

# Royal Institute of British Architects

## House of Lords Built Environment Committee: Meeting the UK's housing demand

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The Royal Institute of British Architects is a global professional membership body driving excellence in architecture. We serve our members and society in order to deliver better buildings and places, stronger communities and a sustainable environment. Being inclusive, ethical, environmentally aware and collaborative underpins all that we do.

The Royal Institute of British Architects (RIBA) welcomes the opportunity to respond to this inquiry. We are committed to assisting the Government in delivering the well-designed, sustainable new homes that the country needs.

It is crucial that we see sufficient new homes built which are well designed and which meet the needs of their residents now, and for generations to come. New homes must be well designed and built to support the wellbeing of their occupants, they must align with the UK's net zero ambitions, and should not be built in a way that will require them to be replaced or retrofitted within decades.

To promote high-quality design for new build homes and meet housing demands, we recommend that the Government:

- Urgently addresses the resource gap in local authority planning departments, particularly the shortage of qualified design experts.
- Amend planning policies to include guidance on obtaining advice from professional experts at relevant stages of the design and construction of new homes.
- Put an immediate end to the delivery of housing under Permitted Development Rights.
- Mandate the use of Post Occupancy Evaluation for any housing projects that receive public funding.

## **The Government has published its proposals for reform of the planning system. How can the planning system be shaped to meet housing demand?**

Resolving the issue of poor-quality development requires investment in the planning system and a greater role for expertise in the development of new housing. Many new homes have not been built following the advice of an architect. The Government's current approach to increasing housing output does not adequately recognise the social and financial value of good design. To improve this the Government should actively promote the use of architects in the design of all buildings, including housing. In the longer term, the Government needs to invest in building up the capacity of local authority planning departments, particularly with qualified designers.

Numerous assessments have revealed that there is a concerning lack of specialist design expertise within local government.<sup>i</sup> This is problematic as local planning authorities are often unable to engage in proactive planning, which is necessary to properly establish an ambition for an area or neighbourhood. Instead of proactively engaging with design teams, local authorities are often reduced to reactively responding to planning applications once submitted. As well as resulting in poorer outcomes in design, it also creates substantial delays to the planning process as issues are identified late.

There is an important distinction between authorities that have an officer that deals with design and those that have access to qualified design professionals. Research carried out by Place Alliance revealed a reliance in local authorities on using professionals without a design background to provide design related advice, such as planners and conservation officers.<sup>ii</sup> This is no substitute for trained architects and is not enough to achieve positive design outcomes through the planning system.

Disappointingly, the Planning for the Future White Paper lacks any mention of our global climate emergency. The planning reforms are a once-in-a-generation opportunity to embed sustainable development into the planning system and these must provide the industry with a clear pathway to net zero carbon. However, the current proposals do almost nothing to guarantee the delivery of affordable, well-designed, and sustainable homes.

Even the most sustainable new homes can be hugely damaging to the environment if they are built in the wrong places. Too many new developments in England lack an alternative to car usage – this must change. As land which had previously been used for industrial and commercial development comes forward, it is essential that the opportunity is seized to promote sustainable behaviour as well as development.

The White Paper suggests the merging of the Environmental Impact Assessment with the Sustainability Appraisal. If we over-simplify these tests, we risk damaging environmental and ecological standards as opposed to enhancing them. If the Government does create a new single 'sustainable development test', it must be based on the UN Sustainable Development Goals – and be ambitious, flexible, and holistic.

The Planning White Paper pits the environment against other aspects of development by suggesting that local plans must 'strike the right balance between environment, social and economic objectives.' However, sustainability experts can help deliver local plans and improve social and economic objectives, while still being sustainable.

We are concerned that the proposals in the White Paper appear to focus on housing delivery at the expense of other areas of the built environment. England faces multiple housing crises which all require attention; however, new homes do not exist in a vacuum: they create demand and drive growth, the planning system must be able to accommodate these things effectively it is to be deemed successful.

It is vital that reforms of the planning system put placemaking at the heart. We believe that Permitted Development Rights (PDR) and the purpose of use classes in the planning system can have a significant impact upon a local authority's ability to control the tenure and quality of the homes being delivered in their area.

The planning system must be shaped around the Government's ambitions of housing delivery meeting local need. The loss of control over development through PDR will raise questions about the purpose of the Local Plan, especially due to the increasingly complex resourcing issues that local authorities are faced with.

