

## **techUK response to the National Planning Policy Framework Consultation**

### **Executive Summary:**

The UK is recognised as a leading tech economy, boasting a robust digital sector and a thriving research and start-up ecosystem. Despite this impressive standing, concerns are growing that the country's infrastructure is not evolving at the pace needed to support the rapid expansion of its digital tech sector. Issues such as planning delays, grid connection challenges, incoherent policy, and insufficient data visibility across sectors are threatening to hamper future growth, as well as the increasingly high cost of energy in the UK.<sup>1</sup> This has contributed to London being the second most expensive place to operate a data centre in Europe, after Zurich.<sup>2</sup>

Currently, the tech sector contributes over £150 billion GVA annually to the economy, and reforms to planning rules and construction to rebuild outdated infrastructure could help play a role in boosting this to £200 billion.<sup>3</sup>

To get there, the UK needs to better facilitate the construction of digital infrastructure such as data centres. This infrastructure is essential for underpinning a vast array of tech use cases, from the most advanced AI to business technology for small companies such as CRM systems. This is why each new data centre contributes between £397m and £436m GVA per year.<sup>4</sup> We set out below how changes to the NPPF can better facilitate this.

- techUK supports the development of previously developed land (PDL) and grey belt land to meet commercial and other development needs and wishes the NPPF to explicitly data centres and digital infrastructure in areas with existing supporting infrastructure, including energy capacity and internet connectivity. techUK also supports the release of land in the right places, with previously developed and grey belt land identified first, while allowing local planning authorities to prioritise sustainable development locations.
- techUK further advocates for explicit recognition of the public benefit of improved digital connectivity and the need for timely grid connections and constant energy supply for data centres.
- techUK believes the NPPF should explicitly recognise telecoms as being an essential digital infrastructure like data centres.
- techUK also believes the NPPF should prioritise construction of data centres and digital infrastructure on well-connected previously developed and Grey Belt land where possible. The NPPF should also recognise the necessity of building some digital infrastructure, namely telecoms infrastructure, on the Green Belt to respond to consumer and business demand.
- techUK supports the inclusion of data centres in the NSIP consenting regime but would welcome clarity that firms will not be forced down this route and that this will only expand options for data centre developers.

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<sup>1</sup> <https://ukfoundations.co/>

<sup>2</sup> [https://www.savills.co.uk/research\\_articles/229130/362695-0](https://www.savills.co.uk/research_articles/229130/362695-0)

<sup>3</sup> <https://www.techuk.org/resource/a-uk-tech-plan-how-the-next-government-can-use-technology-to-build-a-better-britain.html>

<sup>4</sup> <https://www.techuk.org/resource/uk-data-centre-sector-overview-2020.html>

- techUK also wish for the NPPF to recognise the need for a minimum standard of service, and recommend improving planning officer expertise and ringfencing planning funds to combat budget cuts. techUK also suggests standardising guidance and increasing central government expertise to ensure consistent decision-making on data centres and digital infrastructure. Additionally, techUK suggests clarifying the role of local leaders in planning decisions and implementing a 1% mayoral planning levy to support local expertise and local decision-making. These will make the existing planning system more efficient.

However, the NPPF is only one part of a larger chorus of planning and development policies. techUK recognises the need to account for Local Growth Plans, Permitted Development Rights, Practical Planning Guidance and ensure they pull in the same direction as the proposed changes to the NPPF. Furthermore, techUK also recognise that UK's planning system will not be reformed merely by the tweaking of the NPPF. Instead, the UK must take a holistic approach to its entire infrastructure system, including the incentives built into the planning system, to ensure that the UK is building all of the digital infrastructure necessary for our 21<sup>st</sup> century economy and society.

The UK has one of only three tech sectors in the world valued at over \$1 trillion. It's a sector that does not just provide a basis for economic growth, but has become the rock upon which our modern economy and society are built. We cannot afford to block development of necessary infrastructure for such a vital sector, so vital that this consultation would be rendered impossible without it. Instead, the UK needs to make building digital infrastructure quicker, easier and cheaper, not just to enable the innovations of technologies such as generative AI, which could boost UK productivity by up to 14%, but to ensure the foundations on which our economy and society are built on are strong enough for the future.

Our full response is split into two sections. Section 1 covers techUK's answers to key questions in the NPPF consultation. While section 2 picks out several themes and issues outside the scope of the consultation we believe are important to highlight, as well as setting out five general principles our members believe the Government should follow across its planning policy.

