



Strengthening planning policy for brownfield development

CIEH response to DLUHC's 'Strengthening planning policy for brownfield development' consultation.

26th March 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 non-profit sectors. 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.

For more information visit www.cieh.org and follow CIEH on Twitter @The_CIEH.

Any enquiries about this response should be directed to:

Siobhan Silas
Senior Policy and Public Affairs Executive
Chartered Institute of Environmental Health
Email: s.silas@cieh.org.uk

Key points:

- CIEH supports a comprehensive and consistent approach to brownfield development, that balances greater flexibility with clear guidance and expectations.
- CIEH are concerned that too much weight and emphasis is given to maximising the number of houses built and that this may give rise to unintended adverse consequences for health and quality of life.
- CIEH believe that the government could go further in national policy by providing better resourcing for environmental regulators such as local authority environmental health teams to adequately support development of brownfield.
- CIEH supports coherence across national and local policy. Any changes to the National Planning Policy Framework's objectives should be linked to local delivery. This coherence can be achieved through consistent engagement and consultation with key stakeholders, especially with environmental regulators via local authorities.

1. Do you agree we should change national planning policy to make clear local planning authorities should give significant weight to the benefits of delivering as many homes as possible? If not why not?

CIEH is of the view that any weight given to the objective of delivering as many homes as possible should not come at the expense of environmental degradation and reduced living standards.

2. Do you agree we should change national planning policy to make clear local planning authorities should take a flexible approach in applying planning policies or guidance relating to the internal layout of development? If not, why not?

CIEH supports a comprehensive and consistent approach to brownfield development, that balances flexibility with clear guidance and expectations. However, CIEH could not support an approach that in providing greater flexibility within applying planning policies could have unintended trade-offs in practice. The primary concern being the lack of expectation that living standards need to exceed the statutory minimum.

4. In addition to the challenges outlined in paragraph 13, are there any other planning barriers in relation to developing on brownfield land?

CIEH are reassured to see the explicit reference to remedial works as a key planning barrier in bringing brownfield sites forward, and that considerations have been given to further incentivise the efficient and effective use of brownfield land.

However, we are concerned that there isn't any specific consideration given as to how local authorities will overcome the constraint of environmental issues related to land contamination, air quality or noise pollution.

The resourcing, funding, and training of environmental regulators must be sufficient to support the proposals to intensify development on brownfield sites, many of which may have complex environmental issues to address. This is particularly important when considering other recent consultations about how the planning process can be expedited.

Subsequently, early engagement of developers with environmental regulators via the local planning authority, is required to raise the knowledge and understanding of landowners and developers about environmental issues such as land remediation, adequate ventilation, heating and acoustic design, at the outset of their involvement 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 resourcing, funding, and engagement with respect to overcoming brownfield's environmental issues which can ultimately lead to disparate decisions being taken across various local authorities.

5. How else could national planning policy better support development on brownfield land, and ensure that it is well served by public transport, is resilient to climate impacts, and creates healthy, liveable, and sustainable communities?

CIEH believe that strengthening 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.

Strengthening this definition would also enable developers to employ competent and qualified land contamination specialists at the outset of projects, which will minimise delays associated with re-submitting reports and agreeing risk assessments and remediation schemes.

We also believe that there is a case for increasing minimal build standards to facilitate a greater density of homes in brownfield locations at a high standard e.g. to reduce noise propagation, ensure suitable and sufficient ventilation.

6. How could national planning policy better support brownfield development on small sites?

We refer you to answer 5 as providing substantively the same responses that strengthening the ability to object inadequate reports and strengthening minimal building standards will support brownfield development.