Local authorities should be encouraged to work with owners of vacant buildings to respond to local need and bring buildings effectively back into use with proper scrutiny from the planning system. This would require Government support for local authorities in the form of advice on how to effectively engage property owners, as well as proper resourcing to ensure they have the capacity to take a proactive approach.

Expanding PDR does not support the Government's aspirations outlined in the Planning White Paper. We are concerned that the Government has continued to expand PDR when they have not yet responded to submissions to the Planning White Paper consultation. As demonstrated in our answer below, this has led to more poor-quality housing.

The aspirations laid out in the Planning White Paper include increased democratic accountability and transparency, as well as supporting the Government's net zero ambitions, planning for beautiful and sustainable places, and developing the necessary and high-quality infrastructure and affordable homes we need. However, with the focus of the White Paper being the urgency for a fast mass rollout of new housing, the Government must strike a balance between these seemingly conflicting priorities.

If the Government hopes to fulfil the vision of the White Paper by promoting beautiful, well-designed places, which are locally led and community driven, it must reverse the changes to PDRs that have resulted in poor quality housing. At the very least, Government must implement minimum standards to ensure the quality of new homes developed through these rights are supporting people's mental and physical health, rather than undermining it. This includes recognising the importance of location in new housing.

Though the planning system is a barrier to housing supply, the lack of Governmental action in areas such as land value capture, grant funding for more affordable housing, lifting constraints on local authority land receipts, loans and spending, amongst other restraints, are also to blame. The wide-ranging barriers to housing supply are summarised in the House of Commons briefing paper, 'Tackling the under-supply of housing in England'.<sup>iii</sup> The planning system is only one part of the system that is able to tackle the housing supply, and so alongside our recommendations to change the planning system, we also recommend that Government address the need for access to funding to support housing development and invest in affordable housing directly.

## What role should Permitted Development Rights play in this?

The English planning system has undergone continuous and radical reform in the last decade. This has significantly undermined its ability to deliver sustainable development goals and is too often producing outcomes that do not support people's mental and physical health. Of all the reform measures implemented since 2010 it is the expansion of PDR which has and continues to have the greatest negative impact on housing quality and wider placemaking.

We are concerned that the rapid expansion of the permitted development regime has been central to creating a shadow planning system. The expansions to PDR prevent positive planning and eradicates the potentially place shaping powers of community engagement, damages the economy of local areas and high-streets, and produces extremely poor housing.

We recommend that PDRs should only be applied when development or change of use does not have any significant impact on mental and physical health and can be proven to not have detrimental climate impacts, and instead positively contributes to the Government's net zero targets. The rights should also only apply to small scale development or changes so that PDRs work alongside the plan-led system.

While the outcomes of permitted development may have initial positive economic impacts, shaping housing delivery around these rights will have an immediate and profound impact on local democratic accountability. In the RIBA report on delivering successful placemaking, we established ten characteristics of well-designed and attractive places, which put quality at the centre.<sup>iv</sup> This included promoting mixed communities through a variety of housing tenures, with development occurring in the right places, for example, near proposed or existing infrastructure and essential local services. The extension of PDR is not conducive to achieving this goal of sustainable development. Considering the amendments to the National Planning Policy Framework (NPPF) highlighting the importance of sustainable development within the planning process, the expansion PDR is in direct opposition to policies being created at the same time and will not create places built for people to comfortably live.

Many shops are not suitable for residential conversion, owing to issues such as location or configuration. It is essential that the proper scrutiny of these buildings that occurs in a full planning application is upheld in order to ensure that the high street remains attractive and that all new homes offer a good quality of life. This is particularly important given the fact that the Government has suggested that high streets could act as part of the solution for the lack of housing for disabled and older people. Under PDR, schemes only need to comply with the Building Regulations, which address limited technical issues such as fire safety, energy efficiency, ventilation, soundproofing, and now the provision of space and "adequate" light. However, without full planning application, not even the default position of Category 1 can be required under current PDR. That means that many older and disabled people would be unable to live in these homes once converted, which will fail to address the housing crisis that is already disproportionately affecting these groups. This along with the need for adequate privacy and daylight and private open space to provide a decent quality of life for residents poses a particular design challenge in retail to residential conversions which requires the planning system, not PDR, to sufficiently assess.

We welcome the direction of reforms to the planning system through the new National Model Design Code (NMDC). However, the NMDC illustrates how uses need to come together to activate places which is completely at odds with the proposed uses of PDR that are seen increasingly in the planning system. We therefore see that the inclusion of PDR within the planning reforms that are

occurring this year is solely to increase the speed of the rollout of new housing, without integrating this into a part of a coherent vision of the future of the UK's housing stock.

