justify drift. Developers can work with firm numbers and clear strategies; they cannot plan around limbo.

2. Turn Grey Belt and growth corridors into real sites

The new NPPF, Grey Belt policy and growth corridor commitments will only matter if they are translated into allocations and permissions. In practice that means undertaking a more strategic approach to Green Belt release focussed on lower quality land to deliver more affordable homes, better infrastructure and well-designed development. It also means realising that not all sites will be viable under the "golden rules" concept and being honest about delivery.

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3. Treat planning capacity as national infrastructure

The funding promised for a few hundred new planners is a start, not a solution. In 2026 we need a serious workforce plan for the planning system: retention of planning fees by local authorities, targeted bursaries, mid-career routes into planning and support for specialist roles such as conservation, ecology and transport. At the same time, we should >>> be doing more in schools and universities to promote planning as a career that shapes places and tackles climate, housing and economic challenges in a tangible way.

4. Use technology to speed decisions, not just add noise

Government-backed AI tools can help authorities process information more quickly, test scenarios and improve the evidence base for plans. However, we are already seeing AI being used to generate objection letters at scale. In 2026 we should focus on practical digital gains: standard data formats, better case-management systems, simple online explainers for complex schemes and careful piloting of AI

where it genuinely saves officer time. Technology needs to reduce friction, not create new bottlenecks.

5. Remove environmental blockers in a strategic way

Nutrient neutrality and water scarcity remain two of the most significant brakes on housing in some regions. The emerging Nature Restoration Fund, water credits and new reservoir and transfer schemes are promising, but they must be accelerated and coordinated. The aim in 2026 should be to move from case-by-case negotiation to clear frameworks, so applicants know what contributions or design standards will unlock development at the outset.

6. Back well governed public sector delivery

Local authority trading companies and other council-led vehicles will not solve the housing crisis on their own, but they can bring difficult sites forward, especially for affordable housing. The task for the coming year is to learn honestly from the last decade: support models with strong governance, transparent risk-sharing and commercial realism,

and be prepared to wind down those that do not meet those tests.

7. Lead a different conversation with communities

Finally, 2026 has to be the year we communicate differently about growth. National targets and planning reform will only go so far if every major scheme triggers local distrust. We need consistent national messaging about why homes are needed in both urban and rural areas, clearer explanations of how infrastructure will be funded and delivered, and more effort to give supporters a voice alongside objectors. That applies as much to new towns and Grey Belt sites as it does to town-centre regeneration and Build to Rent schemes.

Planning cannot, on its own, fix interest rates, construction costs or investor confidence. But if we can stabilise plan-making, resource the system properly and apply the reforms already announced with discipline rather than rhetoric, 2026 could be the year we move from ambitious speeches to a steady increase in consents, starts and sales. ■



London housing emergency measures

The proposed London housing emergency measures package is underwhelming, says Simon Ricketts

That is the message I have been receiving in many discussions with developers and advisors since consultation started on MHCLG's Proposed London Emergency Housing Package and The Mayor of London's draft Support for Housebuilding London Plan Guidance, both documents published on 27 November 2025 for consultation until 22 January 2026.

I'm picking up that the conclusion is reluctant. Clearly, it is helpful that the drought of new housing activity in London has been recognised. Clearly, it is appreciated that MHCLG and the London Mayor have worked hard at a co-ordinated package as between them which moves significantly, and no doubt with much internal organisational pain, from the previous policy position in terms of affordable housing expectations, in terms of the usual approach to CIL and in terms of some aspects of housing standards.

There is also a dilemma on the part of the industry: this is an emergency; measures are needed now; if this set of proposals has to be ditched and replaced with a more effective package, we are just losing more time, unless the industry can point with some unanimity towards practical, easily implemented, improvements to what is on offer.

But the reality is that the current package (1) will not be enough and (2) is too caveated and conditional to provide the crucial reassurance that is needed to those who hold the strings in terms of funding or financing. From what I hear I'm not at all sure that the Mayor's new time-limited route is even likely to be used, as opposed to continued reliance on viability testing.

Following the initial joint announcement on 23 October 2025 I wrote a blog post on 1 November 2025 setting out 4 Key Asks For The London Housebuilding Support Package Consultation. None were taken on board in the consultation drafts. Let's hope that there still is time before the package is finalised.

To follow the structure of my previous post:

Should there be more focus on stalled sites that already have planning permission?

Of course!

Why ignore the lowest hanging fruit? The oppor-

tunity has now passed for primary legislation to reintroduce section 106BA (which could have been a late bolt-on to the Planning and Infrastructure Bill). But why not by ministerial direction reduce the minimum period of five years for the purpose of being able to make applications under section 106A, which are capable of appeal, to say two years – and introduce guidance as to MHCLG's interpretation of "useful purpose" (of course the courts' legal interpretation ultimately will be what counts but guidance will still be useful)? And in any event introduce firm guidance to local planning authorities that they should approach requests for deeds of variation

There is a dilemma on the part of the industry: this is an emergency; measures are needed now; if this set of proposals has to be ditched and replaced with a more effective package, we are just losing more time

on viability grounds positively where the case has been made (and set out in the guidance what will be sufficient to make that case)?

Is late stage (as opposed to early stage) review necessary in relation to the proposed "time-limited planning route"?

No!

The uncertainties caused to funders by the mere existence of any review mechanism the application of which is outside their control has a deadening effect on developers' ability to fund schemes, utterly disproportionate to the likelihood that any review mechanism will ever deliver any material amount of additional affordable housing, schemes are so underwater. And unnecessary uncertainty has been created because the time-limited route envisages a different set of mechanisms to those which currently exist.

