

Planning For The Future – White Paper August 2020

Consultation Questions and Association of Noise Consultants (ANC) Responses – 29/10/20

The consultation questions are reproduced below in green text with the ANC's response to each unlined:

1. What three words do you associate most with the planning system in England?

No comment

2(a). Do you get involved with planning decisions in your local area? [Yes / No]

The Association of Noise Consultants (ANC) represents Acoustics and Noise Consultants who regularly assist and inform planning applications on behalf of developers of all sizes; assessing the potential noise and vibration impact of the environment on development and the potential impact of the development on the existing locality. We act within local and national planning policies and frequently must make sense of the varying policies in neighbouring authorities on behalf of our clients. In some cases, our members may also advise planning authorities on the impacts of noise and vibration from proposed developments.

The scope of this consultation does not limit it from covering planning for all development types although the content is clearly focused on residential development. The ANC's response is therefore limited to the planning of new residential and associated development and the effective implementation of the Government's policy on noise management. The way in which noise sources (roads, railways, industry, etc) are assessed under EIA processes has specific noise assessment guidance, and we assume that nothing in this proposal will affect that.

2(b). If no, why not? [Don't know how to / It takes too long / It's too complicated / I don't care / Other – please specify]

Not applicable

3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future?
[Social media / Online news / Newspaper / By post / Other – please specify]

Whilst the use of new technology is welcomed, people without access to such technology must not be disadvantaged.

4. What are your top three priorities for planning in your local area?
[Building homes for young people / building homes for the homeless / Protection of green spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street / Supporting the local economy / More or better local infrastructure / Protection of existing heritage buildings or areas / Other – please specify]

The ANC is a national body and does not have a view on local issues, however, we feel that it is important to maintain the standards of homes and communities with respect to acoustics and noise issues. Building Regulations regarding sound insulation within and between homes must not be weakened and the potential health effects of ambient Noise (road, rail and air traffic, etc) entering homes should be considered at the planning stage. An appropriate level of noise emission from new development must be considered in placemaking proposals. Potential noise effects of otherwise sustainable measures (such as air source heat pumps) must be appropriately controlled.

It is essential that for any priority, consideration of the acoustics and noise management issues must occur at the appropriate time in the proposals so that the Government's policy on noise can be effectively implemented.

5. Do you agree that Local Plans should be simplified in line with our proposals?
[Yes / No / Not sure. Please provide supporting statement.]

Whilst the principle of simplifying local plans is supported, there must be adequate resource of qualified personnel at local authorities to enable this and there should be a commitment from the government to provide this.

Noise impacts and the required noise management must be considered at the appropriate time. New housing could be significantly affected by noise and require Good Acoustic Design to address this on any type of land, so that the Government's policy on noise is effectively implemented, achieving suitable noise standards and design needs across all land subject to development. Without proper attention, there is potential that, for example, housing is permitted in very noisy parts of Growth areas; without suitable noise assessment the health and well-being of future residents will suffer.

It is also important that the planning process serves to protect existing noise sensitive development from a significant change in the noise environment that can result from new residential development and its associated infrastructure.

Some local authorities adopt more stringent standards to protect health and quality of life based on local conditions and evidence they have researched locally. We feel that local authorities should continue to have the freedom to apply more stringent local noise standards where they have a local evidence base to support this approach. The simplification should not preclude this flexibility.

6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally?
[Yes / No / Not sure. Please provide supporting statement.]

Whilst the principle of streamlining development management of local plans is supported, there must be adequate resource of qualified personnel at local authorities to enable this and there should be a commitment from the government to provide this.

Whilst we can and should assess noise impacts from new noise sources in a local context, the effective management of noise to protect health and quality of life in and around new homes should in general be consistent across all parts of the country, so a set of common generic design goals for new housing is supported.

However, as indicated above, we feel local authorities should maintain freedom to apply more stringent local noise standards to protect health and quality of life with respect to certain types of noise source and noise sensitive development in the local context, where they have a local evidence base to support this approach. The streamlining should not preclude this flexibility.

7(a). Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of "sustainable development", which would include consideration of environmental impact?
[Yes / No / Not sure. Please provide supporting statement.]

We are concerned that the language used when launching this consultation implied the potential dilution of environmental standards, specifically with regard to the Prime Minister's comments about 'counting newts'. We would support a robust sustainability assessment framework that does not reduce any of the current environmental protection policies. Regarding sound, noise and vibration specifically, the framework should support the Noise Policy Statement for England and give equal weight to noise compared to other environmental factors that can also have health effects.