## **Section 1**

### **Green and Grey Belt questions**

*Question 20: Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?*

techUK supports amending the NPPF to encourage development on previously developed land (PDL). However, techUK emphasises the need to prioritise data centres, digital infrastructure, and other development in areas with existing energy capacity, internet connectivity, and water supply for data centres. Integrating feasibility assessments for certain development classifications can address energy infrastructure shortfalls.

Prioritising well-connected areas for data centre and digital infrastructure needs is crucial due to the increasing energy demands of digital infrastructure. This would be an effective way of getting construction going on suitable sites and ensuring Green Belt construction is

minimised to only infrastructure that must be sited on the Green Belt, for example telecoms infrastructure.

*Question 21: Do you agree with the proposed change to paragraph 154g of the current NPPF to better support the development of PDL in the Green Belt?*

techUK supports the development of previously developed land on the Green Belt, and would support development of this kind not being considered as doing substantial harm to the openness of the Green Belt, but techUK would encourage the NPPF to prioritise data centres and digital infrastructure in areas with existing or easily increased energy supply and internet connectivity. In the context of grid connection this will be subject to having power availability and electricity which can be facilitated through enhanced operational control of the UK electricity networks.

Plans should consult with infrastructure developers in sectors such as energy, telecoms and water utility companies in order to ensure that developments occur more quickly.

*Question 23: Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend?*

techUK welcomes expanding available land for development to reduce the costs of new facilities such as laboratory space. However, we would welcome some further clarification on the 'grey belt' definition and how development is encouraged on grey belt land.

techUK supports prioritising grey belt land for development and ensuring all grey belt and brownfield land is developed before the Green Belt becomes subject to development. Construction of infrastructure requiring a 24/7 energy supply, such as data centres, should be considered for priority on grey belt sites. Ensuring digital infrastructure is built on grey belt sites and can be connected quickly and easily is crucial for fully utilising grey belt land while protecting the Green Belt.

MHCLG should remove ambiguity in the definition to establish certainty and avoid future disputes and objections that delay applications and incur unnecessary costs. techUK members seek clarity on the expected amount of grey belt land creation, the right to challenge grey belt land designations, and the form that right may take. Further guidance is needed to inform businesses about the changes.

*Question 24: Are any additional measures needed to ensure that high performing Green Belt land is not degraded to meet grey belt criteria?*

Further clarity around the definition of 'grey belt' land will prevent the sort of ambiguity that leaves room for intentional degradation. This in turn will provide greater protection for the grey belt.

Similarly, if it is possible for local authorities to independently audit their Green Belt with qualified planning professionals and use their judgement according to this more explicit definition, then Green Belt land will be better protected.

*Question 25: Do you agree that additional guidance to assist in identifying land which makes a limited contribution of Green Belt purposes would be helpful? If so, is this best contained in the NPPF itself or in planning practice guidance?*

techUK would appreciate additional clarity around the designation of grey belt land and would like clarity on the amount of grey belt land likely to be released for commercial development. When taken in tandem, these would significantly boost business confidence in the changes to the NPPF.

Additional guidance would also be welcome in the Planning Practice Guidance, as this allows additional guidance to be spelled out in a greater level of detail including clear methodologies, criteria, and case studies for assessing land's contribution to Green Belt purposes, ensuring consistent application across different regions.

*Question 26: Do you have any views on whether our proposed guidance sets out appropriate considerations for determining whether land makes a limited contribution to Green Belt purposes?*

As mentioned, techUK would welcome a clearer definition of the 'grey belt' in order to give further clarity to how Green Belt land may be making a limited contribution. This should include criteria to give local authorities additional guidance for making such decisions, including broad principle (land not strongly performing against any Green Belt purpose) and specific features (such as substantial built development or the land's urban character).

*Question 28: Do you agree that our proposals support the release of land in the right places, with previously developed and grey belt land identified first, while allowing local planning authorities to prioritise the most sustainable development locations?*

techUK welcomes the tiered approach so long as it does not delay development or make development more expensive. techUK agrees that ensuring enough land is released for construction should be the priority, and ensuring this is done as quickly and clearly as possible is essential for securing investment for businesses.

techUK would also reiterate our belief that land with existing supporting infrastructure be explicitly prioritised for digital infrastructure such as data centres, to enable this essential infrastructure underpinning the whole economy to be built more cheaply and efficiently.

