



Proposed reforms to the National Planning Policy Framework and other changes to the planning system

CIEH response to consultation on proposed reforms to the national planning policy framework to MHCLG

28th August 2024

About the Chartered Institute of Environmental Health (CIEH)

CIEH is the professional voice for environmental health representing over 7,000 members working in the public, private and third sectors, in 52 countries around the world. It ensures the highest standards of professional competence in its members, in the belief that through environmental health action people's health can be improved.

Environmental health has an important and unique contribution to make to improving public health and reducing health inequalities. CIEH campaigns to ensure that government policy addresses the needs of communities and business in achieving and maintaining improvements to health and health protection.

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Key points:

- CIEH are concerned that the aims of these reformed proposals to ensure the highest number of houses built as quickly and cheaply as possible create risks of low-quality design and environmental stressors, and advocate for sufficient standards and guidance to be in place to protect against this.
- We feel that insufficient consideration has been afforded to any unintended consequences of potentially reducing barriers for development in densely populated areas and on brownfield sites where there are planning constraints to overcome such as contaminated land, air quality and noise pollution which have deleterious effects on health
- CIEH believe that the government could go further in national policy by providing better funding for environmental regulators such as local authority environmental health teams and the Environment Agency to ensure that resources are adequate to support development of brownfield and grey belt land.
- CIEH are calling for additional clarity as to how planning constraints, such as contaminated land, air quality, or noise pollution, are to be mitigated in a cost-effective manner to ensure any social housing remains affordable, and in turn mitigates against the exploitation of tenants through the private sector.
- CIEH supports the proposed focus on good quality design over the visual appearance of development. We believe that 'well-designed' buildings should prioritise health and quality of life and be met with clear policies and guidance which encourages holistic design approaches for health and quality of life.
- CIEH agrees that sustainable design must consider the end-user and take a holistic approach to both adapting and futureproofing homes for the climate emergency and safeguarding green infrastructure considerations.

Q3. Do you agree that we should reverse the December 2023 changes made on the urban uplift by deleting paragraph 62?

CIEH supports the decision to distribute housing growth to a wider range of urban areas and to take the pressure off accommodating the urban uplift solely in the cities and urban centres where it applies.

We have previously outlined the knock-on impact of building more homes in such areas which are already densely populated and heavily built up, for example on local air quality and noise guidance.

However, redistributing the urban uplift could create unequal pressure on suburban areas. Therefore, CIEH urge that the development of effective new mechanisms for cross-boundary strategic planning, and eventual model of universal strategic planning, should include strong considerations for issues such as adequate ventilation, acoustic design and wider infrastructure for these homes and pre-existing communities.

Furthermore, CIEH would like to see greater clarity provided to local authorities on how to manage land-use conflicts when they arise within cross-boundary collaboration.

Q4. Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130?

CIEH agrees with the proposed changes to remove Paragraph 130 of the NPPF (National Planning Policy Framework) and urges for the inclusion of local authorities to consider environmental degradation within the focus of the efficient use of land.

We have previously outlined that too much weight and emphasis is given to the visual appearance of development, which may give rise to unintended adverse consequences for health and quality of life.

However, while we welcome the removal of this emphasis, we remain concerned that the current NPPF policies do not go far enough to prevent poor standards of design that are prevalent in current development proposals.

Chapter 8 of the NPPF emphasizes places and buildings that enable and support healthy lifestyles, for example, through access to green spaces and sports facilities. Chapter 8 should be revised to include clear policies which promote good design of buildings and development to support health and quality of life.

In addition, new guidance should be developed to encourage holistic design approaches for health and quality of life.

Q5. Do you agree that the focus of design codes should move towards supporting spatial visions in local plans and areas that provide the greatest opportunities for change such as greater density, in particular the development of large new communities?

CIEH agrees that the focus of design codes should move towards supporting the greatest opportunities but urges that this should safeguard the health and wellbeing of inhabitants, against the environmental health impacts associated with higher density developments.