Local Plans that include development of major noise sources should include appraisals of the potential impact and management of these sources, in line with Government policy on noise management.

At present there is insufficient detail to know how this could work in practice to meet local needs. What is considered a sustainable development in a low noise sensitive area may not be the case in a high noise sensitive area.

7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?

No comment, The ANC is a national body and does not have a view on local issues

8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced?

[Yes / No / Not sure. Please provide supporting statement.]

No Comment

8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?

[Yes / No / Not sure. Please provide supporting statement.]

No Comment

9(a). Do you agree that there should be automatic outline permission for areas for substantial development (*Growth* areas) with faster routes for detailed consent?

[Yes / No / Not sure. Please provide supporting statement.]

Any permission should be subject to the design and location being appropriate considering the local ambient noise climate. The adoption of pre-approved forms of development risks stifling creative and novel building techniques which should be encouraged.

We have concerns that housing proposals may be approved by a fast track process that does not properly take account of the need for Good Acoustic Design to mitigate potential adverse effects of noise on the health and quality of life both for existing and future residents.

9(b). Do you agree with our proposals above for the consent arrangements for *Renewal* and *Protected* areas?

[Yes / No / Not sure. Please provide supporting statement.]

In general, provided there is a process to assess noise impacts so that Government policy on noise can be effectively implemented. This could include a risk assessment approach such as that laid out in Professional Practice Guidance: Planning and Noise – New Residential Development 2017, to allow developments in low risk noise sites to proceed without further detailed noise assessment. This document is referenced in the Government's Planning Practice Guidance on Noise: <https://www.gov.uk/guidance/noise--2>

The framework should support the Noise Policy Statement for England and give equal weight to noise compared to other environmental factors that can also have health effects.

9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime?

[Yes / No / Not sure. Please provide supporting statement.]

Any permission should be subject to the design and location being appropriate considering the local ambient noise climate.

This said, the current DCO process requires an Environmental Impact Assessment that requires full noise assessment, meaning that the requirements of the Government's noise policy can be met.

10. Do you agree with our proposals to make decision-making faster and more certain?

[Yes / No / Not sure. Please provide supporting statement.]

Whilst the principle of faster decision making is supported, there must be adequate resource of qualified personnel at local authorities to enable this and there should be a commitment from the government to provide this.

The process must allow Environmental Health departments adequate time and resources to comment on environmental impacts, including noise, and to set appropriate planning conditions to avoid significant adverse effects and so that adverse effects are mitigated and reduced to a minimum. In our experience the level of suitably skilled practitioners within local authorities is not sufficient at present and needs to be increased. The level of scrutiny and consultation available must be suitable and proportionate to the development proposals. Community members who move to an area following adoption of the local plan (which could cover a period of 20 years) should be adequately consulted on subsequent local development proposals that could affect them, and this should be supported.

11. Do you agree with our proposals for accessible, web-based Local Plans?
[Yes / No / Not sure. Please provide supporting statement.]

Yes, in principle, provided adequate resources are available for local authorities, and the information is adequately accessible to all consultees (some consultees will not have internet access). Information related to potential noise impacts and their proposed management can generally be presented clearly web based.

12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans?
[Yes / No / Not sure. Please provide supporting statement.]

Whilst the principle is supported, there must be adequate resource of qualified personnel at local authorities to enable this and there should be a commitment from the government to provide this.

13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system?
[Yes / No / Not sure. Please provide supporting statement.]

Yes

13(b). How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?

Whilst the use of new technology is welcomed, people without access to such technology must not be disadvantaged. The adoption of pre-approved forms of development based on community preferences risks stifling creative and novel building techniques which should be encouraged.

14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support?
[Yes / No / Not sure. Please provide supporting statement.]

No Comment

15. What do you think about the design of new development that has happened recently in your area?
[Not sure or indifferent / Beautiful and/or well-designed / Ugly and/ or poorly-designed / There hasn't been any / Other – please specify]

No comment, The ANC is a national body and does not have a view on local issues

16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?
[Less reliance on cars / More green and open spaces / Energy efficiency of new buildings / More trees / Other – please specify]

The ANC is a national body and does not have a view on local issues, however, we feel that it is important to maintain the standards of homes and communities with respect to acoustics and noise issues. Building Regulations regarding sound insulation within and between homes must not be weakened and the potential health effects of ambient Noise (road, rail and air traffic, etc) entering the home should be considered at the planning stage. An appropriate level of noise emission from new development must be considered in placemaking proposals. Potential noise effects of otherwise sustainable measures (such as air source heat pumps) must be appropriately controlled.