Similarly, techUK supports the requirement for local planning authorities to undertake a Green Belt review where they cannot meet identified housing, commercial, or other needs without altering Green Belt boundaries is strongly supported. This will ensure that development needs are addressed in a strategic and evidence-based manner.

*Question 30: Do you agree with our approach to allowing development on Green Belt land through decision making? If not, what changes would you recommend?*

techUK supports measures which allow land to be released for unmet commercial need, which is essential to ensure that infrastructure essential for the wider UK economy is developed.

Government already recognises through permitted development rights (PDR) granted by the General Permitted Development Order that telecoms infrastructure is essential to the lives of those living within the Green Belt, from underpinning local economies to facilitating the operation of necessary public services. We would therefore recommend the NPPF explicitly reiterate the need for telecoms infrastructure that has been granted PDR to be built on Green Belt land to underpin communications in the Green Belt and that Local Authorities are not in a position to apply the same Green Belt policy tests to proposed telecoms infrastructure developments granted PDR to be built in the Green Belt. More generally, techUK would also recommend the NPPF outline the public service benefit of data centre and digital infrastructure and recommend this be taken into account by Local Authorities.

Question 31: Do you have any comments on our proposals to allow the release of grey belt land to meet commercial and other development needs through plan-making and decision-making, including the triggers for release?

techUK supports the proposal to allow the release of grey belt land to meet commercial and other development needs through both plan-making and decision-making processes as this will contribute to getting the planning system going again. The sequential approach of prioritising previously developed land (PDL) and grey belt sites before higher-performing Green Belt land remains crucial to balancing development with the core functions of the Green Belt.

### **How Green Belt ‘Golden Rules’ may apply to commercial development**

Question 42: Do you have a view on how golden rules might apply to non-residential development, including commercial development, travellers sites and types of development already considered ‘not inappropriate’ in the Green Belt?

- Golden rules are
  - a. in the case of schemes involving the provision of housing, at least 50% affordable housing, with an appropriate proportion being Social Rent, subject to viability;
  - b. necessary improvements to local or national infrastructure, including delivery of new schools, GP surgeries, transport links, care homes and nursery places, to deliver well-designed, connected places, recognising that local leaders are best placed to identify the infrastructure that their communities need; and
  - c. the provision of new, or improvements to existing, local green spaces that are accessible to the public – where residential development is involved, new residents should be able to access good quality green spaces within a short walk of their homes, whether through onsite provision or through access to offsite facilities.

techUK recognises the golden rules are largely applicable to housing developments, instead of commercial developments. techUK would recommend *necessary improvements to local or national infrastructure* be expanded to include data centres and digital infrastructure, which are themselves essential to the operation of the economy. Similarly, nationally-important data centres with specific locational criteria should also be granted substantial positive weight.

The Golden Rules should also explicitly recognise that telecoms infrastructure is a part of delivering well-designed, connected places and has a significant public benefit which planning officers should take into account. There should therefore be a recognition of the permitted development rights of telecoms infrastructure to prevent essential infrastructure planned in response to increased consumer and business demand within the Green Belt being delayed or blocked, which could threaten the safety of people living in the Green Belt and local economies. This infrastructure will also not undermine the purpose of the Green Belt, to prevent urban sprawl and protect heritage areas.

techUK would also ask Government to provide further clarity on which *local leaders* will be making these decisions. For example, mayors have no official planning role, but are local leaders with significant strategic oversight of a regional economy, and could play a role in retaining planning expertise for their regions. This may need to be addressed in legislation relating to English devolution through measures such as assigning a Strategic Planning role for elected Mayors on infrastructure larger commercial development (not residential housing or small commercial sites) to align with the regional and national importance of schemes (Mayoral CAs will be the lead for transport planning too).

Linked to this, techUK supports a 1% mayoral planning levy to aid in resourcing local decision making. This would involve 1% of a planning application fee being given to a Combined Authority to support them in planning decision making, development ideas and maintaining requisite staff and expertise to manage planning claims. This is something currently being done in [London](#).