We have previously raised in our previous consultation response that buildings are being designed too much to meet codes without placing proper weight on how buildings are used by the occupants and how they are likely to be maintained. Standards for health and quality of life should not be deferred to design codes. Therefore, there is a clear need for explicit policies on setting design standards for health and quality of life, as outlined in our response to Q20.

Q6. Do you agree that the presumption in favor of sustainable development should be amended as proposed?

CIEH agrees that the presumption in favor of sustainable development should be retained only if proposed development meets policies and standards which support health and quality of life.

CIEH shares concerns that developers have used the current presumption to promote low quality, unsustainable development and welcomes these safeguards. However, as raised in our response to Q5, to ensure high standards, Chapter 8 should be revised to include clear policies which promote good design of buildings and development to support health and quality of life.

Q20. Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?

As outlined in our previous consultation [response](#), CIEH supports a comprehensive and consistent approach to brownfield development, that balances greater flexibility with clear guidance and expectations.

Ultimately, CIEH believes that investment in existing stock should be considered alongside new buildings. Regarding new build developments, we are concerned about the proposal to reinforce the expectation that applications on brownfield will be approved and urge greater recognition for the complex environmental issues these sites often pose.

CIEH are concerned that, given that the primary need in such areas is to build more affordable social housing, given the number of constraints that must be mitigated will increase considerably with respect to developing brownfield sites, so too will the planning and development costs associated with building these houses, thus making such housing unaffordable. A lack of supply of affordable social housing contributes to the growth of the private rented sector, and thereby increases opportunities in that sector for landlords to exploit tenants. Moreover, housing standards legislation

should be revised to make it easier for local authorities to regulate the private rented sector and tackle bad landlords.

If the proposed changes are made, we urge for greater clarity to be given to how local authorities will not only overcome the constraint of environmental issues related to land contamination, air quality or noise pollution, but secure environmental improvements.

Furthermore, we also believe that there is a need to ensure that design standards for the protection of health and quality of life are achieved. The design standards should encourage holistic design to promote healthy living and minimise adverse impacts from pollutants including, but not limited to noise, internal and external air.

One of the greatest failings of the current planning system that is leading to poor environmental design is that, despite there being clear guidance in the Professional Practice Guidance: Planning and Noise for New Residential Development, good environmental design is not often considered sufficiently early in the design process. The NPPF should therefore set out clear requirements for developers to consider acoustic and air pollution design and other factors affecting health early in the planning and design process.

Achieving higher standards requires the design for health and quality of life to be enshrined in the NPPF and not deferred to design codes, alongside greater knowledge and understanding about environmental issues in the development of brownfield sites, particular in relation to the expectations of regulators and the need to engage competent and qualified environmental consultants.

Overall, we at the CIEH are of the view that there is insufficient focus on design quality alongside a lack of resourcing and funding in the public sector with respect to overcoming brownfield's environmental issues which can ultimately inhibit the goals to utilize these sites to build new homes.

Q21. 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?

CIEH supports the relaxation of restrictions that apply to PDL (Previously Developed Land) but urges for equal consideration to be given around the environmental constraints this land can pose for development.

Q23. Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend?

In principle, CIEH agrees with the proposed definition of grey belt land. However, as this focus will now be upon residential land, more remediation is required to protect current residents and future inhabitants.

Q24. Are any additional measures needed to ensure that high performing Green Belt land is not degraded to meet grey belt criteria?

CIEH believe that increasing minimal build standards and ensuring greater knowledge and understanding from developers and landowners with qualified environmental consultants around the potential risks of degradation, such as light and noise pollution, is critical to safeguard Green Belt land against the risks of environmental degradation.

Q46. Do you have any other suggestions relating to the proposals in this chapter?

CIEH support the strengthening of the definition of competent person within the National Policy Planning Framework to enable regulators to have more confidence in objecting to inadequate reports on brownfield land would support good standards of development.

