

CIH response to MHCLG consultation on draft revisions to the National Planning Policy Framework and a new draft National Model Design Code.

Introduction

CIH welcomes the opportunity to respond to the Government's consultation on the [draft revisions to the National Planning Policy Framework \(NPPF\) and a new draft National Model Design Code](#). We have considered the consultation questions in turn below.

Q1. Do you agree with the changes proposed in Chapter 2 (achieving sustainable development)?

CIH supports the increased emphasis on sustainable development and tackling climate change; including reference to the [17 Global Goals for Sustainable Development](#) to which the UK has subscribed. In this time of climate emergency, we would like to see the government go further to reflect the widespread concern over the climate crisis and particularly in relation to net zero and flood risk.

Unless the UK, along with other countries, decarbonises by the middle of this century, climate change could become intolerable and severely disrupt life on the planet. We need to act quickly and effectively. Housing is a vital part of this challenge. Fourteen per cent of our emissions come directly from our homes in development and use. It is also a sector where progress can be made quickly, and the government must be bold in its targets and policies, and support this with full-scale strategies backed by resources to begin what is a huge transformational task for UK housing.

The proposed revision of the NPPF and the draft design code provide an opportunity to strengthen requirements for new homes to be built and to operate with higher energy efficiency. This should be reinforced through the NPPF, the design code and in local plans.

In partnership with Orbit, CIH has produced the '[warm homes and safe environment](#)' briefing which sets out how government and the housing sector can work together to tackle climate change. In terms of new housing this includes:

- Cutting the carbon costs of construction - assessing and offsetting these
- Cutting operational use including through a 'fabric first' approach

- Increased use of renewable energy
- Offsetting any remaining carbon through a recognised framework.

This is an opportunity to consider if requirements to include a number/percentage of homes built with modern methods of construction (MMC) might contribute to this agenda, using this both to deliver appropriate homes more quickly and to address and raise the standards to which these are developed, particularly in terms of energy efficiency. Key points include:

- Having a focus on development through MMC should be used to ensure high standards of new housebuilding; failure to do so will be highly wasteful of resources and in conflict with climate goals and other government objectives.
- Given the practical difficulties of achieving high levels of energy efficiency in on-site construction, MMC offers a huge opportunity to make a step-change in the delivery of energy-saving, climate-friendly homes.
- New homes are being built to inadequate space and accessibility standards (e.g. for wheelchair users); MMC could help resolve this deficiency.

Q2. Do you agree with the changes proposed in Chapter 3 (plan making)?

No comment

Q3. Do you agree with the changes proposed in Chapter 4 (decision making)? Which option relating to change of use to residential do you prefer and why?

No, we do not agree with the proposals in Chapter 4 in relation to Article 4 Directions. In our [submitted response](#) to the consultation on 'supporting housing delivery and public service infrastructure' in January 2021 we expressed our concerns around the proposed extension of Permitted Development Rights (PDR) to allow conversion to residential from the new Use Class E. Article 4 Directions are an important tool for local planning authorities (LPAs) to help them to manage uses where the blanket use of PDR would otherwise cause harm. LPAs' ability to use Article 4 Directions is already limited and the proposed changes would seriously curtail this further. It is important to note that whilst many of the proposed wording changes to the NPPF are intended to implement policy changes in response to the [Building Better Building Beautiful \(BBBB\) Commission "Living with Beauty" report](#), these proposals in relation to Article 4 Directions are in direct contradiction to the report's recommendations. Policy proposition 25 of the report is about encouraging resilient high streets and says:

"given the systemic under-supply of homes in some parts of the country, there is a danger that an unregulated implementation of the current policy will see all shops converted to homes. This might be very hard to manage,

with consequences for ground floor design and location of bin stores. This can lead to a 'disastrous impact on the beauty and character of local high streets and contribute further to their decline.' To prevent this we, recommend the protection through what are known as Article 4 Directions of the 'core' of high streets and the very strict use of design codes through which change of use is facilitated"