## **Chapter 7 – Building infrastructure to grow the economy**

### **QUESTION 62: Do you agree with the changes proposed to paragraphs 86 b) and 87 of the existing NPPF?**

- *5. The proposed changes to paragraph 86 b) seek to ensure the planning system meets the needs of a modern and changing economy, by making it easier to build laboratories, gigafactories, data centres and digital infrastructure, and the facilities needed to support the wider supply chain. The proposed changes would create a positive expectation that suitable sites for these types of modern economy uses are identified in local plans.*
- *6. The additions proposed to existing paragraph 87 of the NPPF apply to both plan making and planning decisions, and set more explicit expectations about the commercial requirements that require particular recognition.*
  - *a. The proposed changes in paragraph 87 a) aim to further support the development of knowledge, creative, high technology and data-driven sectors, by giving more explicit recognition of the need to support proposals for new or upgraded facilities and infrastructure (including data centres and electricity network grid connections) that are key to the growth of these industries.*
  - *b. We are proposing wording in paragraph 87 b) to ensure supply chains, transport innovation and decarbonisation are considered, in terms of the locational requirements of the storage and distribution sectors. These proposals aim to support the growth of the freight and logistics sector by encouraging decarbonisation, adaptation to changing patterns of global trade, and adoption of new and emerging technologies across its transport, distribution and storage operations.*
  - *c. New wording proposed in paragraph 87 c) aims to support the expansion or modernisation of other key growth industries by consulting on an expectation that additional commercial sites (outside of those identified in paragraphs 87 a) and 87 b)) are identified in plans and positively considered in planning decisions, when they are of local, regional or national importance, and to further support economic growth and resilience.*

techUK has previously advocated updating of the NPPF to include specific reference to data centres and welcomes explicit reference to wider digital infrastructure, laboratories and gigafactories. This will speed up applications for data centres, digital infrastructure and other forms of development essential for innovation and provide greater certainty for applications. Data centres and telecommunications infrastructure in particular act as a fourth utility, underpinning the operation of modern life, and deserve special recognition for doing so.

Regarding data centres and digital infrastructure. techUK would remind Government that data centres are not just essential to the 'clusters or networks of knowledge and data-driven,



creative or high technology industries', but to the entire economy. Similarly, these kinds of infrastructure are built in response to consumer demand from all sections of the wider economy. We would therefore recommend the addition of a specific reference in paragraph 87 to encouraging planning policies and decisions to recognise the need to build infrastructure essential for the UK's national and international economy, namely data centres and essential digital infrastructure (including explicitly telecoms). This will also be essential for the Government's ambitions to use AI to support public services and to grow the wider economy, as well as for the development of other innovative technologies.

Similarly, the extent to which planning officers need to take the wider public benefit of improved digital connectivity is currently ambiguous in the current planning guidance - and very specifically in the guidance for planning inspectors. Guidance should be amended so that planning inspectors have to factor in the general public benefit as a material consideration when assessing an application, which would better reflect the local and national benefits which improving digital connectivity can offer. This can only come from a recognition that data centres and digital infrastructure benefits more than those in the immediate vicinity of the development, but potentially people across the UK for whom this essential infrastructure underpins daily life.

techUK would also welcome further clarity on how local plans are supposed to take account of these provisions and display best practice, including Environment Impact Assessments and ESG considerations such as the Biodiversity Net Gain Legislation where applicable. This could include, but is not limited to, consideration of how data centres may support district heat networks through use of excess heat. techUK also recommends providing further clarity on developments to be accepted through outlining a set of principles which guide Local Plans and local decision makers when considering data centres. This system currently operates in Ireland.

techUK welcomes the reference to improving grid connection for digital infrastructure. This though must lead to increased speeds for connection, as at the moment over [40% of connection agreements sold have delivery dates of 2030 or beyond](#). This must be hastened to encourage investment that takes advantage of the changes in the NPPF to grow the economy. Furthermore, there must be a recognition that the explicit identification of data centres and digital infrastructure includes the necessity of not only timely connection to the grid but constant energy supply (subject to having the appropriate energy capacity to address the 24/7 operational requirements of the new digital infrastructure), without which they are rendered not useful to the wider UK economy. There may be scope for integrating feasibility assessments for certain development classifications, and then using this to address shortfalls in energy infrastructure by prioritising data centre and digital infrastructure construction in areas where there is greater energy availability.

Beyond planning, Government should look toward the establishment of enhanced operational control of the energy networks to provide for greater availability of and reliability of the local supply. As the Network Operator would have real time visibility and control of the network, they could respond in real time to failures or instability whilst also allowing balancing at the edge and hence greater utilisation of Embedded Renewable Energy resources.

