

House of Lords Select Committee on National Policy Statement for the Built Environment

CIWEM supplementary evidence

1. Does national built environment policy take sufficient account of environmental resilience? Is the regulatory framework fit for purpose?

Built environment policy is ultimately governed by the National Planning Policy Framework which refers to resilience to the impacts of climate change, including flood risk and water supply and demand considerations. However since it was adopted building standards and planning conditions have been gradually weakened, doing little to encourage water efficiency (particularly in areas of water scarcity), green infrastructure and SuDS implementation remains limited and inappropriate development still takes place in areas of flood risk.

There is a risk that at a time when greater resilience is required, the Environment Agency is facing resourcing issues and the lead Department of Communities and Local Government has little regard for climate change and resilience. Green infrastructure remains to be perceived as additional cost to development and new housing targets and the removal of requirements for section 106 contributions will only result in cheap and poor quality delivery.

The majority of improvements to the built environment need to be proactively retrofitted into existing development, be this housing stock, public or commercial space. This requires strong leadership and drive at the local level. Local Authorities are also facing further cuts in funding and play a pivotal role in coordinating resilience in public spaces.

2. How does environmental policy integrate with other national policy priorities? How might built environment policies be better integrated to improve outcomes?

Cross-government integration of the environment with other policy areas remains poor. When approached DCLG officials have stated that they do not want to discuss climate change. Climate change adaptation staff in Defra have been reduced from 38 to 6. The Department of Transport and Health are not fully integrated so that transport policy encourages low carbon modes or good air quality, nor personal mobility on any meaningful scale, although NHS England is quite well engaged with the mobility issue. It is instructive that the Government has recognised that there is a need for improved cross-departmental cooperation in relation to flood risk management, with insufficient coordination of the various and extensive responsibilities. This principle might be applied to a whole range of other issues which are manifested in the built environment, such as health and wellbeing for example.

3. Is national policy on Sustainable Drainage Systems (SuDS) effective? What are the challenges associated with delivering SuDS through planning policy and does policy need strengthening?

The direction of national policy was changed somewhat with the decision not to commence Schedule 3 of the Floods and Water Management Act requiring Lead Local Flood Authorities to establish SuDS Approval Bodies (SABs). Instead, SuDS are now driven through the planning system which does not provide for adoption of sustainable drainage infrastructure, which is essential and which SABs would have done. This is a key obstacle to the widespread implementation of SuDS in England and in the absence of any clear provision for adoption under current policy, it almost certainly will require strengthening.

Possible Supplementary: What else can be done to support the provision of SUDS as part of new developments?

Simply a resolution to the issue of adoption is required. The decision not to commence schedule 3 in 2014 may need to be re-examined.

4. How can a spatial or 'catchment-led' approach to water management help deliver better outcomes? What are the other key issues in relation to securing effective water management in the built environment?

Current flood events illustrate that there is a need for serious focus on a full package of measures to manage water in catchments. Conventional defences are part of this package but catchments have been so heavily modified that downstream towns and cities have to be protected against 'unnaturally' high levels of flow.

The built environment should be seen in the context of the wider environment or catchment in which it is situated. Upper catchment measures, in combination with in-situ defences in the built environment may be able to significantly reduce flood risk. There is considerable potential for improved land management practice in upper catchments for the purpose of ameliorating flood risk downstream but there is a lack of quantifiable data available to support the principle of this. Very often measures which improve flood risk will also improve drought resilience, water quality and biodiversity. Improved methods of valuing such ecosystem services are being developed which will help lead to payments between beneficiaries and land owners.

5. How can the need for new housing supply be reconciled with the need to restrict building in high flood risk areas?

Housing may be built in areas of flood risk provided that it is designed and constructed in the right way. However building resilient homes will not prevent issues around safe access.

Pressure to build new housing stock both quickly and cheaply is unlikely to incentivise good design and construction standards but these are essential. Short term economic savings of poor standards of design and construction are likely to be exceeded by costs of subsequent damage and recovery in the medium term.

The Environment Agency note that their advice is taken in around 97% of cases regarding development in flood risk areas. However the vast majority of planning applications have nothing to do with the Environment Agency. The Environment Agency is only required to comment where a development involves a Main River or the coast. Often planning authorities are unaware that there may be surface water flooding risk as they have taken a 'no comment' from the Environment Agency to mean that there is not a flooding issue. The Committee on Climate Change has found that 4,600 homes a year are constructed in areas of high flood risk.

6. What are the key challenges in relation to the environmental resilience of the existing building stock?

There is an extensive legacy of building stock in the UK which is vulnerable to flooding and which is also of poor thermal and water efficiency. Given that extensive replacement of such buildings is not a feasible (nor a sustainable) proposition, an extensive programme of retrofit will be necessary for thermal efficiency and in some cases for property level protection for flooding. The Green Deal did not deliver the intended outcomes but there is no policy or scheme in place which yet indicates that it will deliver the kind of widespread improvement necessary. Strong and ambitious policy will be required to achieve this.

Property level resilience can be effective. There is scope to include 'betterment' when insurance payments are being made following a flood, but it is unlikely a company would voluntarily include this without policy direction to do so.

Upper catchment measures and property level resilience should be prioritised, alongside hard defences, particularly in areas of high flood risk. Carlisle could be used as a pilot for such an approach.

7. Is there a case for a national committee, on the model of the Natural Capital Committee, to advise the government on the value of the built environment?

From the point of view of climate resilience and water and environmental management in the built environment, there is a real need for greater buy-in by DCLG (and other departments) and cross-departmental working to ensure that we have high quality, resilient built environments.

We do not consider there is a need for an additional committee as there are already two committees that can provide sufficient advice to Government on the value of the built environment. The adaptation sub-committee of the Committee on Climate Change would be able to provide advice on resilience whilst the Natural Capital Committee could advise on ecosystem services associated with nature in the built environment, spatial and catchment-related issues as well as wider issues surrounding health and wellbeing (including mental health) which relate to the built environment.