The simple change would be for the Mayor's LPG to specify that for a time-limited period the fast-track thresholds will be reduced from 35% and 50% to 20% and 35% with the structure remaining



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exactly the same as to when review mechanisms will be required and how they will operate. A bucket-load of uncertainty would be immediately removed.

Are there unnecessary difficulties with introducing a viability test into the proposed CIL relief?

Yes!

In fact, this whole new intended structure for 50 to 80% relief from borough CIL is going to be disproportionately complex given that it will rarely make the difference between a project going ahead or not (and with the prospect of later clawback, funders will always assume the worst in any event so it just won't help bring them over the line). What I'm being told is that where CIL is a killer is on cash flow. On viability – the overall go/stop on development – it is of only marginal influence.

If there is going to be any tweaking of the Regulations:

- Why not allow for payment at a later stage (you recall that when the infrastructure levy was touted by the previous government as replacement for CIL it was to be payable at upon completion of the development so would there be such a problem with it being paid, say, on occupation)? Boroughs don't spend the monies upon receipt – timing isn't critical to them! And Mayoral CIL is simply paying down long-term debt in relation to Crossrail.
- Require all boroughs to switch on the potential for exceptional circumstances relief and see what can be done to simplify the process.

Ahead of any Regulations, just lean on the boroughs to switch on exceptional circumstances relief (if they refuse that is a warning sign in itself) and introduce advice as to the evidence that should normally be sufficient. Even that would help.

And incidentally this would actually also would help SMEs, currently shut out of the relief proposed in the consultation document by a combination of the £500,000 liability threshold and the proposed £25,000 application fee. And while we're at it, extend this beyond residential C3 development.

Are the proposed additional powers to be given to the Mayor enough?

Probably, but...

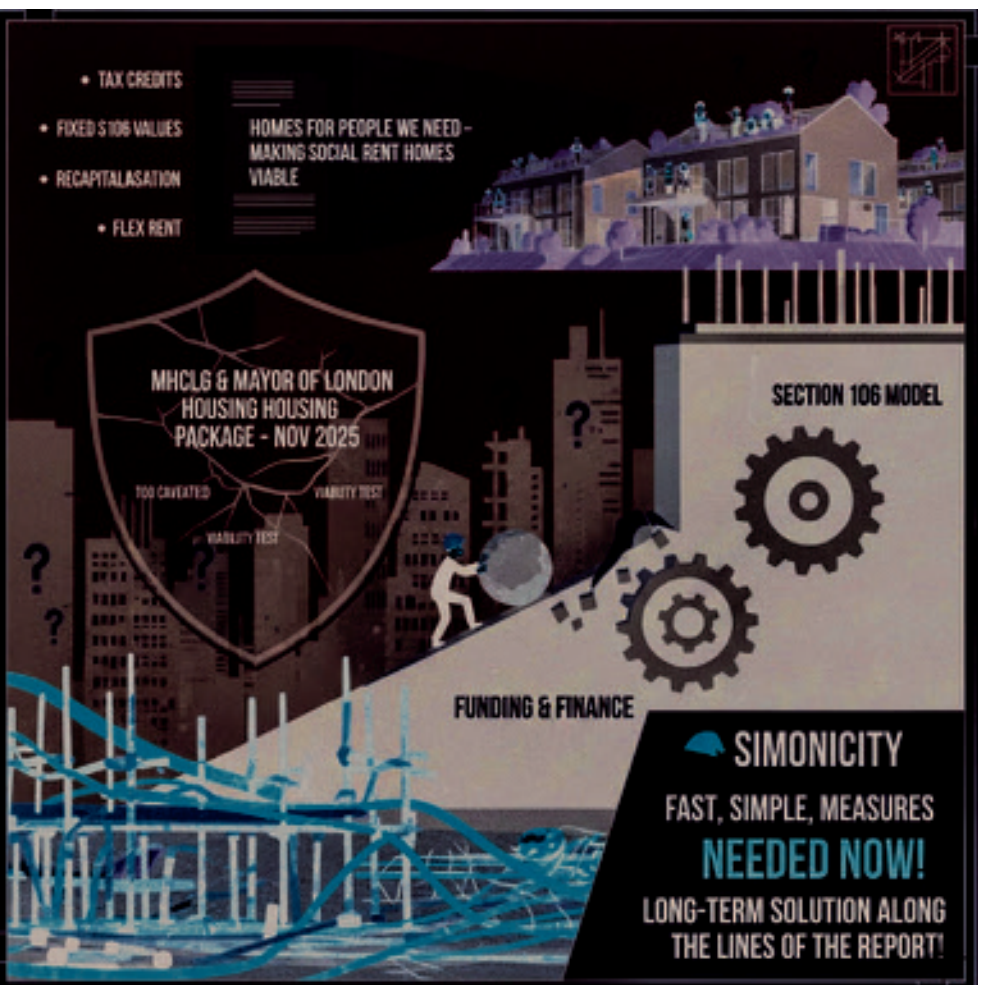
It really would be useful if the Mayor could call in schemes of 50 units or more even before the borough is minded to refuse them, as long as the statutory determination period has passed – thereby reflecting the current arrangements in the Mayor of London Order 2008 for schemes of 150 units or more.

Final thoughts

Of course the proposed additional grant funding for affordable housing is welcome. But inevitably it isn't enough.

Surely, we all agree that the thrust of all these measures is not good to the extent that, consistent with the operation of the existing system, it assumes that affordable housing, including social housing (for which there is such a desperate need in the capital) is what has to give in order to enable development to proceed. How can we move to a system where the delivery of social housing is not reliant on, effectively, an affordable housing tax imposed on residential development, given that the current model is not working?