The NPPF and other planning policies should also encourage data visibility and a collaborative approach between the National Energy System Operator and local authorities, for example through the Regional Energy Spatial Plans, to be able to not only provide guidance to local planning authorities but also enough visibility to be able to guide where there will be energy capacity to be able to attract investment from the digital tech sector. In

this way certain areas will be able to grow their economic significance having the right infrastructure being built to support other sectors such health, finance, education and many more.

Local Growth Plans and changes to 86b and 87 should respect existing Neighbourhood Plans, including those successfully passed in local referenda and those in development when the changes would come into effect.

techUK would also welcome further clarity around telecoms infrastructure, including specific reference that this is included by reference to 'digital infrastructure', given telecoms infrastructure is essential to the lives of people across the UK by facilitating everyday communications. According to a report from MobileUK, fewer than 1/3 of councillors believe their local authority is doing enough to 'smooth the way for rollout of telecommunications infrastructure and equipment in their local area.'<sup>5</sup> Data centres and telecoms infrastructure require each other to operate successfully, with data centres storing the information transported over telecoms infrastructure. Both need to be given explicit support to enable modern communications essential for the modern economy and daily life.

techUK also thinks certain types of telecoms infrastructure should be easier to deploy. For example, DSIT have previously consulted on moving monopole deployments to a notification regime. We believe that moving certain types of telecoms infrastructure, for example ground-based monopoles sites, to a permitted development without prior approval regime would make the deployment of essential digital infrastructure faster, particularly 5G and the Shared Rural Network, supporting economic growth as for everyone £1 of investment in mobile infrastructure, £5 is generated from the economy.<sup>6</sup> Similarly, guidance should make it clear that there should only be a few cases where prior approval can be refused. A footnote to the NPPF stating that infrastructure with Prior Approval must, in principle, be approved if there are no objections and would help to address this. Though, a refusal based on siting alone would still be possible if planning officers are certain there are better practicable siting opportunities to ensure heritage areas remain protected and by ensuring prioritisation of siting areas. This would help reduce the number of appeals against mobile infrastructure, the majority of which are successfully appealed by developers.<sup>7</sup> This should also apply in the Green Belt where demand requires infrastructure be built.

**QUESTION 63: Are there other sectors you think need particular support via these changes? What are they and why?**

techUK believes these changes should ensure that data centres and digital infrastructure such as telecoms infrastructure, which are essential underpinnings of UK economic growth and resilience, receive special recognition as a construction priority for local planning policies, especially given their public benefit of this infrastructure to the wider UK economy and to society. This includes supplementary infrastructure which is essential to the operation of this digital infrastructure, such as energy, the grid and water networks.

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<sup>5</sup> [https://cdn.prod.website-files.com/5b7ab54b285dec5c113ee24d/6273e1737caa08e351ba5dfe\\_Digital-Champions.pdf](https://cdn.prod.website-files.com/5b7ab54b285dec5c113ee24d/6273e1737caa08e351ba5dfe_Digital-Champions.pdf)

<sup>6</sup> [https://cdn.prod.website-files.com/5b7ab54b285dec5c113ee24d/666b0bd9eac812e2641ed0f2\\_MUK-Failing-To-Plan-Planning-Will-Fail-Report.pdf](https://cdn.prod.website-files.com/5b7ab54b285dec5c113ee24d/666b0bd9eac812e2641ed0f2_MUK-Failing-To-Plan-Planning-Will-Fail-Report.pdf)

<sup>7</sup> [https://cdn.prod.website-files.com/5b7ab54b285dec5c113ee24d/666b0bd9eac812e2641ed0f2\\_MUK-Failing-To-Plan-Planning-Will-Fail-Report.pdf](https://cdn.prod.website-files.com/5b7ab54b285dec5c113ee24d/666b0bd9eac812e2641ed0f2_MUK-Failing-To-Plan-Planning-Will-Fail-Report.pdf)



*QUESTION 64: Would you support the prescription of data centres, gigafactories, and/or laboratories as types of business and commercial development which could be capable (on request) of being directed into the NSIP consenting regime?*

techUK has previously advocated for data centres to be a part of the NSIP consenting regime and so we welcome this proposed change from the Government. techUK would also welcome clarification that data centres will not be required to use the NSIP consenting regime route exclusively and will retain the option of using existing channels. Similarly, improving the speed at which Nationally Significant Infrastructure Projects are approved, as well as increasing resource for planning appeals and decisions, would be a low-cost intervention with potentially significant benefits.

