CIWEM Chartered Institution of Water and Environmental Management

Consultation Response
October 2015

House of Lords Select Committee on National Policy Statement for the Built Environment (England)

Call for written evidence

Background to CIWEM

CIWEM is the leading independent Chartered professional body for water and environmental professionals, promoting excellence within the sector. The Institution provides independent comment on a wide range of issues related to water and environmental management, environmental resilience and sustainable development.

Summary

CIWEM is concerned that the current and proposed reforms to the planning system are producing a deregulating effect when higher standards and quality design are needed to meet the challenges of a growing population and for the built environment to both mitigate and adapt to climate change. CIWEM considers a National Policy Statement for planning and the built environment should include:

- Support for ever tightening building standards for thermal efficiency and water use
- A presumption that new developments have sustainable drainage systems
- Funding for parks and greenspace should be statutory within local authorities
- A new national retrofit programme for energy and water efficiency
- Appraisal tools, valuations and planning policy to adequately reflect the impact of the built environment on health and wellbeing
- Incentives or regulations for developers to build on land within their ownership
- The Government to work with the insurance industry to include 'betterment' policies for climate resilience
- Further investigation into how to incentivise the development of distributed heat / energy networks
- Strong championing for design principles that include social and environmental improvements
- A national framework of low emission zones and active travel promoted within urban areas

Answers to the consultation questions

Policymaking, integration and coordination

Are the decisions that shape England's built environment taken at the right administrative level? What role should national policymakers play in shaping our built environment, and how does this relate to the work and role of local authorities and their partners?

1. National planning policy should establish the guiding principles, so that local authorities can develop tailored Local Plans to reflect local needs. Neighbourhood plans allow for further local input. However the main issue in shaping the built environment is that local authorities are under increasing financial pressure, which is only going to increase, and do not have the resources to cope in their planning departments. There is evidence that the Planning Inspectorate has required Local Plans to be re-consulted on when national policy (not legislation) has changed, which can prove to be a very costly exercise and results in the plan being stripped of detail required to ensure a high quality built environment, rather than updated with re-consultation.

2. There is a concern that Permitted Development rights (that is, without planning permission) are extending and the Housing Bill will deregulate this further. This takes decision making away from the Local Authority. There is also a risk that in some areas of the built environment that Local Enterprise Partnerships may have too large an influence on neighbourhood plans and skew development towards business interests over those of the community.

3. Overall there is a lack of strategic perspective in England on decisions about resource use and ecosystems beyond the local level, such as renewable energy, waste policy, river catchment management (affecting the downstream built environment), integrated transport and green infrastructure. Some of this is left to local authorities to plan for and others are overridden nationally. There is a contradiction in some aspects of planning policy with local communities able to veto wind farms developments but unable to block hydraulic fracturing developments. The two should be more closely aligned to avoid contention and provide genuine local engagement.

How well is policy coordinated across those Government departments that have a role to play in matters such as housing, design, transport, infrastructure, sustainability and heritage? How could integration and coordination be improved?

4. From an outsider's perspective it appears that matters are not well joined up in Government. For example there are multiple savings that can be derived from proper planning such as, improved public and mental health (reducing costs to the NHS), mitigation and adaptation to climate change and social inclusion which decrease costs to the public purse in the long term.

5. Integration is difficult in any realm, however there could be a place for a cross department panel or similar to provide the holistic view. Design and sustainability professionals specialising in built environment should be included.

National policy for planning and the built environment

Does the National Planning Policy Framework (NPPF) provide sufficient policy guidance for those involved in planning, developing and protecting the built and natural environment? Are some factors within the NPPF more important than others? If so, what should be prioritised and why?

6. The NPPF provides the minimum in policy guidance for those involved in planning, developing and protecting the built and natural environment. It relies upon Local

Planning Authorities having in place a Local Plan and a planning department that is adequately resourced and skilled to provide more robust guidance and planning control.

Is national planning policy in England lacking a spatial perspective? What would be the effects of introducing a spatial element to national policy?

7. Planning policy does not lack a spatial perspective as it is plan-led, however this relies upon all the plans being in place. The NPPF is not spatial in itself. Local planning authorities are best placed to create the spatial perspective as they have the local knowledge necessary.

8. It could certainly be said that a strategic rather than spatial perspective is lacking in England. Matters that require a broader outlook such as climate change adaptation, ecological networks, infrastructure projects and energy are difficult to integrate within and between Local Plans without an overarching spatial plan.