To end on a positive note, I was really cheered to hear about Homes For People We Need campaign and to read their report *Making Social Rent Homes Viable*. Whilst it identifies that £18.83 billion is required to develop 90,000 social rent homes per year, there is a strong investment case for substantial government subsidy, given that temporary accommodation costs of £2.8 billion annually could in theory service index-linked bonds worth circa £160 billion. "In theory an investment by HM Treasury to build c.130,000 Social Rent homes for those families currently in temporary accommodation, assuming £209,000 subsidy per home and thus a total subsidy of £27.2bn, could reduce the current bill for



Temporary Accommodation to zero".

There are a number of strategic recommendations and suggested policy reforms in the report:

- Social Housing Tax Credits represent a promising approach, enabling private capital deployment now in exchange for future tax relief.

- Section 106 Agreements should fix affordable housing values at the planning stage to improve market efficiency.

- Right to Buy should be further reformed to preserve the affordable housing stock.

- 'Flex Rent' approaches linking rents to household income should be considered to optimise revenue generation whilst maintaining affordability.

- The Housing Association sector desperately needs recapitalisation in addition to the recent 10-

year rent settlement."

Santa hat-tip to the Planning After Dark Podcast episode Santa Hats, Social Rent and Squeaky Leather Trousers for the chat with Grainger's Michael Keaveney which introduced me to this.

In summary I hope that what is arrived at is fast, simple, measures to help meet the current housing and affordable housing emergency. But then I hope that there is a proper longer-term solution along the lines promoted by this report to help meet the underlying and remaining (national not just London) housing and affordable housing crisis. The current section 106 model is not working!

From Simon's Simonicity blog which represents his personal views only. ■

Flexibility must guide London's housing response

London's housing crisis will not be solved by a single reform. But adopting flexible, pragmatic approaches wherever possible will help move the dial, says Olivia Harris

The proposed emergency measures to boost housing delivery in London - including a lower threshold for onsite affordable housing provision before viability tests apply - are a welcome and pragmatic step.

No one working in the affordable housing sector wants to see an important supply of below-market stock reduced, but at a time when development viability is stalling so many schemes across the capital, it is better to deliver 20% of something rather than 35% of nothing. Housing delivery in London is at its lowest level since 2014, and according to the GLA, a third of boroughs recorded zero housing starts in the first quarter of this year. If these emergency measures from the Government and London Mayor get schemes moving and shovels in the ground, more people will have places to live at prices they can afford.

Crucially, the announcement signals that policy-makers recognise the need for flexibility if we are to be serious about tackling London's housing crisis. That same principle of flexibility should guide how we think about other policy levers, such as the Community Infrastructure Levy (CIL).

CIL was designed to help fund the essentials that make neighbourhoods function, such as roads, schools and playgrounds. Yet, a narrow definition of infrastructure means that councils can't always use the funds where they are needed most. As a result, there is between £2bn and £4bn in unspent CIL sitting idle in council bank accounts across the country, while housing need reaches crisis levels. According to London Councils, boroughs are spending an extraordinary £5.5 million a day on homelessness - primarily on temporary accommodation for families.

Below-market homes may not be seen as conventional infrastructure that keeps cities moving - but without them the UK capital risks grounding to a halt.

Research by Savills for Dolphin Living finds that 290,000 households earning less than £90,000 will no longer be able to afford to live in inner London by 2035. This is at a time when the city needs an additional 200,000 workers over the next decade to support our public services and key sectors, such as healthcare and hospitality.

Oxford Economics' Cities & Regions team has

found that the capital's housing crisis has resulted in the city being the UK's weakest-growing region since 2008, as skilled workers find the city increasingly unaffordable and unattractive.

At Dolphin Living, we see every day how good quality affordable homes for working Londoners not only help people get on in life, and create stronger, more resilient communities - but also benefit the functioning of London's vibrant economy.

How can we fund the affordable housing London so desperately needs - be it properties available for social rent which will transform the lives of homeless families - or intermediate rented homes to enable essential workers on modest incomes to live close to their place of work?

Due to the heavily centralised nature of local government financing - the incredible economic



value generated in central London does not translate into the equivalent revenue for its councils to spend on local housing need.

Consider Westminster in the very heart of the capital. It is the UK's most economically productive district and in 2023/4 alone it generated £2bn in business rates for the public purse. However, the vast majority (96%) of these funds were redistributed elsewhere. In the absence of more fiscal devolution, an opportunity surely lies with unspent

Olivia Harris is Chief Executive of Dolphin Living and Housing Lead for the Westminster Property Association



CIL monies and with the principle of flexibility shown in the emergency housing measures.

The Westminster Property Association (WPA), together with Westminster City Council, has urged the Government to enable greater flexibility in CIL rules. We first raised this with the Minister of State for Housing and Planning, Matthew Pennycook MP, in May and reiterated the call ahead of the Autumn Budget.

Allowing councils, under clear guidance, to allocate a portion of unspent CIL to support the viability of affordable housing schemes could have an immediate impact. Often, the gap between build cost and affordable housing revenue is modest but decisive. While S106 funds can be legally restricted and may place an additional strain on development viability, targeted CIL contributions could unlock schemes that already have planning permission, local support and partners ready to deliver.

Such flexibility would not dilute CIL's purpose. Investment in core physical infrastructure remains essential, and long-term plans for funding improved transport connectivity and community facilities must continue. But enabling unspent CIL to support affordable housing, particularly in urban centres like London where affordability is so acute, is entirely consistent with its core aim of ensuring development keeps our neighbourhoods functioning and supports wider economic growth.

