

Appendix 1: Consultations responses to questions

Reforming the 5 year housing land supply (5YHLS)

- Q1. Do you agree that local planning authorities should not have to continually demonstrate a deliverable 5-year housing land supply (5YHLS) for as long as the housing requirement set out in its strategic policies is less than 5 years old?**

Yes. This approach will provide the best opportunity for communities to have a say in where new housing is built and to ensure new homes are built in sustainable locations supported by sufficient and the right infrastructure. As it only comes into play when a local plan is up to date it should be a strong incentive to encourage local authorities to ensure they have up to date local plans.

- Q2. Do you agree that buffers should not be required as part of 5YHLS calculations (this includes the 20% buffer as applied by the Housing Delivery Test)?**

Yes. Although the original reasoning behind the buffers is understood, their existence has added further complication, uncertainty and opportunities for challenge to the calculation of the 5YHLS. So long as the 5YHLS is robust and deliverable it is our view that the need for buffers should be deleted from the supply calculations. Removal will simplify the calculation and make 5YHLS calculations clearer for the public. With this amendment a 5YHLS will mean exactly that, not 5 years plus buffers as is currently the situation.

- Q3. Should an oversupply of homes early in a plan period be taken into consideration when calculating a 5YHLS later on, or is there an alternative approach that is preferable?**

Yes. This would be an appropriate way forward. The guidance around oversupply should be amended, so that historical oversupply can be included in 5YHLS calculations. The position on oversupply should be the same as undersupply when calculating 5YHLS.

- Q4. What should any planning guidance dealing with oversupply and undersupply say?**

Planning guidance needs to be clear on how the oversupply or undersupply should be calculated, for example the time period that is relevant and what housing figure the over or under supply is counted against (for example if an adopted plan has a lower number). This calculation should apply to Local Planning Authorities that don't have an up-to-date housing supply as well as those Local Planning

Authorities which do. The guidance should also be clear whether or not there is a threshold at which under or over supply is taken into account.

The proposed changes set out in new paragraph 75 of the NPPF mean that when the housing requirement set out in adopted strategic policies is more than five years old, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their local housing need (taking into account any previous under or over-supply...). This is different from the previous wording which includes 'against their housing requirement as set out in adopted strategic policies'. This implies that the five-year supply will be measured against the standard method rather than any locally set figure.

Boosting the status of Neighbourhood Plans

Q5. Do you have any views about the potential changes to paragraph 14 of the existing Framework and increasing the protection given to neighbourhood plans?

We support the proposed changes to paragraph 14 of the NPPF. The increased protection for Neighbourhood Plans (NPs) in circumstances where the LPA's policies for the area covered by a NP are out of date is welcome. Communities invest a considerable amount of time and effort into producing NPs and have an expectation, quite rightly, that their views will carry weight. The proposed changes will ensure that areas with a NP which is less than 5 years old will now be given strong protection against speculative development, even in circumstances where a LPA has low housing land supply or poor housing delivery.

Given the time and effort in producing neighbourhood plans, more flexibility should be allowed for communities to bring forward neighbourhood plans which accord with a Local Plan that has reached an advanced stage in preparation, particularly where they have a key role to play in housing delivery and the support of the local community.

Chapter 4 – Planning for housing

Q6. Do you agree that the opening chapters of the Framework should be revised to be clearer about the importance of planning for the homes and other development our communities need?

Yes. The proposed changes to paragraph 1 and 7 are very welcome as they emphasise that it is essential that the provision of new homes must be supported by all necessary infrastructure (as the perceived lack of infrastructure supporting housing delivery is a barrier to communities accepting new housing) and be

undertaken in a sustainable manner. The changes to paragraph 1 also emphasise the importance of the plan led system in providing for sufficient housing.

Local housing need and the standard method

Q7. What are your views on the implications these changes may have on plan-making and housing supply?

The text accompanying this question makes it clear that the standard method formula is not part of the consultation but that the implications on the standard method of the new household projections data based on the 2021 Census (due to be published in 2024) will be reviewed. However, without this review of the data used for the standard method, authorities will not be able to start plan making under the new system unless it is in place by November 2024. It is also not clear if there will be any further consultation on the implications of the new data or whether it will be imposed through an update to the Planning Practice Guidance (PPG).

The changes to policies 60 – 67 of the NPPF make it clear that the outcome of the standard method calculation is an advisory starting point for establishing the housing requirement for the area. It then goes on to refer to exceptional circumstances *“relating to the particular characteristics of an authority which justify an alternative approach to assessing housing need; in which case the alternative used should also reflect current and future demographic trends and market signals”*. The supporting explanation in the consultation document states that these changes are designed to *“support local authorities to set local housing requirements that respond to demographic and affordability pressures while being realistic given local constraints”*. However, there is no information about what ‘local constraints’ means. There needs to be more clarity on what can be taken into account or, if the intention is to allow full local flexibility on what can be considered, then this should be made clear. If it is not clear either way, then there will be challenges to local authorities at examination which will slow down the plan making process and result in more uncertainty.

If the changes enable local authorities to set local housing requirements which give realistic weight to local evidenced constraints, then this is welcomed as Chichester District is a highly constrained area. [There are also issues with changing constraints throughout the plan making process.](#) Such proposals would give the public and communities more faith in the process of housing delivery and plan-making, as it would be clear local constraints are being taken into account in the overall assessment, with a focus on place-making rather than meeting housing numbers. Being clearer about how local constraints can be taken into account as part of a local plan examination would also provide more certainty and clarity to the local authority when bring forward our current and future plans, in terms of

confidence of the approach taken and the level of evidence required, which would ultimately speed up Local Plan delivery.