While the use of PDR may accelerate the building of new houses positively in the short term, focusing on the short term fails to recognise that placemaking and planning require clear and long-term strategies to positively contribute to local areas. This is especially true as retail to residential conversions are likely to be irreversible. Opening high streets to the possibility of housing conversions as an attempt to provide a fast solution to the housing crisis will only act to exacerbate the ingrained inequalities within places that have been exposed through the Covid-19 pandemic. We therefore believe that the new applications of PDR have no place in the reforms to the planning system.

Local government plays a crucial role in building and supporting communities through community engagement in planning places that become central to a local area. This is not just about creating the number of homes in their area, but also about ensuring that these homes are built for the communities that live there, in the right areas, and supported by social and economic infrastructure they need.

As shown in the Government commissioned report on the quality of homes built through permitted development, despite the use of standard specifications, these rights continue to deliver poor quality homes.<sup>v</sup> These rights also threaten high streets with substandard piecemeal retail to residential conversions. The lack of standards required in relation to space and sustainability has led to the creation of significant amounts of extremely poor-quality housing since the policy was introduced due to issues not being assessed as part of a prior approval process.

Permitted development to residential conversions also enable developers to avoid contributions to local infrastructure through s106 charges. This is something that the Government must urgently address. Assessing the impacts on just five local authorities, a report by RICS from May 2018 estimated that they had lost out on £10.8 million in income and affordable housing totalling 1,667 new homes as a result.<sup>vi</sup> In January 2020, the Local Government Association estimated that local authorities have potentially “lost out on more than 13,500 desperately needed affordable homes” over four years.<sup>vii</sup> This increase shows that the expansion of these rights is causing a failure in the development of new homes. A crucial part of delivering new homes needs to be delivering more, genuinely affordable ones. Allowing developers to bypass this crucial function of the planning system is in effect a government subsidy for property owners, encouraging developers to make savings by reducing design quality through bypassing standards and the scrutiny that is required from landowners of undeveloped sites when engaging the planning system.

The consequences of the nationally determined permitted development rights are that local authorities now have very little control over many aspects of change in their area, particularly in town centres. PDR removes the ability for local authorities to appropriately support regeneration efforts that are specific to their area, as well as not allowing for movement towards achieving the Government's net zero targets. Permitted development is a short-term solution to meeting current housing need that will inevitably require significant investment in the future to remedy the increasingly large issue. The Government should instead prioritise assisting local authorities in bringing new housing forward through supporting infrastructure investment and directly investing in affordable housing.

## How should communities be engaged in the planning process?

We are concerned by the rules that apply to PDR decisions, which are set centrally and not subject to any local control or community participation. The policy aspirations of a local community contained within a local plan do not have weight in determining permitted development decisions. The scope of the nationally described rules excludes many issues that local politicians and people might care about including, for example, mental and physical health or delivering zero carbon development.

Older homeowners are more likely to be politically engaged and vote in local elections, as only 58% of private renters are registered to vote compared to 91% of homeowners.<sup>viii</sup> They are also more likely to believe that too many homes are being built in their area compared to renters and younger people. This group is also more likely to have more time, money and expertise to dedicate towards blocking new developments, which contributes to shortages of affordable housing. It is of crucial importance, therefore, that as part of the Government's strategy to meet housing demand in the UK, it focuses on how to increase engagement with younger people and marginalised groups in the planning process.

The British Social Attitudes Survey 2017 demonstrates clearly that investment in community infrastructure and facilities are the reasons that will make people most likely to support new developments in their area.<sup>ix</sup> Selecting the advantages that would make them support homes being built in their local area, respondents most frequently selected 'more employment opportunities', 'more medical facilities built, or existing ones improved', 'transport links improved', 'more schools built or improved' and 'more affordable homes to rent'. Therefore, if developers are not contributing this vital community infrastructure, then the atmosphere of opposition to new developments will remain and potentially increase, creating further barriers for the government to achieve new home targets.

One of the key stated aims of the Planning White Paper is the Government's desire to make the planning process more democratic; giving communities more of a voice throughout the planning process, making it easier to find and understand planning documents, increasing community engagement with Local Plans and utilising digital technology to make planning proposals more accessible.<sup>x</sup> We support these aims and recommend that the Government follow through on these proposals. However, this may not be enough to rebalance the demographics of planning consultations away from older groups who have historically held more power in blocking new developments. We recommend that as part of Government attempts to make the planning system more accessible, there should also be a targeted effort made to reach out to underrepresented groups, especially younger people, rather than assuming that they will take action of their own accord. This could include using technology to assess the demographics of a local area and use this data to monitor whether attendees of planning consultations are representative of this wider community.