London's housing crisis will not be solved by a single reform. But adopting flexible, pragmatic approaches wherever possible will help move the dial. The Government and GLA have taken an important step with their emergency measures. Extending that pragmatism to CIL could unlock dormant funds and help deliver the affordable homes London's communities, employers and economy urgently need. ■

The use of artificial intelligence in EIAs

AI can enhance the quality and robustness of environmental assessment but its role must remain supportive rather than determinative, says Alistair Walker

With the advancement of AI in the last few years, it is important that the application of AI in the field of EIAs is closely regulated, and the implications of its use are understood. I am the lead author of a new Institute of Sustainability and Environmental Professionals (ISEP) advice note, launched in November, which provides an overview of AI and key principles for its use in EIA by practitioners. The content below is a summary of that report.

What are the benefits of its use in EIA?

There are a multitude of potential benefits to applying AI tools in varying aspects of the EIA process. These include baseline data gathering and monitoring, advanced automated geospatial analysis, streamlining document management, identifying cumulative schemes, consultation / review summaries, synthesis of data and predictive modelling, proof-reading documents, and assistance in drafting non-technical summaries.

What are the barriers to adoption of AI tools?

There are several barriers to the effective development, deployment, and adoption of AI within the EIA process. These include technical barriers such as data quality and availability, model interpretability, scalability and infrastructure, robustness and reliability, and cybersecurity. Legal and regulatory barriers include a current lack of regulation and fast-paced change, cross-border data governance, and safeguarding and intellectual property.

Organisational and cultural barriers exist, including a resistance to change, lack of expertise, public understanding and use, and ethical culture. Ethical barriers include bias (of the AI tool), environmental impact (of use), privacy, accountability, and utilisation in respect of ensuring that early career/graduate tasks are not replaced by AI so that avenues into the sector remain and be attractive to new starters.

What are good principles of AI use?

Use of AI tools to benefit EIA practitioners is encouraged, but AI tools should be used with caution. Six general principles for good application of

AI in EIA are set out below to encourage best practice and confidence in use, as follows:

1 Understanding, competence and responsibility of use: all users must bear full responsibility and accountability for the application of AI in EIA processes. As such, they need to understand the risks and benefits of use. Most critically, they must understand the intellectual property rights of information provided to a third-party tool and confidentiality of use in respect of the user company policies. AI tools should only be used when their application complies with legal requirements and when users have a clear understanding of how to use them effectively, efficiently and ethically.

2 Alignment to regulatory frameworks, standards and protocols: AI applications in EIA must align with applicable national and international impact assessment (IA) standards, regulatory frameworks and scientific protocols. This ensures that AI-generated outputs are valid, legally defensible and consistent with accepted methodologies.

3 Transparency: for reporting, full and open statements should be provided stating what type and extent to which an AI tool has been used in assessment and creating an IA report to clearly inform the decision-making.

This is especially important if any Generative AI ('GenAI') tool has been used. GenAI systems are those which combine a powerful, large language model with a user interface application layer to generate text, images, video or code outputs (completions or responses) in response to a user's prompt (input, questions or instructions. ISEP recommends that, as a minimum, the name of the tool or system, date, manner of use and location in document of outputs should be stated. Equally, any third-party soliciting comments on an IA report must disclose their use of AI tools, if applied.

4 Accuracy and verification: all users need to understand that AI tools/models are not likely to be perfect and errors will occur, since these tools/ models are developed based on certain parameters. All users should apply oversight to AI outputs to prevent errors and ensure accurate representation.

5 Garbage in; garbage out (GIGO): AI models are defined by the input data. The better the quality of the input data, the better the output. Users should

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provide as many relevant details as possible into the AI tool to ensure more reliable, accurate outputs, reducing likelihood of bias.

6 Utility, not reliance: in general use, users need ensure they do not simply rely on the AI outputs for reporting as the outputs. Using the outcomes without necessary checks in place will hinder professional development in understanding of process, critical thinking and development of solutions. AI tools used in the EIA process need to support individuals in their workings and decision-making, not replace these processes.

Organisations should look to offer ongoing training and capacity building for users of AI tools to ensure they adopt in the most effective manner since AI evolves so rapidly.

AI is already beginning to reshape the way EIAs are prepared, reviewed and understood, but its value will only be realised if it is applied with care and clarity. The opportunities are considerable: better data, faster analysis, more consistent reporting and the ability to focus expert time on the judgments that matter.

Yet these advantages come with obligations. Practitioners must stay alert to the limitations of the technology, ensure that professional oversight is never diluted and maintain the transparency that underpins confidence in the EIA process.

If used well, AI can enhance the quality and robustness of environmental assessment. But its role must remain supportive rather than determinative, enabling practitioners to work more efficiently while still retaining full responsibility for their outputs. The principles set out in the ISEP Advice Note provide a practical framework for doing so, guiding the sector towards innovation that strengthens, rather than compromises, the integrity of environmental decision-making. ■

Gateway 2 delays – will 2026 be a turning point?

The Gateways process is a welcome additional safety standard but its application has been fraught with confusion, frustration and costs. The announced changes must start to alter the landscape, says Sarah Rock

The Building Safety Act 2022 introduced three Gateways into the building control approval process for building or carrying out certain works to high-rise residential buildings (HRBs) in England, the first at planning stage, the second at building control approval stage and the third at completion. Gateways 2 and 3 act as hold points, meaning they must be passed successfully before a spade can be put in the ground or a completed building may be occupied. The Gateways, which have been managed by the Building Safety Regulator (BSR) since October 2023, have become notorious in the construction industry for causing delay and costs to projects – but why?