Is there an optimum timescale for planning our future built environment needs and requirements? How far ahead should those involved in the development of planning and built environment policy be looking?

9. Planning practice guidance states that Local plans should have a 15 year time horizon and be kept up to date. We agree with this, however ideally there needs to be a strategic assessment above the local scale to ensure that we can adapt to new risks as they appear and address issues of national importance. Rather than setting a specific time horizon, planning for future built environment needs should build in resilience to future financial, political, and environmental shocks. In this way the built environment can be flexible to different situations that may arise in the future.

Buildings and places: New and old

What role should the Government play in seeking to address current issues of housing supply? Are further interventions, properly coordinated at central Government level, required? What will be the likely effect upon housing supply of recent reforms proposed for the planning system?

10. The forthcoming Housing Bill aims to drive housing development on brownfield land both through the Starter Homes programme and a statutory register of brownfield sites where local development orders can be made. There is a worry that in a bid to cut costs (developments will be exempt from financial commitments (Section 106 agreements and the Community Infrastructure Levy) and weaker building standards adopted), the Starter Homes scheme may result in inadequate housing and areas with improper services and infrastructure. New homes should be built to be more resilient and higher efficiency standards for water and energy.

11. The Housing Bill will effectively give automatic permission on brownfield sites identified in the register through Local Development Orders. The government expects to see Local Development Orders in place for homes on more than 90% of brownfield land suitable for new housing by 2020. The Royal Town Planning Institute notes[i] that imposing LDO requirements would be likely to slow down progress and implementing unused planning consents would do more to increase brownfield housing. The Government needs to outline whether land affected by contamination will be included on the brownfield

register as this will have implications for environmental and public health (see also answer to question 9 on skills).

How do we develop built environments which are sustainable and resilient, and what role should the Government play in any such undertaking? Will existing buildings and places be able to adapt to changing needs and circumstances in the years to come? How can the best use of existing housing stock and built environment assets be made?

12. Planning policy and building standards are the best way to make built environments sustainable and resilient. As some of the measures are costly in the short term (though not over the lifetime) developers are less inclined to include them unless they are made compulsory.

13. Communicating the benefits of sustainable and resilient buildings to people is key in ensuring these techniques are adopted, and government has a role here. People are much more likely to change their behaviour when they feel connected, for example, if they have their own solar panels they will be more likely to use their energy at times of the day when it is sunny and energy is in surplus. Education can also drive an improvement as people demand more sustainable and resilient homes and products that meet high standards for efficiency.

14. It is of great concern that the requirement to meet various levels of the Code for Sustainable Homes has been removed as this was driving positive change in delivering low carbon homes. Building standards need to be regularly tightened to increase change, for water and energy efficiency. It is also worrying to see that some domestic and non-domestic buildings are currently being built to 2006 Building Regulations because the development of these sites were started then.

15. It is easier to put in place measures when homes are being built. Installing water tanks beneath new homes to collect and reuse rainwater would reduce the impact on the water environment especially in the south east where there is water scarcity. This would be a fairly minimal capital cost but would need to be put in the planning conditions of large developments to ensure uptake. Only exemplar developments are currently doing this when it should be becoming mainstreamed.

16. The government could also work with the insurance industry to explore how 'betterment' policies can be included to increase resilience. For example when a home is being refurbished following a flood, the insurance should pay to make sure it is more resilient to future incidents, with resistant flooring and electrics being moved above the water line. This change would mean that future insurance claims would be less.

17. Given that heating homes is a large contributor to England's carbon dioxide emissions much more needs to be done to improve energy efficiency. The existing housing stock will need to be tackled by a successor scheme to the Green Deal which incentivises improvements. Whilst this has been a success for the private rented sector, lessons need to be learned as to why uptake was not greater in the wider population.

18. Local authorities need to be resourced to be able to put in place measures that increase the resilience of the wider community such as green infrastructure and sustainable drainage systems. More strategic sustainability issues can be solved locally such as

putting in place decentralised energy providing homes with heat that would otherwise go to waste. Most energy is imported into cities where it could be produced and distributed locally.

Skills and design

Do the professions involved in this area (e.g. planners, surveyors, architects, engineers etc.) have the skills adequately to consider the built environment in a holistic manner? How could we begin to address any skills issues? Do local authorities have access to the skills and resources required to plan, shape and manage the built environment in their areas?