With this in mind, we would urge government to think again both about the proposals for limiting LPAs' use of Article 4 Directions and expanded PDRs allowing conversion to residential from the new Use Class E. There is a real risk that if these proposals are taken forward there will be a lack of control for LPAs to ensure the delivery of the right homes in the right places and the potential to create more poor quality, poorly located homes which would be in direct contradiction to the government's own aspirations for quality and design. In addition, the impact on town centres could be very damaging as the 'Living with Beauty' report suggests. In 2020 the government created the new Use Class E to boost town centre fortunes, to help them recover and thrive after the Covid-19 pandemic by enabling premises to switch easily to leisure, culture and community uses which would encourage footfall. However, by creating the new residential PDR and then disabling local authorities from ring-fencing valuable alternative town centre uses, the government seems to be severely limiting its own ability to deliver this aspiration.

Q4. Do you agree with the changes proposed in Chapter 5 (delivering a wide choice of high-quality homes)?

We welcome the clarification on the government's expectation that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10 per cent of the total number of homes to be available for affordable home ownership. Whilst we understand and support the government's ambition to enable more people to access affordable home ownership, we remind government of the pressing need for affordable homes of *all* tenures particularly homes for social rent. In England, we need 145,000 affordable homes each year over 10 years to 2031, with 90,000 for social rent and the remainder for low-cost homeownership/intermediate renting (Heriot Watt 2018 [research](#)). As a nation our homes have never been more important to us than during the coronavirus crisis. For some people, home has been a sanctuary, for others, a prison. Everyone deserves a safe, secure, comfortable, and affordable place to call home and investing in social housing makes this possible. Investing in social housing would boost the economy, create jobs, and improve people's lives when our nation needs it most. [Research on behalf of the National Housing Federation \(NHF\)](#) shows that, in England, building 90,000 new social homes a year would add £4.8bn to the national economy and support 86,000 jobs.



Q5. Do you agree with the changes proposed in Chapter 6 (promoting healthy and safe communities)?

Yes, we agree with and support the emphasis on walkable, well-connected neighbourhoods and agree that high-quality open spaces and opportunities for sport and physical activity are very important. The quality of new homes and neighbourhoods is as important as quantity and has a vital part to play in supporting healthy, independent living.

CIH is a founding member of the [Housing Made for Everyone \(HoME\) coalition](#). CIH's [response to a recent consultation on accessibility](#) called for Building Regulations Part M 4 (2) to become the mandatory baseline for new homes. CIH is also signatory to TCPA's Healthy Homes Act, seeking to require basic principles of healthy homes and neighbourhoods in the planning and supply of new homes.

The [Home Comforts research](#) by Place Alliance published in October 2020, considered how the design of our homes and neighbourhoods affected our experience of the Covid-19 lockdown and what we can learn for the future. There is a strong desire to use the crisis of Covid-19 to deliver better environmental standards and there are clear long-term health and quality of life benefits to be made by improving the design of our homes and neighbourhoods. This needs to be capitalised on by government. The [RTPI exploratory research on enabling healthy place making](#) notes that unprecedented times call for unprecedented solutions and that there is a need for planning and planners to be 'visionaries' to address the convergence of challenges around public health, climate emergency, and economic recovery in the post-Covid-19 climate.

Q6. Do you agree with the changes proposed in Chapter 9 (promoting sustainable transport)?

No comment

Q7. Do you agree with the changes proposed in Chapter 11 (making effective use of land)?

No comment

Q8. Do you agree with the changes proposed in Chapter 12 (achieving well-designed places)?