Making a Gateway 2 submission requires a construction-ready design package typically found at RIBA Stage 4 displaying a clear understanding of how the building will be constructed and how it will meet building regulations and fire safety standards. Also required are full building plans, specifications and schedules with descriptions of materials, construction methods and timeline for the project alongside more detail including competency declarations, change control plans and the fire and emergency file. Requiring such a mature design before allowing work on site has front-loaded the design process and requires having a full team on board early.

Once received, the BSR has a statutory period of 12 weeks (new HRBs) and 8 weeks (works to existing HRBs) to process the Gateway 2 application. However, as has been widely discussed in the industry press these timeframes have not been met and as was reported by the BSR chair in October last year the average time that firms were waiting for Gateway 2 approval across the UK stood at 43 weeks, 48 weeks in London. Such delays have huge potential knock-on effects for the industry – supply chains are in limbo, costs of materials are fluctuating and the prices of high-rise schemes are spiralling. Funders are understandably less willing to lend against projects involving the Gateways. In addition, a lot of the projects stuck in the Gateway 2 log jam are remedial projects to fix dangerous

defects discovered post-Grenfell.

The causes for the delays are numerous and vary depending on which side of the fence you are sitting. The BSR has complained that missing or inadequate information is a major issue. It is easy to see that such a new and complex procedure might have caused some teething problems to developers attempting to obtain a successful application for the first time. From the developer's point of view, a lack of transparency from, and communication with, the BSR teams has resulted in much frustration. In fact, the teams themselves have potentially been a cause of the issue. External multi-disciplinary teams assembled upon receipt of an application has led to inconsistencies between applications and longer review periods.

In recognition of the issues and the knock-on

It is hoped that the improvements underway at the BSR and the improved level of guidance available to developers will assist in reducing the time taken to process Gateway 2 applications

effect to the industry (as well as to the Government's housing pledge of 1.5 million new homes by 2029) major reforms were introduced at the BSR last year. The BSR is being transferred out of the Health and Safety Executive and is to become an arm's-length body under the Ministry of Housing, Communities and Local Government. A new non-executive chair and new chief executive were appointed (both with significant previous fire commissioning experience). Over 100 new staff are being hired with the hope that they will go towards forming internal MDTs and greater transparency and collaboration with the applicant's design team is also hoped for.

Further assistance has been provided by the Construction Leadership Council who in July last year published the *Guidance on Building Control*



Sarah Rock is a partner and head of construction at Boodle Hatfield

Approval Applications for a new Higher-Risk Building (Gateway 2). This guidance provides the baseline principles to guide developers submitting applications and includes practical recommendations on the approach and submission of relevant information. In addition, in December last year the Government provided further guidance for Preparing Information for a Building Control Approval Application.

It is hoped that the improvements underway at the BSR and the improved level of guidance available to developers will assist from both angles in reducing the time taken to process Gateway 2 applications to within the statutory timeframes. The additional 100+ members of staff are a very welcome addition but it should be understood that it is likely to take some time for these new starters to get up to speed on what is of itself a new and complicated process. The additional guidance for developers is hopefully going to prove helpful but better communications with the MDT team members themselves seems to be a bigger breakthrough. When speaking with developer clients the lack of transparency and inability to speak with anyone within the BSR has led to frustration and confusion in addition to costs and delays.

The rationale for the Gateways process is simple to understand and is a welcome additional safety standard for HRBs following the terrible tragedy at Grenfell. The application, however, has to date been fraught with confusion, frustration and costs. The changes announced last year must start to alter the landscape, reduce the delays and provide for a more cohesive system or developers will stop building up and the housing crisis will continue. ■

The next meeting of the London Planning & Development Forum

is the annual planning update afternoon conference on Tuesday 24th March at Dentons 1 Fleet Place EC4M 7WS

In collaboration with the Cambridge University Land Society and the Association of Consultant Architects

To attend **please book at** <https://tinyurl.com/hd2p224y>

For the agenda nearer the date please also look at planninginlondon.com >LP&DF



How to tackle the housebuilding crisis

Viability is the culprit and London needs more effective strategic policies, argues Andrew Golland

Government, the press, industry and the professions are increasingly concerned about housing starts. Government is under pressure to meet ambitious housing targets; the industry must answer to employees, financiers and shareholders; and professional bodies have a responsibility to help ensure the system operates more effectively.

There is no doubt that housing starts have fallen. The table and chart illustrate the scale of the decline. Regionally, Northern Ireland has proved the most resilient since the Covid pandemic. Most other regions have experienced a gradual downturn, while Scotland and Wales have seen particularly significant falls in housing starts.

There is particular concern for smaller developers. In response, the House Builders Federation (HBF) has published a report identifying barriers to delivery and making recommendations—many of which focus on speeding up the planning process:

www.hbf.co.uk/research-insight/planning-for-small-sites

Further HBF research highlights the specific challenges facing Wales:

www.hbf.co.uk/research-insight/wales-housing-supply-2025

The case of the Capital

One statistic stands out: Greater London. Housing starts have fallen dramatically over the last five years, to just 27% of previous levels, with an apparent collapse over the past 12–18 months.

There are likely to be several reasons for this. These include a relatively stagnant housing market set

against rising construction costs, leading to falling land values as developments progress. This is a particularly alarming prospect for smaller developers, who cannot offset losses on one site against gains elsewhere. The decline may also reflect reduced levels of investment in the capital more generally, with the Mayor frequently citing the UK's exit from the European Union as a contributory factor.

It remains possible that the most recent figures represent a cyclical downturn rather than a structural problem for London. Either way, Mayor Khan appears unwilling to wait to find out.

Viability: the culprit once again?