17. Do you agree with our proposals for improving the production and use of design guides and codes?
[Yes / No / Not sure. Please provide supporting statement.]

The ANC is a national body and does not have a view on local issues, however, we feel that it is important to maintain the standards of homes and communities with respect to acoustics and noise issues. Building Regulations regarding sound insulation within and between homes must not be weakened and the potential health effects of ambient Noise (road, rail and air traffic, etc) entering the home should be considered at the planning stage. An appropriate level of noise emission from new development must be considered in placemaking proposals. Potential noise effects of otherwise sustainable measures (such as air source heat pumps) must be appropriately controlled.

The proposed National Design Code should include acoustics, and the ANC would be happy to help provide the necessary input and/or to be consulted. There are a number of well-established standards and guidelines that are in use and should be referenced, including Professional Practice Guidance; Planning and Noise - New Residential Development, 2017 and BS 8233:2014 Guidance on sound insulation and noise reduction for

buildings, and BS 4142:2014 Methods for rating and assessing industrial and commercial sound. The first two of these are already referenced in the Government's Planning Practice Guidance on noise <https://www.gov.uk/guidance/noise--2>

18. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making?
[Yes / No / Not sure. Please provide supporting statement.]

Whilst the principle is supported:

1. Design encompasses far more than the visual appearance of buildings;
2. The Building Regulations control process must not be undermined, or any replacement must ensure noise is controlled to at least the same standard;
3. There must be adequate resource of qualified personnel at local authorities to enable this and there should be a commitment from the government to provide this.

The ANC supports the establishment of any body that will help to ensure Good Acoustic Design is applied throughout. The membership of this new body should include a wide range of technical specialists including an acoustics specialist(s).

In addition to an LPA chief officer for design and placemaking, there needs to be a lead officer for environmental impact/sustainability/health (in a planning context) to ensure environmental impact/sustainability/health considerations are given adequate weight.

19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?
[Yes / No / Not sure. Please provide supporting statement.]

Whilst the principle is supported:

1. Design encompasses far more than the visual appearance of buildings;
2. The Building Regulations control process must not be undermined, or any replacement must ensure noise is controlled to at least the same standard;

Any body that helps to ensure good design including Good Acoustics Design is supported.

20. Do you agree with our proposals for implementing a fast-track for beauty?
[Yes / No / Not sure. Please provide supporting statement.]

Whilst the principle is supported:

1. Design encompasses far more than the visual appearance of buildings;
2. The Building Regulations control process must not be undermined, or any replacement must ensure noise is controlled to at least the same standard;

21. When new development happens in your area, what is your priority for what comes with it?
[More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space / Don't know / Other – please specify]

The ANC is a national body and does not have a view on local issues, however, we feel that it is important to maintain the standards of homes and communities with respect to acoustics and noise issues.

22(a). Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold?
[Yes / No / Not sure. Please provide supporting statement.]

No Comment

22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?
[Nationally at a single rate / Nationally at an area-specific rate / Locally]

No Comment

22(c). Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities?

[Same amount overall / More value / Less value / Not sure. Please provide supporting statement.]

No Comment

22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?

[Yes / No / Not sure. Please provide supporting statement.]

No Comment

23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?

[Yes / No / Not sure. Please provide supporting statement.]

No Comment

24(a). Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present?

[Yes / No / Not sure. Please provide supporting statement.]

No Comment

24(b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities?

[Yes / No / Not sure. Please provide supporting statement.]

No Comment

24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk?

[Yes / No / Not sure. Please provide supporting statement.]

No Comment

24(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality?

[Yes / No / Not sure. Please provide supporting statement.]

No Comment

25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?

[Yes / No / Not sure. Please provide supporting statement.]

No Comment

25(a). If yes, should an affordable housing 'ring-fence' be developed?

[Yes / No / Not sure. Please provide supporting statement.]

No Comment

26. Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?

Whilst the use of new technology is welcomed, people without access to such technology must not be disadvantaged; this includes those with access issues due to health issues or disability.

Exposure to noise can adversely impact on health and quality of life and therefore we need to ensure that the proposals do not inadvertently worsen the noise environment because proper consideration of the acoustics issues did not occur. If that were to occur, it could disproportionately adversely affect the health and wellbeing of the members of the community who could be particularly vulnerable to this, e.g. disabled, communities disproportionately affected by deprivation etc.