19. The skills are available however they tend to be in consultancies rather than local authorities. There is no problem in this, however it means that local authorities need to have the resources to pay for these services.

20. There need to be more sustainability professionals with a built environment focus in design teams within consultancies. There are currently a lot of professionals in this area however they are not used in all projects as they are seen as an added cost. Without standards such as the Code for Sustainable Homes, they will be used even less in housing projects.

21. The Government's plans to increase the redevelopment of brownfield land may include areas affected by contamination which presents a risk to a range of receptors including humans, ecosystems, water quality, and property including crops and animals. Dealing with contaminated or derelict landholdings requires many technical skills, not least in dealing with regulatory and operational requirements. On any individual site, there may be only a single pollutant linkage or there may be several. To ensure technical skill and competence, a person qualified by Chartership through a relevant professional body should be used.

Are we using the right tools and techniques to promote high quality design and 'place-making' at the national level? How could national leadership on these matters be enhanced?

22. The Code for Sustainable Homes encouraged better quality design in housing. It is difficult to see how standards will improve without this driver. The Building Regulations still offer some good practice, however some Building Control Officers do not look the developments in a holistic way, they just compare the regulations and compliance. On a building scale, more integrated tools and techniques should be used, such as Building information modelling (BIM).

23. National standards and leadership will be needed with strong championing for design principles that include social and environmental improvements.

Community involvement and community impact

Do those involved in delivering and managing our built environment, including decision-makers and developers, take sufficient account of the way in which the built environment affects those who live and work within it? How could we improve consideration of the impacts of the built environment upon the mental and physical health of users, and upon behaviours within communities?

24. Urban green infrastructure can play a role in increasing social inclusion. In the UK and in cities around the world it has been noted that the distribution of socially excluded areas often coincide with sparse green space of poor quality. Planning at a city scale can help alleviate these discrepancies and create green spaces with a high aesthetic and cultural value.

25. Increasing contact with nature can offer an affordable, accessible and equitable choice in tackling health and well-being through preventative and restorative public health strategies. Academic studies have shown a positive relationship between access to green space and improved mental health and recovery from many chronic illnesses[ii].

26. Appraisal tools, valuations and planning policy do not adequately prioritise the impact of the built environment on health and wellbeing. Although evidence is available and being assembled continually, the case for good urban design is already proven and requires leadership and appropriate investment.

27. People who are physically active reduce their risk of developing major chronic diseases (heart disease, stroke, some cancers and type II diabetes) and the risk of premature death. Increasing participation relies on changing personal attitudes towards physical activity and this will involve making our environments more conducive for active living. Active travel is one of the easiest ways to achieve regular exercise but must be accommodated through the quality of the physical and natural environment with opportunities for recreation and exercise. The consequences of an ageing population will also have implications for improving accessibility in our towns and cities.

28. Air quality is an important influence on health that may be impacted by urban development. High traffic densities in urban areas can result in pollutants exceeding EU and UK targets for NO_2 and PM_{10}. Encouraging active travel, increasing uptake of low emission zones and providing more pollution free thoroughfares should be central to Local Plans.

How effectively are communities able to engage with the process of decision making that shapes the built environment in which they live and work? Are there any barriers to effective public engagement and, if so, how might they be addressed?

29. Neighbourhood plans allow for great engagement with the public, however they may not have the skills needed and could be susceptible to the influence of an articulate minority.

30. Developer led consultation events are sometimes fairly poorly advertised with limited information. There should be more open dialogue with the Local Authority, local people and developer. Local Authorities should take more interest in the developments in their area. Perhaps charging for pre-application advice is not the way forward and instead they should be actively involved and potentially take the lead role of consulting locals.

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i ROYAL TOWN PLANNING INSTITUTE. 2014. Building more Homes on Brownfield Land.

ii MALLER, C., TOWNSEND, M., PRYOR, A. BROWN, P., ST LEGER, L. 2005. Healthy nature, healthy people: contact with nature as an upstream health promotion intervention for populations. Health Promotion International: 21, 1. 47. and
TZOULAS, K., KORPELA, K., VENN, S., YLI-PELKONEN, V., KAZMIERCZYK, A., NIEMELA, J., JAMES, P. 2007. Promoting ecosystem health and human health in urban areas using Green Infrastructure: A Literature review. Landscape and Urban Planning: 81, 167-178.