The response to the apparent collapse of housebuilding in London is a Package of Support for Housebuilding in the Capital (November 2025):

<https://assets.publishing.service.gov.uk/media/68fa1ab730c331c88be6f00a/support-for-house-build-ing-in-london.pdf>

- The package includes:
- Temporary relief from the Community Infrastructure Levy (CIL);
 - A time-limited planning route;
 - Expanded GLA call-in powers for major schemes;
 - A City Hall Developer Investment Fund.

Government is reportedly backing this package. Implicit throughout is an assumption that viability assessments are largely responsible for the current low point in housing delivery. The proposed time-limited route offers planning consent within a fixed window (to 2028), provided schemes commit to 20% Affordable Housing, thereby removing the need for a

Dr Andrew Golland specialises in the field of housing, planning and regeneration



viability assessment.

Linked to this route are potential CIL reductions (up to 50% of a borough's charge) and possible grant funding for Affordable Housing. However, the latter appears limited to applicants with GLA Investment Partner status, which is likely to exclude many smaller developers.

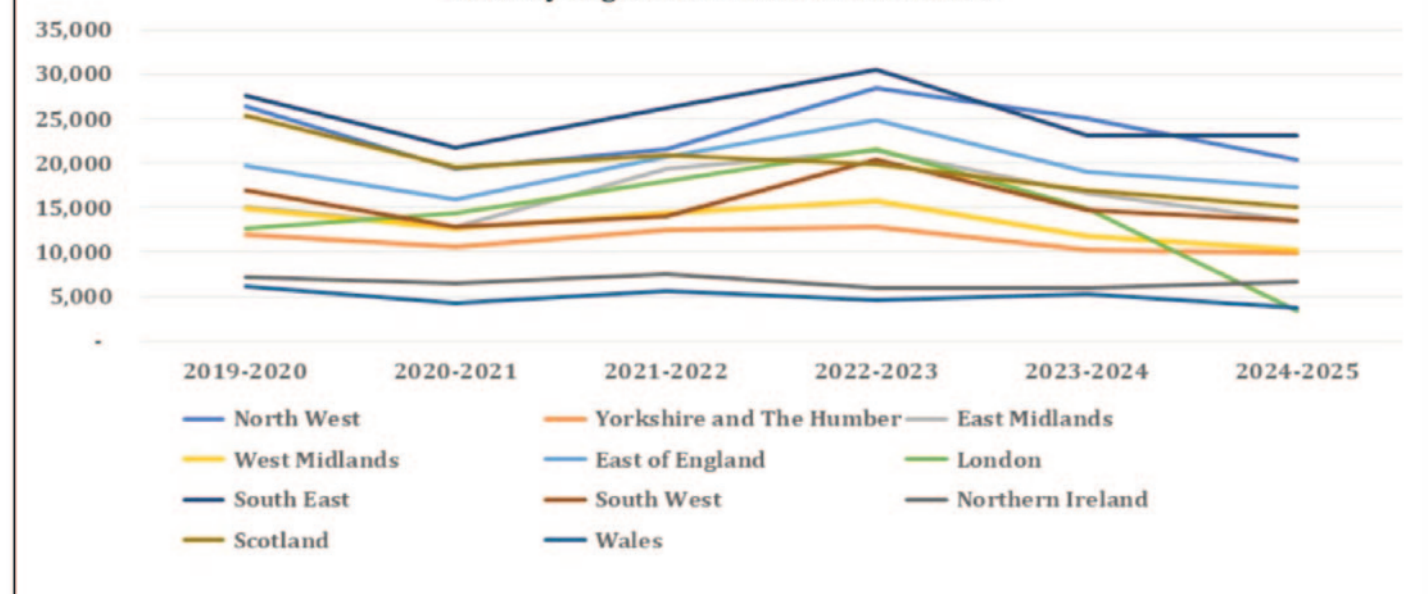
The package is currently out for consultation and may yet be refined—or rejected altogether. My concerns are as follows:

- Policy change alone has limited impact on delivery. The existing Fast Track route (35% Affordable Housing with no viability review) has been in place for some time and has coincided with a sustained decline in output. Pulling harder on the same policy levers is unlikely to produce different results.
- Removing viability assessments does not make unviable sites viable. This approach ignores the role of existing use values, which are a particular issue in London given the prevalence of brownfield land and complex property interests.
- Marginal changes can matter. In many cases, reducing Affordable Housing from 20% to even 19%

Region/Country	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	% Change 2019-20 v 2024-2025
North West	26,480	19,330	21,670	28,520	24,970	20,320	77
Yorkshire and The Humber	12,030	10,530	12,420	12,750	10,280	9,910	82
East Midlands	15,120	12,810	19,300	21,370	16,650	13,470	89
West Midlands	14,940	12,660	14,290	15,710	11,750	10,190	68
East of England	19,680	15,940	20,700	24,820	18,970	17,220	88
London	12,680	14,390	17,900	21,650	14,880	3,390	27
South East	27,660	21,760	26,170	30,570	23,150	23,070	83
South West	17,010	12,830	14,080	20,440	14,680	13,600	80
Northern Ireland	7,080	6,450	7,450	6,040	6,000	6,590	93
Scotland	25,320	19,470	20,930	19,790	16,990	15,060	59
Wales	6,210	4,300	5,680	4,550	5,190	3,810	61

Source: Office for National Statistics

Starts by Region 2019-2020 to 2024-2025



could materially improve scheme viability, especially within an increasingly demanding planning system.

- A blanket 20% Affordable Housing policy is flawed. Under Ken Livingstone, the question was asked whether 50% Affordable Housing could work, and the evidence showed it could not. The same logic applies here. In higher-value areas, delivery above 20% may be achievable; elsewhere, 20% will never work. A London-wide policy risks conflict with borough-level policies and potential judicial review, as has happened previously when local thresholds have prevailed.

