



MHCLG Consultation

NPPF and Design Codes

Submission from CIBSE

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CONSULTATION RESPONSE

Please note we would be very happy to assist with digitisation and the effective treatment of consultation submissions by providing our response using the online form. However, because the online form for this consultation is very constraining in the questions being asked, we would not be able to express some important points by following that form. If in the future the online forms had an open “any other comments?” question, we would be happy to use them.

THE RESPONDENT

The Chartered Institution of Building Services Engineers (CIBSE) is the primary professional body and learned society for those who design, install, operate and maintain the energy using systems, both mechanical and electrical, which are used in buildings. Our members therefore have a pervasive involvement in the use of energy in buildings in the UK with a key contribution to sustainable development. Our focus is on adopting a co-ordinated approach at all stages of the life cycle of buildings, including conception, briefing, design, procurement, construction, operation, maintenance and ultimate disposal.

CIBSE is one of the leading global professional organisations for building performance related knowledge. The Institution and its members are the primary source of professional guidance for the building services sector on the design, installation and maintenance of energy efficient building services systems to deliver healthy, comfortable and effective building performance. CIBSE also produce guidance on district heating, including the Code of Practice for Heat Networks (CP1), the upcoming heat network design guide, and guidance notes on domestic hot water temperatures.

PRIVACY NOTICE

We confirm that we have read and agree to the privacy notice

COMMENTS ON NPPF CHAPTER 14 AND ON THE DESIGN CODES

1 – The NPPF and National Model Design Code must make it explicit that the planning system must contribute to meeting the UK’s Net Zero Carbon legal target and, in the immediate term, to the 6th Carbon Budget, not just “mitigating” greenhouse gas emissions.

This should be prominent in the introduction to the NPPF, and in Chapter 14. In particular:

§151 should be reworded from “The planning system should support the transition to a low carbon future “ to The planning system should support the transition to a zero carbon future “

§153 b) should be reworded from “can help to reduce greenhouse gas emissions to “can be designed to net zero carbon, or to become zero carbon with grid decarbonisation”.

2 – The NPPF and National Model Design Code must make it clear that works to existing buildings which are subject to planning applications should also contribute to the Net Zero

challenge. The 2019 revision to the NPPF was a worrying step backwards in that regard and against government objectives for decarbonisation of the existing stock, by omitting energy efficiency provisions for existing buildings which were in the previous version of the NPPF. These provisions must be re-instated and reinforced. The importance of energy efficient retrofit must also be included in the National Model Design Code (currently it is only briefly mentioned in the accompanying guidance, which is very insufficient and may have little effect on planning policies and practice).

§95 of the pre-2019 NPPF stated ‘... actively support energy efficiency improvements to existing buildings...’. This was omitted in the 2019 revision. As CIBSE already stated in our 2018 response to the NPPF consultation, it is essential that this is reinstated. Energy efficiency improvements to the existing building stock are crucial to meet carbon targets set by the Climate Change Act, reduce fuel poverty, and generally align with the Clean Growth Strategy.

§153 of the proposed draft should be reworded from “New development should be planned for ...” to “New development and applicable works on existing buildings”, so that climate change provisions also apply to works on existing buildings which are subject to planning.

COMMENTS ON THE NATIONAL MODEL DESIGN CODE

3 – The National Model Design Code should make clear that green infrastructure should be assessed and planned in view of its multiple functional services; the wording currently implies a focus on open space provision, rather than all the other benefits that green infrastructure can offer.

For example, on page 30, the current wording states “Green infrastructure: New development should contribute towards the creation of a network of green spaces. (...) The requirement for new green space should be based on the government’s open space and recreation guidance. “

The benefits and functions of green infrastructure include much more than “open space and recreation”, and green infrastructure must be planned accordingly. This is particularly important for overheating (mitigating the urban heat island effect, and providing useful shading), air quality and flood risk mitigation services.

4 – The National Model Design Code should acknowledge a much more comprehensive definition of green infrastructure. For example, on page 18: “iii Green infrastructure: Urban area types might include requirements for green roofs and walls, lower density areas for more natural green spaces and habitats”. This is a very reductive view of urban green infrastructure. This must be amended to include ground level green space (whether open or not) as well as trees and blue infrastructure (ponds, canals etc).

5 – MHCLG should provide more guidance on how the Design Codes and new Approved document on overheating will work together. It is welcome that the draft AD encourages consideration of issues typically looked at through the planning process (e.g. noise) but several of these issues are not “black and white” and will require a level of judgement. This is not typically exercised as part of Building Regulations, and we therefore recommend that more guidance should be provided in the Design Codes on how sites can be approached early in the design process, particularly to address noise and overheating risk together.

6 - The National Model Design Code must include guidance on noise, particularly in relation to residential and other sensitive sites where noise can cause health issues and increase reliance on mechanical plant.

COMMENTS ON THE PLANNING SYSTEM GENERALLY

7 - Under recent developments, an increasing amount of works falls outside planning requirements, through Permitted Development Rights. As CIBSE and many other organisations have repeatedly highlighted, this goes against quality, environmental and health objectives. This must be revisited.

In particular, new housing, whether newly built or created by conversion of existing buildings, must be subject to scrutiny to ensure it is safe, on track to net zero carbon, provides a healthy environment to future residents, and is integrated within the local community. The upcoming requirement that PDR housing should at least meet space standards is welcome, but not sufficient.

8 – As CIBSE previously noted, under the proposed overhauled system of NPPF (high-level guidance) and design codes (very local guidance), it is unclear how planning at the strategic local authority and regional scale will occur and what guidance and requirements will need to be followed. This **strategic planning must happen for the effective delivery of zero carbon energy infrastructure, and green infrastructure.**

9 – As CIBSE have recommended previously, plan-making, decision making, implementation and monitoring will rely on **local authority resources**. These have been under constant and significant strain for several years. The new government ambitions for housing delivery embodied in the revised NPPF could exacerbate this. We strongly recommend MHCLG to review the current situation and provide more adequate support to local authorities to ensure planning objectives (including environmental and social benefits) are delivered, consistently and without undue delays in the planning process. We stress the importance of **implementation and monitoring**, which should be given equal importance to plan-making and decision-making. If local authorities are not given the resources to support the changes to the planning process, there is little justification for making those changes or for absorbing stakeholder resources in a potentially futile exercise. This cannot all be done without some additional skilled and knowledgeable resource in the local authorities.

END

Please do not hesitate to contact us for more information on this response.