This could also involve introducing diversity requirements for planning consultations to ensure that a wider range of opinions are included, particularly with regard to different age groups, when making planning decisions. In addition, the proposals in the Planning White Paper to utilise digital technology to make planning documents more accessible presents an excellent opportunity to engage younger people in the planning process, and we recommend that the government follows through with this proposal.

## What can be done to improve the quality of new homes? How can the design and aesthetics of new homes be improved?

It is crucial that we see new homes built which are well designed and which meet the needs of their residents now and for generations to come. It will be detrimental to the sustainability and durability of the UK housing stock if the Government sees new homes built which do not support the wellbeing of their occupants, which do not bring the UK closer to our net zero ambitions, or which have to be replaced or retrofitted within decades, as is the case with our post-war housing stock.

A 2017 report by Shelter found that 51% of homeowners had experienced problems in their new build homes.<sup>xi</sup> The RIBA strongly believes that the National Planning Policy Framework should be amended to provide greater guidance to applicants on the importance of professional advice. Our recommendations on how to best incorporate this can be found in the above section on the planning system.

Additionally, we have known for many years there is a gap between anticipated and actual performance of buildings. To close the performance gap, we must use design for performance tools and verify this through Post Occupancy Evaluation (POE). POE is the process of obtaining feedback on a building's performance in use after it has been built and occupied. POE collects information on building and energy use, user satisfaction. POE is the only way of accurately measuring if a building is as energy efficient as anticipated.

The data collected through POE must also be used to improve predictive energy modelling through verification and comparison in use. Without checking how buildings actually perform, the industry is relying on unverified predictions of performance.

The RIBA recommends that the Government should require POE as a condition for all publicly funded buildings and housebuilders receiving Help to Buy payments. Local authorities should also mandate the use of POE, and data sharing, on large scale housing schemes by making it a requirement through the planning system.

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<sup>i</sup> [https://www.london.gov.uk/sites/default/files/placeshaping\\_capacity\\_survey\\_2018\\_web.pdf](https://www.london.gov.uk/sites/default/files/placeshaping_capacity_survey_2018_web.pdf)

<sup>ii</sup> [http://www.udg.org.uk/sites/default/files/uploads/Design\\_Skills\\_in\\_Local\\_Authorities\\_2017\\_final\\_draft.pdf](http://www.udg.org.uk/sites/default/files/uploads/Design_Skills_in_Local_Authorities_2017_final_draft.pdf)

<sup>iii</sup> <https://researchbriefings.files.parliament.uk/documents/CBP-7671/CBP-7671.pdf>

<sup>iv</sup> <https://www.ipsos.com/sites/default/files/publication/1970-01/sri-riba-the-way-we-live-now-may-2012.pdf>

<sup>v</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/902220/Research\\_report\\_quality\\_PDR\\_homes.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/902220/Research_report_quality_PDR_homes.pdf)

<sup>vi</sup> <https://www.rics.org/globalassets/rics-website/media/knowledge/research/research-reports/assessing-theimpacts-of-extending-permitted-development-rights-to-office-to-residential-change-of-use-in-england-rics.pdf>

<sup>vii</sup> <https://www.local.gov.uk/about/news/lga-over-13500-affordable-homes-lost-through-office-conversions>

<sup>viii</sup> Wiles, C. (2021). Stockpiling Space: How the pandemic has increased housing inequalities between older and younger generations. London: IF.

<sup>ix</sup> <https://www.gov.uk/government/statistics/british-social-attitudes-survey-2017>

<sup>x</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/872091/Planning\\_for\\_the\\_Future.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/872091/Planning_for_the_Future.pdf)

<sup>xi</sup> [https://assets.ctfassets.net/6sxvmndnnpn0s/5pgz877rFM1fQNPSHCuIXL/6591389849fdf83e57a1dcdee2a3ecf/2017\\_03\\_02\\_New\\_Civic\\_Housebuilding\\_Policy\\_Report.pdf](https://assets.ctfassets.net/6sxvmndnnpn0s/5pgz877rFM1fQNPSHCuIXL/6591389849fdf83e57a1dcdee2a3ecf/2017_03_02_New_Civic_Housebuilding_Policy_Report.pdf)