

Labour Planning Commission: Call for Evidence

The Royal Institute of British Architects champions better buildings, stronger communities and higher environmental standards through the practice of architecture and our 40,000 members. We provide the standards, training, support and recognition that put our members – in the UK and overseas – at the peak of their profession. With government and our partners, we work to improve the design quality of public buildings, new homes and new communities.

The RIBA welcomes the Labour Planning Commission's review of the current planning and plan making systems in England. As a participating organisation on the Commission, we have been grateful to be able to contribute to its work.

This review has prompted important discussions between all groups with an interest in how the planning system operates and the outcomes it delivers, including politicians, built environment professionals and community representatives from across the country.

In our response to the Planning Commission's call for evidence we have focused primarily on four of the key areas that were identified; design quality, plan making, infrastructure and building regulations. However, we may also have touched on the other categories identified through our response, many of which are interlinking.

Our submission also highlights a number of policy reports that further elaborate on the RIBA's proposals for making improvements to the way planning operates in England.

Quality

The push for increasing the quantity of new homes built in this country has undoubtedly been accompanied by a decline in the quality of what is being delivered. The government has acknowledged this issue and has sought to come up with solutions as to how it should be addressed, such as the announcement of a New Homes Ombudsman. Volume housebuilders have also recognised their role in this problem, with a new scheme proposed by one major developer to enable consumers to withhold a proportion of the sale price of their home until they have moved in and issues have been identified and fixed.¹

While schemes such as these are welcome, they cannot be relied on to improve the quality of homes. They merely improve the redress available for those affected. Resolving issues around quality requires intervention far earlier in the planning process before plans even make it onto paper. The RIBA is already working to improve this through the launch of the Quality Tracker in partnership with the Chartered Institute of Building (CIOB) and the Royal Institution of Chartered Surveyors (RICS). This aims to improve the quality of outcomes in the construction industry.

As qualified professionals, architects have a responsibility as guardians of the quality of the built environment, yet the vast majority of plans for new homes never seen the inside of an architectural studio. A lack of qualified design expertise in the planning process will inevitably result in poorer outcomes of quality.

Sustained cuts to local government have resulted in planning authorities no longer taking a proactive approach to planning and focusing instead on their statutory responsibilities for determining applications. Planning works best when local planning authorities work constructively with design teams to develop proposals that meet mutually desired outcomes and address the needs of the local communities they serve. Planning departments need to be adequately resourced in order to do this.

Many planning departments do not have in-house design and architectural expertise to assess applications.² ³ Those engaging with development teams are often not design experts and don't have the required training.⁴ There is little chance of local authorities being able to demand better standards of quality if they don't have the required expertise available to engage in these discussions. The well-publicised issues with housing quality in this country will not be resolved until these issues are recognised and addressed.

There is also often concern that a lot of development today fails to comply with consented planning applications. The introduction of a form of completion certificate that requires the joint signatures of the planning authority officer and building control to demonstrate that the development has been completed in accordance with the planning permission and to the satisfaction of the local planning authority would help to prevent against this.

The lack of standards in housing has also been an impediment on delivering good quality homes. Only 7% of homes in England are classified as accessible, but 9% of all households in England have at least one person with a long-term disability that requires adaptations to the home.⁵ The government introduced the Nationally Described Space Standard but it remains not compulsory and the process of introducing it is overly complex, with local authorities required to demonstrate need and viability. Research has shown that amount of space is a key trait that people value in their home⁶. Yet evidence gathered by the RIBA has shown that new housing is failing to reflect this⁷.

¹ <https://www.ftadviser.com/mortgages/2019/03/21/persimmon-launches-retention-policy-after-quality-concerns/>

² https://www.london.gov.uk/sites/default/files/placeshaping_capacity_survey_2018_web.pdf

³ <https://www.architectsjournal.co.uk/news/fall-in-number-of-architects-working-for-local-authorities/10040489.article?blocktitle=news&contentID=19633>

⁴ http://www.udg.org.uk/sites/default/files/uploads/Design_Skills_in_Local_Authorities_2017_final_draft.pdf

⁵ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/539541/Adaptations_and_Accessibility_Report.pdf

⁶ <https://webarchive.nationalarchives.gov.uk/20110118105130/http://www.cabe.org.uk/files/space-in-new-homes-residents.pdf>

⁷ <https://www.architecture.com/-/media/gathercontent/space-standards-for-homes/additional-documents/ribacaseforspace2011pdf.pdf>

Instead, de-regulation is often seen as the answer to meeting the housing shortage. This is despite the fact that this has resulted in homes of demonstrably poor standards.⁸ The Government commissioned its own independent review into speeding up build out rates which resulted in some practical and effective solutions for helping to address both issues of quality and speed of delivery.⁹ Yet the recommendations of the Review have yet to be established as government policy.