Q58. Do you have views on why insufficient small sites are being allocated, and on ways in which the small site policy in the NPPF should be strengthened?

We refer to our answer to Q20 as providing substantively the same responses in that good guidance must be provided and clear expectations set for planners to strengthen small site policy. We are concerned that the aims of these reforms proposals are to ensure the highest number of houses are built as quickly and as cheaply as possible, without sufficient consideration to the protection of living conditions for the future occupants.

Q59. Do you agree with the proposals to retain references to well-designed buildings and places, but remove references to 'beauty' and 'beautiful' and to amend paragraph 138 of the existing Framework?

CIEH agrees with these proposals and has previously expressed concern that too much weight and emphasis is given to the visual appearance of development, and this may give rise to unintended adverse consequences for health and quality of life. As outlined in our answer to Q20, CIEH urges for the focus on 'well-designed' buildings to be met with clear standards and guidance which encourages holistic design approaches for health and quality of life.

Q61. Do you have any other suggestions relating to the proposals in this chapter?

As outlined above, CIEH support the enhancement of standards and design principles that focus upon holistic design which will create healthy places that has low likelihood of creating future burdens to the population and for local authorities who typically hold the powers to act where issues arise.

As an example, denser developments may reduce air quality, but if they rely on renewable energy this promotes sustainability credentials and reduces local production of air pollutant sources to

ensure no additional ambient concentration increases as well as removing a significant internal air pollution source.

Q72. Do you agree that large onshore wind projects should be reintegrated into the NSIP regime?

While CIEH supports Labour’s ambition to produce cheaper, sustainable electricity we do not have a position as to whether onshore wind projects should fall within the NSIP or not. However, we consider that the current policies and guidance to protect communities from the adverse impacts of noise are inadequate.

We would ask that:

1. Noise limits: The ‘noise limits’ defined in the ETSU-R-97 guidance should be replaced with effect thresholds for adverse and significant adverse impacts on health and quality of life from noise linked to the objectives set out in the Noise Policy Statement for England. The effect thresholds should be based on the best available scientific evidence of the impact of wind turbine noise including the WHO’s systematic reviews of the health effects of environmental noise. We also recommend that experts in noise and health are engaged in defining the effect thresholds.
2. Amplitude modulation guidance: Adequate guidance should be developed for controlling amplitude modulation and any other acoustic features likely to affect the perception of the sound.
3. Community Engagement: Policies should be included in the NPPF or the relevant NPS on effective community engagement to mitigate the adverse effects of noise.
4. Community Support: Policies should be developed to promote the positive contribution that could be provided from schemes to share the benefits associated with onshore windfarms and embedding social value into development proposals to mitigate the adverse effects of noise.

Q78. In what specific, deliverable ways could national planning policy do more to address climate change mitigation and adaptation?

Firstly, the NPPF should ensure to retain the paragraphs 189-194 that cover the safeguarding of any risks from ground controls and pollution.

Secondly, it is critical that climate mitigation and adaptation isn’t simply a ‘tick-box’ exercise that can be engineered out once development is underway or turn into unmanageable burdens for new inhabitants. Sustainable design must consider the end-user and take a holistic approach to both adapting and futureproofing homes for the climate emergency and safeguarding green infrastructure considerations.

National planning policy could do more to address the current need for climate adaptation and to future-proof new homes, through initiatives such as:

- Encouraging homeowners and designers to deploy roof and other rainwater collection systems.
- Supporting habitat creation and nature recovery should include riparian, aquatic, and littoral habitats where fishes live, grow and breed.
- Implementation of Biodiversity Net Gain needs to be strengthened with clear guidance provided to local authorities

Q89. Do you agree with the proposal to increase householder application fees to meet cost recovery?

CIEH would welcome the introduction of a charging mechanism which passes the entirety of costs borne for reviewing additional planning applications to be borne entirely by the householder as this would incentivise better prepared initial planning applications in the first instance. Funds could then be ringfenced for local authority planning and environmental health teams to increase resource capacity.