- The scope of the changes is unclear. If they apply to smaller schemes, they may conflict with local authority targets and with the complex protocols governing commuted sums and review mechanisms—despite proposals to waive some requirements under the time-limited route.

There is also a broader economic issue. Policy adjustments and grant funding often translate into higher land values rather than increased housing output. Landowners reprice their sites accordingly, capturing the benefit. The productive sector—house-builders—sees little gain, while Affordable Housing

delivery may ultimately suffer. These measures therefore risk being counterproductive, both in terms of output and community benefit.

What could a regional body do better?

While the figures suggest London warrants a tailored response, it is difficult to ignore the political context. A collapse in housing delivery in Labour-run London would carry significant political consequences, which may explain what appears to be a somewhat knee-jerk reaction.

Nevertheless, this was an opportunity for a regional body such as the GLA to adopt a more strategic approach to delivery.

CIL, for example, is a blunt instrument for funding infrastructure. It cannot generally be challenged on viability grounds unless the local plan explicitly allows it. Making CIL relief contingent on changes to Affordable Housing policy risks creating a chaotic and inconsistent system.

Rather than an ad-hoc package, a more detailed examination of the interaction between CIL and Affordable Housing policy would have been preferable. In some locations CIL has only a modest

impact; in others, it is significant.

A regional housing policy could also do much more to standardise technical approaches to Section 106 delivery. Affordable Housing thresholds vary widely across Greater London, often with little clear evidence to justify the differences. The same applies to commuted sum calculations. While the GLA's Affordable Housing SPD (2017) provides broad guidance, it has not filtered consistently down to borough level and does not adequately reflect real-world variables.

For viability consultants, this complexity is manageable. For smaller developers navigating an opaque and inconsistent policy landscape, it represents a significant barrier to delivery.

More up-to-date and authoritative regional guidance—particularly on review mechanisms and land value benchmarks—would be far more effective than the current proposals. Instead, valuable time early in this government's tenure has been spent assembling what appears to be a fragile and poorly evidenced policy package. Without a confident housing market and rising values, it is unlikely to succeed, regardless of the intentions of policymakers. ■

How will green belt release affect affordable housing?

In the face of delays I expect we'll see a rush of speculative planning applications with many more decided at appeal, thinks Chris Hemmings

The publication of a revised NPPF last year was the first in a series of major planning reforms to be introduced by Labour. Among the NPPF's most significant changes was the introduction of the 'Grey Belt' and the 'golden rules' by which such land may be released for development.

Research suggests that 30,597 Grey Belt sites across the country have the potential to boost housing delivery by as many as 3.4m properties – which would meet the government's ambitious housing targets for a full two parliamentary terms.

Of course not all of this land is suitable and available for housing, and the 30,597 sites quoted above would average just 111 homes per site. Furthermore, applying the new rules associated with Grey Belt release will be far from straightforward.

Addressing housing need

Prior to the general election, Carter Jonas carried out some comprehensive research of the Green Belt which demonstrated that only a very small percentage of land is designated for environmental purposes, suggesting greater scope to release Green Belt land. And, despite higher percentages of overlap of Green Belt and other designations (specifically in London), there is still a significant proportion of land without an environmental designation that could be used strategically.

The Grey Belt

According to the NPPF's definition, any Green Belt site, including previously developed or brown-field land, could be reclassified as Grey Belt provided if it can be shown to 'not strongly contribute' to three of the five purposes of the Green Belt: to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another, and to preserve the setting and special character of historic towns. As with any policy, there are exceptions, such as sites with irreplaceable habitats or at risk of flooding.

The 'Golden Rules'

The 'Golden Rules', set out at Paragraph 156 of the NPPF, are:

a. affordable housing which reflects either: (i) development plan policies produced in accordance

with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the policy set out in paragraph 157;

b. necessary improvements to local or national infrastructure; and

c. the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.

The text of 'Golden Rules' (b) and (c) hasn't changed since the document was published for consultation. However, there has been some subtle but limited changes to the level of affordable housing requirements (a), with the change from 'at least 50% affordable housing' to delivering above policy levels of affordable housing in accordance with Paragraph 157. So, for areas with an existing 30% affordable housing policy, this may rise to

In the short term I suspect we will see an increase in developers looking to challenge the affordable housing quotas through the Planning Inspectorate and of course this will result in delays.

45% as the Government states that a 15% premium is required in the absence of updated development plan policies. For areas with no affordable housing requirement, the default position is 50%.

On a positive note, the Government has listened to the development industry. But in the revised Planning Practice Guidance the submission of a site-specific financial viability assessment (FVA), seeking to lower the proportion of affordable housing or developer contributions is not allowed. However, the Government intends to review the viability guidance and the circumstances which may merit a FVA being undertaken,



Chris Hemmings is a Partner with Carter Jonas

such as for large sites or on previously developed land.

The timescales for this review are not provided and therefore, for the time being, any landowner seeking to promote its land for release from the Green Belt will need to deliver above policy levels of affordable housing in accordance with Paragraph 157.

It remains to be seen what impact this policy will have on the appetite for Green Belt releases, but the higher proportion of affordable housing will provide viability challenges, and without the recourse to challenge viability, this may inhibit delivery.

Initial impact of the changes

In the short term I suspect we will see an increase in developers looking to challenge the affordable housing quotas through the Planning Inspectorate and of course this will result in delays. There's an argument that larger schemes which are in the national interest should be determined nationally and – no doubt to avoid a local backlash – the Secretary of State has said that the government would welcome a threshold whereby a large housing development goes to the Planning Inspectorate, but I doubt this would go down well locally.