The RIBA recommends:

- The social and financial value of good design is acknowledged and there is a widespread understanding, promoted by the government, that architects should be involved in the design of all buildings, including housing.
- Design of the built environment forms part of the primary school curriculum and continues to be taught throughout secondary education.
- Local authority planning departments need to be properly resourced, with planning departments enabled to employ qualified architects as in-house design expertise.
- The duty to refuse applications on the grounds of poor design should be supported by government, including at appeal.
- The Nationally Described Space Standard is incorporated into Building Regulations to provide a fair offer across the country, give developers the certainty they need and allow any additional cost to come out of land values.
- M4(2) Category 2 Accessible and Adaptable Dwellings should become the minimum accessibility standard for all new housing.
- The Government should support the recommendations of the Letwin Review relating to capping land values and mandating the parcelling up of large sites.
- The Government should ensure Design Review Panels are an integral part of the planning process – ensuring Local and Combined Authorities are permitted to make Design Review a mandatory requirement for developments above certain thresholds or in particular circumstances.
- Government should also support the development of residential design guides and urban design frameworks and other design guidance at a local level to empower and engage local communities in the planning process.
- The permitted development policy should be urgently reviewed and conversions from office to residential immediately ceased pending the outcome.
- All councillors serving on planning committees should receive basic design awareness training.
- Sustainability and energy efficiency need to be considered at the planning stage where design decisions have significant bearing on energy performance. By leaving it to the later technical stages it is often already too late.
- The Government should explore the potential benefit of a single point of sign-off for new development in the form of a completion certificate.

Plan Making

The lack of a national spatial strategy is hindering the government's ability to plan where improvements are needed to rail networks, aviation capacity, flood defences and other infrastructure needed to deliver a national vision for economic development, including housing growth. The government has a programme for new garden towns and villages, yet there is no mechanism in place to determine how these new settlements will be supported with infrastructure.

⁸ <https://www.rics.org/globalassets/rics-website/media/knowledge/research/research-reports/assessing-the-impacts-of-extending-permitted-development-rights-to-office-to-residential-change-of-use-in-england-rics.pdf>

⁹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/752124/Letwin_review_web_version.pdf

While there is funding available that devolved government can bid for, the lack of a spatial plan means that there is no overall strategy for where this needs to be spread across the country. There is also no identification of interventions that might require coordination at a level above existing public authorities.

A National Spatial Strategy would work with local and regional stakeholders to identify where opportunities lie to build on regional strengths and direct infrastructure investment in a way that aligns with and supports housing growth. This can then form the basis for the government's long-term infrastructure funding decisions.

Similarly, local authorities are simply too local to adequately plan for certain physical infrastructure and are too small to provide the impetus for large infrastructure projects to get off the ground. Regional economies function on a wider scale than is reflected by local authority boundaries. We have already seen the success of this approach under the GLA in London. With TfL, the Mayor has oversight of swathes of public transport, and is able to deliver rationalisation of prices and service delivery across the capital.

The government should continue its devolution programme to ensure there is a deal in place for every part of the country to allow all regions to make more joined up decisions about infrastructure delivery. This proposal for planning at a national and regional level has been recommended by the UK2070 Commission in its first report.¹⁰ These measures proposed are absolutely essential to try and reverse the high levels of regional inequality in this country.¹¹

The RIBA recommends:

- The Government should develop a National Spatial Strategy to create a framework which aligns infrastructure and economic development with housing growth.
- The Government should strike new devolution deals until there is a solution in place for every area of the country. It should also initiate a path to deepening devolution deals to ensure powers can be at least as extensive as those held by the Greater London Authority.
- Spatial plans should be required to reference all relevant plans in their area to promote better cooperation between different local entities in planning.
- Local authorities should be more transparent in their plan making with meaningful consultation with communities.
- Neighbourhood plans and local plan making should be more integrated. Neighbourhood plans are important tools for engaging people in local planning and can provide the finer detail on character than is possible for local plans.
- The current process of developing and approving Neighbourhood Plans is overly complicated and creates unnecessarily delays. It should be simplified.