The NSIP regime only applies to England, so the UK Government should work with the devolved Governments in Scotland, Wales and Northern Ireland to support policy consistency.

*QUESTION 65: If the direction power is extended to these developments, should it be limited by scale, and what would be an appropriate scale if so?*

techUK believes the directing power should be used principally to establish precedent for planning authorities to invoke when making decisions, though this should only be in cases where there is a need to more fully establish the scope of definitions or regulations introduced as a consequence of the NPPF. techUK does not think the directing power should become an avenue for regular appeal and should only be applied in extra-ordinary circumstances.

Extra-ordinary circumstances should include a scenario where a local authority is deliberately delaying a legitimate application unfairly, as this needlessly damages business confidence and reduces money for investment. The directing power should be used to ensure that developments are not deliberately kept in limbo by local authorities, as this will also send a signal to every authority that they must act quickly and cannot block developments that meet planning requirements and should be built.

*QUESTION 66: Do you have any other suggestions relating to the proposals in this chapter?*

techUK would remind the Government that developing planning officer expertise in the field of technical and digital infrastructure is a great priority, and the NPPF should offer local authorities with ways to improve the expertise of their planning officers. This requires both improving planning inspectorate resourcing, but finding ways to use that resource more efficiently, such as through encouraging local authorities to pool teams of planning officials specialising in certain fields.

techUK also recommends that planning funds be ringfenced at a local level to combat the 16% fall in planning funding in England, 50% fall in Wales and 38% fall in Scotland since 2010, alongside declining numbers of lower-paid planning officers.<sup>8</sup> While it is appreciated that local authorities have significant demands on their budgets, a well-functioning planning system is critical to the growth that enables public services, and so money paid into the system through fees needs to be funnelled back into the planning system to ensure those who interact with it are getting fast, robust and confident decision-making. This will ensure that good developments can go ahead much more quickly, boosting economic growth, while those that aren't suitable are rejected more quickly so they don't take up essential time.

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<sup>8</sup> [https://cdn.prod.website-files.com/5b7ab54b285dec5c113ee24d/666b0bd9eac812e2641ed0f2\\_MUK-Failing-To-Plan-Planning-Will-Fail-Report.pdf](https://cdn.prod.website-files.com/5b7ab54b285dec5c113ee24d/666b0bd9eac812e2641ed0f2_MUK-Failing-To-Plan-Planning-Will-Fail-Report.pdf)

While this isn't something that can necessarily be fixed by the NPPF, it is nonetheless essential for translating the planning framework contained in the NPPF from writing to reality.

techUK members have also expressed concern about the creation of an unfair playing field, especially as areas of lesser development may be unable to support the upkeep of appropriate planning expertise and resource to deal appropriately with digital infrastructure. The changes in this chapter must not lead to unfair divergence across local councils, and this is one reason why techUK recommends the increasing of planning inspectorate resourcing and the use of the direction power to establish precedent for local authorities to invoke when existing definitions and guidelines are unclear. techUK stands ready as a partner to work with local authorities to improve expertise in data centre and digital infrastructure needs, helping them to make faster and more confident decisions with existing levels of resource.

In order to further create a minimum standard of service from planning authorities, the NPPF and Government planning policy in general should aim for greater guidance standardisation and more detailed national guidance to iron out inconsistencies at lower levels.

techUK also recommends that those central government departments that will be involved in decision making on data centres and digital infrastructure also build up and maintain appropriate expertise, as well as work more closely with local authorities when making decisions.

techUK also calls for Government to recognise the evolving nature of telecoms infrastructure, as per DSIT's review, and that this evolution requires the Government understand the changing technology underpinning digital infrastructure, including explicitly telecoms, that is essential economic growth and public services. techUK therefore recommend that Government be ready to accommodate the potential necessity of building next generation telecoms infrastructure, including edge compute, on the Green Belt for the people and businesses of the Green Belt by further consulting with the telecoms sector to understand how to accommodate their future needs in updates to the NPPF and other planning documents. techUK would also request Government recognise the evolving nature of the telecoms sector and the need to accommodate necessary telecoms development both inside and outside the Green Belt explicitly in updates to the NPPF.