Allocations for development through the local plan process will also take time and furthermore, proposed changes to local government structures will add to this delay.

And in the face of delays, particularly bearing in mind the significant potential that some Grey Belt sites offer, I expect we'll also see a rush of speculative planning applications, with many more decided at Appeal. ■

The disparity in take-up and implementation of BNG

If BNG is to fulfil its potential, delivery must be achievable on a national scale, not just where favourable conditions already exist, says Richard Holliday

The requirement for a minimum 10% Biodiversity Net Gain (BNG) has been in place for over a year, and while the sector's response to the requirement has been generally positive, there are clear inconsistencies and difficulties in how the policy is being applied in practice – from small to large-scale projects, and affordable housing developments.

It is broadly understood that BNG mandates all new developments leave biodiversity in a measurably better state, with a regulatory minimum standard of 10% across all local planning authorities (LPAs). However, more than one year on, there are still inconsistencies in the approach and requirements between regions and authorities, and how some LPAs are seeking higher BNG outcomes.

To understand the evolving market, our report, *Biodiversity Net Gain: Navigating the Evolving Market*, analysed over 3,300 hectares of development sites across England. It found that the average habitat baseline value is 3.45 units per hectare. To secure a 10% net gain on a typical 10-hectare site, developers must, therefore, enhance or create habitats to achieve at least 37.95 biodiversity units (BUs). If the required 10% uplift cannot be delivered on site, the costs for off-site compensation can quickly escalate and the availability of habitat sites can vary considerably.

Balancing BNG demand with land supply

Such figures illustrate just how critical land access and strategic planning are to fulfilling BNG, and why capacity varies so widely across the country. By its very nature, the UK is an ecologically diverse landscape. Ancient woodlands, chalk grasslands and coastal salt marshes are present, as are high-density urban environments, brownfield and heavily constrained sites. There are very different capacities for meeting BNG criteria both on and off-site.

For instance, consider the East and South East. With established habitat banks to enable biodiversity improvements, the opportunities to provide 10% BNG exist. However, due to the level of housing delivery expected in these regions, the availability of habitat banks will be critical to successful delivery. Elsewhere, these off-site opportunities are less common although more habitat banks are brought to market regularly, and this is where the effective execution of BNG becomes a far more challenging

prospect. For affordable and social housing projects the difficulty can be all the more profound.

Burden and opportunities for the unit market

There are significant differences not only in regions, but also habitat types. Notably, when measuring the biodiversity value of existing land, the contrast between greenfield and brownfield land is not as pronounced as many anticipated. While greenfield sites have an average baseline of 3.60 BU/ha, brownfield sites typically sit at 3.17 BU/ha.

This can sometimes spell trouble for affordable housing, which is often constructed on brownfield land. Though such sites may benefit from existing infrastructure and be perceived as more sustainable, their constrained size offers limited opportunities when it comes to providing BNG on-site. Under current policy, there are no 'biodiversity discounts' for such schemes.

The challenge of realising BNG applies across all types of development land, and with ambitious housing targets in place, the appetite for habitat banks is poised to rise sharply. Add to this the likely upcoming extension of BNG demands to Nationally Significant Infrastructure Projects (NSIPs), now expected in May 2026, and competition is set to intensify.

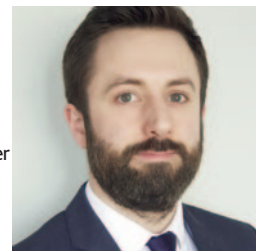
With many habitat banks coming to the market over the last 12-18 months; others still a work in progress, and delays to Local Nature Recovery Strategies (LNRS) – which, once in place, could further shape the value of BUs, developers are in danger of falling behind delivery targets.

At present, biodiversity units can be sourced from across the country, but with the spatial risk multiplier favouring and supporting local delivery. However, should LPAs begin to press for BNG to be delivered strictly within their own boundaries, the options available to developers will narrow considerably, placing even greater pressure on costs and locations where land and habitat banks are already stretched.

On- and off-site BNG

Our report reveals that 54.7% of developments are delivering BNG entirely on-site. While this may be within reach on some sites, it is not always realistic. Where on-site provision is not possible, developers are instead turning to off-site solutions –

Richard Holliday,
Associate Partner, Carter
Jonas (Leeds)



whether through their own land holdings, the purchase of BUs from third-party providers, or, as a last resort, through the national statutory credit scheme, although evidence suggests the latter option is rarely used, presumably due to the prohibitive costs involved.

Though often more viable on larger or less constrained sites, on-site BNG can become far less feasible for affordable and social schemes working with tighter budgets and sometimes more heavily constrained sites. Yet without adequate availability and streamlined coordination, momentum will stall, most notably in areas where need is greatest, leaving social and affordable housing initiatives specifically vulnerable.

The impact of uneven BNG delivery on targets

With government targeting an ambitious housing target of 1.5 million homes within five years, demand will inevitably increase exponentially. On-site, this may pose issues in relation to density and viability, while off-site, requirements may well exceed supply, at least initially.

For affordable and social housing, cost sensitivity is a constant concern. With disparity across the UK – particularly in densely built-up zones, where the necessity for these homes is arguably at its highest – premium prices for off-site BUs threaten project feasibility. And for smaller developers and housing associations (HAs) especially, absorbing these additional costs will prove increasingly difficult.

Getting BNG right nationwide

If BNG is to fulfil its potential, delivery must be achievable on a national scale, not just where favourable conditions already exist. BNG will risk becoming something of a postcode lottery. A consistent framework, grounded in practicality, is the only route to achieving fair, functional outcomes across the country. ■