Building Regulations

The devastating fire at Grenfell Tower has exposed significant weaknesses in the Building Regulations on Fire Safety for housing in England. As the RIBA has identified, regulations in England are less stringent than in other parts of the UK and international jurisdictions including the USA. Aside from the ban on combustible cladding and the use of desktop studies on select buildings, regulations remain the same as they did when the Grenfell Tower tragedy took place, over 21 months ago. This means that some home owners and residents remain at severe risk in their own homes. The RIBA has made several recommendations to government to rebuild public trust, to ensure new, converted and existing buildings are safe and that public safety is a key priority.¹²

¹⁰ <https://drive.google.com/file/d/1GBGQ0n8sQu8fixb4nyBAA13GDmPn7Ov3/view>

¹¹ <http://uk2070.org.uk/wp-content/uploads/2019/01/01-McCann-UK-Regional-Inequality-Debates.pdf>

¹² <https://www.architecture.com/knowledge-and-resources/knowledge-landing-page/response-to-government-consultation-on-approved-document-b>

In addition to this, there needs to be a stronger policy focus on improving the sustainability of the built environment. The built environment is responsible for 40% of the UK's total carbon footprint.¹³ Our housing stock performs poorly compared to European neighbours when it comes to energy efficiency, which is particularly alarming considering that 85% of homes are expected to still be in use by 2050.¹⁴

The report published last year by the Intergovernmental Panel on Climate Change provided a stark warning of the need to move toward zero carbon and the threat of failing to take action to prevent global temperature rises above 1.5 °C. This is particularly true when it comes to buildings, which are responsible for a proportionately high level of emissions. Policymakers need to act now and implement the changes required to improve outcomes. Earlier this month the RIBA declared a climate emergency and strongly recommends regulatory standards for new buildings and refurbishments to deliver net zero carbon by 2030. This includes recommending that net whole-life zero carbon is the regulatory standard for all new buildings and refurbishments in the UK by January 2030.

However, it is well known within the industry that there is a significant performance gap between the design intention of buildings and the as-built performance. Improving energy efficiency is not a realistic goal until we know how our buildings are performing in practice.

The ambition for all homes to be EPC band C by 2035 is very challenging and it is difficult to see how current incentives and legislation will achieve this ambition at the current rate of improvement. This particularly affects households who do not have the funds, but also those who do not have an incentive to make changes. For fuel poor households ECO funding is not incentive enough for the intrusion, disruption and uncertainty caused by retrofit works. Opening up funding to allow related works, such as decoration or maintenance, could incentivise retrofit and improve the quality of installation.

For households with funds there are similar barriers. There is a large middle tier of homeowners and landlords with no incentive to make home improvements. It does not increase the value of their home, it does not affect their monthly costs over a short enough time period to warrant investment. Tax breaks or incentives affecting building value could be considered to incentivise building owners to act.

Where energy efficiency improvements are made it is crucial that they maintain the safety of buildings (including fire safety) as well as making them more efficient. This means undertaking proper assessments of the potential unintended consequences of using certain materials.

To make buildings safer

The RIBA recommends:

- A requirement for sprinklers/automatic fire suppression systems in all new and converted residential buildings (as already required in Wales) and in all existing residential buildings above 18m from ground level as 'consequential improvements' where a building is subject to 'material alterations'.
- In all new multiple occupancy residential buildings, a requirement for at least two stairways, offering alternative means of escape, where the top floor is more than 11m above ground level or the top floor is more than three storeys above the ground level storey (as required for commercial buildings).
- A requirement for centrally addressable fire alarm systems in all new and converted residential buildings and in all existing residential buildings above 18m from ground level as 'consequential improvements' where a building is subject to 'material alterations'.
- The ban on the use of combustible materials should also apply to hotels and hostels, as a large number of these buildings in England remain at risk.

To make buildings more energy efficient

The RIBA recommends:

¹³ <https://www.ukgbc.org/climate-change/>

¹⁴ <http://cic.org.uk/admin/resources/federation-of-master-builders.pdf>

- The Government should promote the use of post-occupancy evaluations and setting of performance based metrics to ensure buildings are built to the energy efficiency measures they were designed. This should also include an assessment of social sustainability to determine the long-term social value of development.
- The metrics currently used to calculate energy efficiency and CO₂ reduction should be reviewed; learning from other European countries such as Germany and Denmark. kWh/m² energy consumption targets should be required to allow direct comparison between design intention and metered energy readings. A fabric energy efficiency metric should be introduced to prioritise building fabric improvements.
- The Government should ensure that if homeowners are making improvements to their homes that they will also be required to make energy efficiency improvements at the same time in a considered and safe way. This will require changes within Part L of the Building Regulations including:
 - Include retrofit improvements as a requirement in the current “Consequential improvements” requirements. It would ensure that home owners offset any home alterations or extensions which would increase a home’s energy demand, via extra retrofit measures.
 - Require higher standards for energy efficiency in home repairs, alterations, replacements and renovations. This should be done through increasing the energy standards that ‘retained thermal elements’ (parts of buildings that regulate temperature) have to satisfy.