## **Transport planning**

### **Question 69: Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?**

- At present, planning for travel too often follows a simplistic 'predict and provide' pattern, with insufficient regard for the quality of places being created or whether the transport infrastructure which is planned is fully justified. Challenging the default assumption of automatic traffic growth, where places are designed for a 'worst case' peak hour scenario, can drive better outcomes for residents and the environment. It means working with residents, local planning authorities and developers to set a vision for how we want places to be, and designing the transport and behavioural interventions to help us achieve this vision. This approach is known as 'vision-led' transport planning and, unlike the traditional 'predict and provide' approach, it focuses on the outcomes desired, and planning for achieving them. To support this approach, we are proposing to make amendments to paragraphs 114 and 115 of*

*the existing NPPF. To support the implementation of this updated policy, we will publish updated guidance alongside the policy coming into effect.*

techUK strongly agrees with the 'vision-led' approach to transport planning. This should be considered within an innovation lens, with flexibility built into support net zero transport, including EV charging facilities, and modal shift from private vehicles through support for multi-modal transport hubs.

### **Supporting Renewable Deployment**

- *Question 73 Do you agree with the proposed changes to the NPPF to give greater support to renewable and low carbon energy?*

techUK strongly agrees with the proposed changes to the NPPF to give greater support to renewable and low carbon energy, in particular to low carbon baseload generation systems to offset the risks and overcapacity installations associated with intermittent renewable generation and batteries.

techUK would also recommend that MHCLG works closely with other departments such as DESNZ and DEFRA to share data to help local authorities better understand their infrastructure assets such as energy, water, and telecommunication infrastructure in their areas, aiding investment. Furthermore, areas of greater energy demand must be identified through visibility and sharing of data between the sectors, as well as between government departments.

### **Climate Change mitigation**

*Question 78: In what specific, deliverable ways could national planning policy do more to address climate change mitigation and adaptation?*

techUK notes that Environmental Impact Assessments for data centres and digital infrastructure should be completed on time and with expertise to ensure development is not hindered and the environment is protected.

techUK also wants to draw attention to data centres as a source of heat for surrounding infrastructure. The NPPF should recognise this potential dual role for data centres in cases where there is a district heat network in the vicinity to connect to and there are customers who will offtake the heat. The recognition of this potential should not be seen as a requirement for future data centres, but should instead be a source of guidance for local authorities as to the further potential benefits of data centres over and above primary guidance. This would also align to the requirements of the Climate Neutral Data Centre Pact.

National planning policy for data centres should focus on encouraging the delivery of facilities that operate at higher allowable temperatures (ASHRAE Allowable) over historically low (ASHRAE Recommended) temperatures. This encourages the use of less mechanical cooling and less dependence on F gases for cooling and can also be used to reduce the demand for water on the national water supply

*Question 79: What is your view of the current state of technological readiness and availability of tools for accurate carbon accounting in plan-making and planning decisions, and what are the challenges to increasing its use?*

The technology for accurate carbon accounting for all Scopes (1, 2 and 3) is available. Unfortunately there is no single international standard that recognises the use of the various available carbon accounting methodologies such that it is not necessary to use a multitude of the tools to meet different carbon reporting regimes. techUK would welcome streamlining

these to reduce costs and risk in this area, for example some standards already exist here. such as BS/ISO 14064 :2006.

*Question 81 Do you have any other comments on actions that can be taken through planning to address climate change?*

Planning applications should include specific Climate Mitigation Action Plans to demonstrate that risks associated with climate change have been assessed and that appropriate mitigation is in place where necessary.

## **Supporting water resilience**

*Question 84 - Do you agree that we should improve the current water infrastructure provisions in the Planning Act 2008, and do you have specific suggestions for how best to do this?*

techUK supports any steps taken to improve water resilience for both residential and commercial use, with an emphasis in commercial enterprises to make best use of rainwater harvesting and water reuse (recycling). Integration of rainwater harvesting with SUDS systems will improve overall water management systems.