CIH welcomes the ambition for high-quality well-designed development. The word 'beautiful' is, however, subjective and overlooks many important aspects which should be included in a broader definition of 'well designed'. The proposed NPPF revision does not define exactly what is meant by the term



beautiful for policy purposes. This could lead to confusion and the risk of interpretation of beautiful as traditional or conservative. Whilst fit with local vernacular style may be important in encouraging communities to accept development, often other factors are equally or more significant, such as affordability, space and accessibility standards, and meeting specific needs (such as for older or disabled people). Also, there is a risk that securing planning permission for contemporary, innovative, or progressive designs may well become more difficult as a result of this move to 'beautiful' (if interpreted as traditional). More details around our thoughts on the term 'beauty' rather than more measurable standards of quality are were included in our consultation response [our consultation response](#) on 'Planning for the Future'.

In terms of the proposed requirements to "ensure that new streets are tree lined", including trees and plants within the development of local areas and streets is of course important both for wellbeing, and for the contribution that this will make to mitigate climate change. However, the urgency of the climate challenge is so great that this must not be confused with the more fundamental approach required within the NPPF. The contribution that a stronger focus on sustainable development of new homes would make has been addressed in response to question 1 above.

Q9. Do you agree with the changes proposed in Chapter 13 (protecting the Green Belt)?

Yes. [Research](#) by CPRE recently highlighted the unaffordability of rural homes for many keyworkers. The critical lack of affordable homes in many rural areas means that it is vital that development in the Green Belt is not only sensitive to issues such as openness but directly contributes to identified affordable housing need both for rent and sale (shared ownership) by working closely with local communities.

Q10. Do you agree with the changes proposed in Chapter 14 (meeting the challenge of climate change, flooding and coastal change)?

No comment

Q11. Do you agree with the changes proposed in Chapter 15 (conserving and enhancing the natural environment)?

No comment

Q12. Do you agree with the changes proposed in Chapter 16 (conserving and enhancing the historic environment)?

No comment

Q13. Do you agree with the changes proposed in Chapter 17 (facilitating the sustainable use of minerals)?

No comment

Q15. Views on the National Model Design Code, in terms of

- a) the content of the guidance**
- b) the application and use of the guidance**
- c) the approach to community engagement**

We welcome the draft National Model Design Code and its recognition of the multi-faceted characteristics of well-designed places. We particularly welcome and support the statement under the topic of “use” that there should be an “integrated mix of housing tenures and types to suit people at all stages of life” and that “well-integrated housing and other facilities that are designed to be tenure neutral and socially inclusive”. We have previously stressed the need to provide the right tenure mix to meet local housing needs under our answer to question 4. Design guides and codes (and Local Plans) must be underpinned by strong standards on all issues which determine the decency of our homes and their functional quality for those who live there including space standards, the accessibility for all potential residents and access to green areas.

The successful use of local design guides and codes will be highly dependent on adequate resources being available for LPAs. Without sufficient skills and resources in planning teams these will be another burden on already stretched local authority teams and may not deliver what they are intended to. Therefore, it is vital that guidance and policy is supported by resourcing.

It is important to note that whilst this emphasis on design is most welcome, it seems at odds with the extension of PDRs for new homes and the proposed limiting of Article 4 Directives also being consulted upon at this time. [MHCLG funded research](#) in 2020 into quality standards of homes delivered through PDRs concluded that such conversions create “worse quality residential environments”. Whilst we acknowledge and welcome that since the publication of this research the government has brought forward legislation to ensure that homes delivered under PDR must meet the nationally described space standards and provide for adequate natural light, these are basic minimums and not standards for quality. In light of government’s own focus on design and beauty set out in the Planning White Paper ‘[planning for the future](#)’ and the draft National Model Design Code we urge the government to consider again the quality and residential amenity of homes which will potentially be created by the proposed extended PDRs particularly with the limiting of Article 4 Directives use.

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Further information is available at: www.cih.org

CIH contact:

Hannah Keilloh
MTPL MRTPI CIHM
Policy and practice officer
Suites 5 and 6
Rowan House
Westwood Way
Coventry
CV4 8LE
hannah.keilloh@cih.org

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