To make buildings carbon neutral

The RIBA recommends

- The Government adopt net whole-life zero carbon as the regulatory standard for all new buildings and refurbishments in the UK by January 2030.
- The Government should support the Advancing Net Zero Carbon programme launched by the UK Green Building Council in establishing a clear definition and promoting the acceleration toward net zero carbon buildings.
- Low carbon construction methods of servicing buildings must be given greater priority to reduce overall emissions. For example, Building Regulations could start considering not only energy used in the running of buildings but also in the construction to make buildings carbon neutral where possible.

Infrastructure

Research by the RIBA has found that typically less than one third of the time spent on project development for new infrastructure is given over to the process of determining goals of the project and generating options.¹⁵ However, it is during this phase that the decisions are taken that most shape what is subsequently delivered. This is just one example of the problems facing infrastructure delivery in the UK. There needs to be a radical rethink of how to plan, design, deliver and maintain new infrastructure across the country.

The UK’s housing stock and transport and communications infrastructure represent one of the biggest barriers to prosperity and a huge driver of regional and local inequality. The establishment of a National Infrastructure Commission was an important statement about the need for a new system. But it is not enough to just tweak around the edges. A more wide-ranging set of reforms is needed.

The RIBA recommends:

¹⁵ <https://www.architecture.com/-/media/gathercontent/joining-the-dots/additional-documents/joiningthedotssummaryribareportoninfrastructurepdf.pdf>

- A focus on generating options rather than justifying decisions when undertaking new projects.
- Early cross-departmental cooperation on infrastructure projects to enable integrated strategies to be properly considered alongside individual schemes. Infrastructure projects current tend to arise from a single department or public body, which will have its own priorities and its own understanding of the role of infrastructure.
- Ensure local knowledge is integrated into option consideration and analysis.
- Set clear objectives and identify evaluation criteria for projects before commencing construction.
- The Government should include compulsory requirements for design quality in technical documents, such as the Design Manual for Roads and Bridges.
- Public bodies delivering large infrastructure projects should set out ambitious design visions, which apply across the sites in which they are involved with.

Supporting reports

A Home for the Ages

There is currently a failure in England to meet the need for housing that is suitable for the older generation. From making the current housing stock more accessible through to delivering specialised housing for people with significant care needs, there is currently a failure to build enough of all forms of age-friendly housing.

By identifying the costs associated with this failure and the potential benefits that could be achieved through action, the report makes the case for how policymakers focusing on increasing age-friendly housing provision could play an important role in tackling the extensive issues in both housing and social care.

<https://www.architecture.com/knowledge-and-resources/resources-landing-page/a-home-for-the-ages-planning-for-the-future-with-age-friendly-design>

Joining the Dots

Shortcomings in the UK's infrastructure networks are doing enormous damage to our economy and society. The problems are often decades in the making. Putting things right starts with a fresh approach, supported by sustained investment. At a time when the UK needs more than ever to present itself as a great place to live and invest, tackling the infrastructure crisis is of paramount importance. This will not be easy or cheap, but without a new deal and a new approach to building new roads, railways, homes and workplaces, attempts to tackle the issues that are holding this country back will be fatally undermined. In *Joining the Dots*, the RIBA sets out a new roadmap for infrastructure decision making and delivery with recommendations focussed in three areas: Cultural changes that can address the delays and underinvestment created by the current decision-making process; Operational changes needed to address the deficiencies in our current approach to design and assessing projects; Delivering good design through better policies.

<https://www.architecture.com/-/media/gathercontent/joining-the-dots/additional-documents/joiningthedotssummaryribareportoninfrastructurepdf.pdf>

Design Matters

Design standards are often seen as an impediment to speeding up delivery, where in fact, they provide greater certainty for developers and support sustainable development. By introducing stronger design requirements, such as mandating the use of Design Review, Design Codes and Design Quality Panels, the government could help to improve the quality of new homes and ease the pressure on local authorities where design capacity is lacking. These recent publications from the RIBA detail examples of quality new housing developments and identify a full range of tools that could be used to achieve better

design.

<https://www.architecture.com/knowledge-and-resources/resources-landing-page/design-matters>

<https://www.architecture.com/knowledge-and-resources/resources-landing-page/design-matters-promoting-good-design-through-the-planning-system>

Ten Characteristics of Places where People want to Live

Sir Oliver Letwin's published his final report advising on how to speed up build out rates last year. The RIBA supports its final recommendations and, in conjunction with its publication, produced our own report on how to improve placemaking while increasing the rate at which homes are delivered. The report identifies 10 characteristics that make a successful place where people want to live and sets out the necessary conditions which must be in place at a local level to achieve high quality design - the right leadership, the right funding and delivery models, the right collaborative and innovative processes, and the right skills and resources

<https://www.architecture.com/knowledge-and-resources/resources-landing-page/ten-characteristics-of-places-where-people-want-to-live>