## **Digitising Planning**

*Question 105: Do you have any other suggestions relating to the future of planning policy and plan making?*

- 13. National policy, like plans, needs to be accessible and user friendly. The creation of National Development Management Policies, the Act's digital reforms, supporting work to embed common data standards and the use of digital platforms all bring opportunities to improve the way that national policies are presented and used. For example, it would help local planning authorities producing digital local plans, and those using them, if national policies were in a format that enabled them to be accessed in an integrated way.
- 14. We therefore intend to explore the creation of a more accessible and interactive, web-based set of national policies (both in the form of National Development Management Policies and national policies for plan-making). PDF versions of policies would be retained for those who need them. As we develop our approach to revising national policy, taking into account the responses to this consultation, we will engage with the sector to inform our approach (e.g. through user research).
- 15. At present, National Planning Policy for Waste and Planning Policy for Traveller Sites sit alongside the NPPF. As part of the wider changes to national planning policy that would be required through implementing the Levelling-up and Regeneration Act – and in particular the creation of National Development Management Policies – we will consider how policies for these matters should be set out in future, including which aspects need to form part of the suite of proposals for National Development Management Policies.

techUK supports the potential efficiency gains of digitising planning policies, creating greater accessibility and accountability in the system. techUK would reiterate this digitisation will require the use of data centres and digital infrastructure, showing their importance for the wider economy and society.

techUK has previously expressed support for an Accelerated Planning Service proposed by the last Government. However, we qualified this support by stressing the primary importance

of visibility, greater certainty of a timely outcome, and interaction with policies impacting planning authorities for cross infrastructure development. techUK emphasised that planning policies need to provide businesses that are willing to make significant investments in the UK with as much certainty regarding timescales as possible, particularly those reliant on the planning process, and supported the APS as something that, if implemented effectively, could aid in providing this.

## **Section 2**

Please find below the underlying themes of techUK's response. These include several principles that underpin our approach which we think the Government should look to when implementing future planning policy.

### ***Local Growth Plans***

techUK believes Local Growth Plans should align with these changes and identify ways to support the out of build laboratories, gigafactories, data centres and digital infrastructure, and the facilities needed to support the wider supply chain.

### ***Digital Energy Infrastructure and Grid Connections***

There must be a recognition that data centres, digital infrastructure, laboratories and other cited infrastructure require energy supply and swift grid connection processes as necessary for future availability to become operable, and that there is no purpose to streamlining the planning system if these developments are unable to access the supplementary infrastructure they need. Currently, over 600 projects are waiting to connect, Energy UK estimates that if uncertainty is not addressed, by 2030 the UK could lose around £60 billion in private investment in low-carbon generation alone.

Critical for investment in the UK and for capitalising on development is for planning decisions need to be made faster. The NPPF must ensure it is easier and quicker for planning decisions to be made.

### ***Definition of Nationally-Significant Infrastructure***

techUK is glad to see data centres included in the NSIP regime, but we would add that this should provide an additional, not exclusive, avenue for data centre development. Developers must retain a choice about whether to use the NSIP route or not.

### ***Grey belt vs Green Belt definitions***

techUK's data centre members have flagged that where possible they should be encouraged to use brownfield and grey belt that often already have power source (subject to appropriate availability for 24/7 operations) and infrastructure connections, as well as proximities to supply chains.

techUK is reluctant to recommend prioritising Green Belt land for data centres over grey belt and brownfield, unless this clearly fits into National Significant Infrastructure Projects or if an area requires digital infrastructure. Therefore, until all brownfield, grey belt and previously developed land has been exhausted, techUK recognises there may be less or no need to look to the Green Belt for non-essential development. techUK also recommends proposed development should take climate change considerations into account.

techUK wishes the Government to remember though that if there is essential infrastructure necessary for digital infrastructure development in Green Belt areas, but not grey belt sites, in an area requiring digital infrastructure due to consumer and business demand, then the

NPPF should recognise this infrastructure will have to be built on Green Belt land in a manner compliant with the goals of the Green Belt, and that the locational factor of access to essential supporting infrastructure is the most important when siting developments.

### **Suggested Planning principles**

1. **Clarity of definitions:** planning policies should be precise about what key terms refer to reduce subsequent litigation and increase business certainty.
2. **Comprehensiveness of Approach:** Planning policy should take account of the supporting infrastructure required for development, such as water, energy and internet connectivity (including mobile), and consult with those who provide it.
3. **Minimum standard of service:** There should be confidence that developers get the same level of service across the entire UK from local authorities, who require well-resourced and expert planning teams, and should be conscious of the location requirements of digital infrastructure.
4. **Flexibility:** New planning policy should expand the range of possible options for developers. One door opening should not cause another to close. Companies should choose the route that best suits their application
5. **Pro-growth:** Rebalancing decisions towards legitimate construction will reduce costs, speed up the timeline from planning conception to completion of development and help economic growth.