Introducing new flexibilities to meeting housing needs

Q8. Do you agree that policy and guidance should be clearer on what may constitute an exceptional circumstance for the use of an alternative approach for assessing local housing needs? Are there other issues we should consider alongside those set out above?

Yes, it would be very helpful if the policy and guidance is clearer on what may constitute exceptional circumstance for the use of an alternative approach for assessing local housing needs, the lack of clarity will leave it open to local interpretation. Other issues that should be included in the NPPF and considered as exceptional circumstances (other than those set out) should include failing infrastructure where costings for upgrades have not been established, especially when the mechanism for resolving the failing is outside of the Local Plan or the LPA's control (e.g., National Highways road network, sewerage infrastructure) or the costs associated with remedying the failing should not and cannot be borne solely by new development. Where the Local Plan area is significantly constrained due to environmental constraints – National Park, AONB, Ancient Woodland, environmental designations, ensuring wildlife corridors and habitat connectivity, flood risk, Best and Most Versatile Agricultural Land (BMV), etc these issues should also be capable of being taken into account where they are constraining the supply of available land. The Chichester southern plan area is effectively squeezed by a multitude of these important constraints, and the geography of the area, reducing the amount of suitable land available for development without significant adverse impact.

The addition of the wording relating to 'densities significantly out of character' to paragraph 11 (b) ii is giving this potential adverse impact more prominence than other potential impacts. It's not clear why this is necessary as the 11(b) ii refers to the Framework as a whole, which would cover the impact of building at densities that are out of character with the existing area.

Q9. Do you agree that national policy should make clear that Green Belt does not need to be reviewed or altered when making plans, that building at densities significantly out-of-character with an existing area may be considered in assessing whether housing need can be met, and that past over-supply may be taken into account?

Whilst there is no Green Belt within Chichester plan area, we disagree that ~~No comment on making policy clear that the g~~Green Belt does not need to be reviewed or altered as a lack of review of Green Belt may lead to displacement of

development onto other areas with landscape and environmental constraints, such as Chichester no Green Belt in the Chichester plan area.

Yes, agree that building at densities significantly out-of-character with an existing area should be considered in assessing whether housing need can be met.

Yes, agree that past over-supply should be taken into account when calculating 5YHLS.

However, the framing of this section and the 3 changes that are proposed implies that these are the only 3 factors which authorities can consider when proposing a housing requirement below their housing need figure, as set out in our responses on Qs 7 and 8, this should not be the case.

Q10. Do you have views on what evidence local planning authorities should be expected to provide when making the case that need could only be met by building at densities significantly out-of-character with the existing area?

The evidence needed would need to demonstrate the impact of new development at differing densities on the character of the plan area. This would require that the character of the plan area is assessed in sufficient detail to be able to determine what the impacts would be and when a development of a certain density breaches the 'out of character' trigger. This would then need to be used to assess the potential housing capacity in the plan area which could come forward whilst retaining the character of the area. Density is also only one aspect of the impact on local character, for example, the proportion of site/area that needs to be outside of the 'developable area' to retain local character should also be a consideration. Design codes or design guides (if in place) and landscape character assessments would also have a role to play in determining appropriate densities.

Q11. Do you agree with removing the explicit requirement for plans to be 'justified', on the basis of delivering a more proportionate approach to examination?

Yes, in theory removing the requirement could deliver more proportionate approach to the examination of plans. However, there is a tension in the proposed changes between removing the test for plans to be justified and evidence based and the need to provide evidence to justify a housing requirement below the local housing need figure 'so long as proposals are evidenced'. There are no other proposed changes to the NPPF which would result in less evidence being needed to support the preparation of a local plan. For example, a Strategic Flood Risk Assessment is still required under paragraph 163, a Transport Study will still be required to determine the impacts of development on transport networks (para 106). It is not clear what evidence won't be required. Having sufficient evidence to support a local plan is important and paragraph 31 of the draft NPPF still refers

to “*relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned...*”. Further detail is needed on how the removal of the ‘justified’ test will actually impact on plan preparation and examinations and what a ‘proportionate approach’ to an examination means when compared to the current approach?

Q12. Do you agree with our proposal to not apply revised tests of soundness to plans at more advanced stages of preparation? If no, which if any, plans should the revised tests apply to?

Yes, it seems like a reasonable approach to take, given that more advanced plans have been prepared to meet the current tests of soundness.

Q13. Do you agree that we should make a change to the Framework on the application of the urban uplift?

No comment.

Q14. What, if any, additional policy or guidance could the department provide which could help support authorities plan for more homes in urban areas where the uplift applies?

No comment.

Q15. How, if at all, should neighbouring authorities consider the urban uplift applying, where part of those neighbouring authorities also functions as part of the wider economic, transport or housing market for the core town/city?

No comment (we are not a neighbouring authority next to one of the 20 urban uplift authorities).

Enabling communities with plans already in the system to benefit from changes

Q16. Do you agree with the proposed 4-year rolling land supply requirement for emerging plans, where work is needed to revise the plan to take account of revised national policy on addressing constraints and reflecting any past over-supply? If no, what approach should be taken, if any?

Yes, we agree with a reduced housing land supply requirement of 4 years. This will, in our view, reduce the risk of speculative development while local authorities work towards getting local plans adopted. [The protection period of 2 years may be insufficient for those plans that have only reached Regulation 18 consultation](#)

at the time when the changes to the NPPF take place, due to the time it can take from Regulation 18 to adoption of a plan.

Q17. Do you consider that the additional guidance on constraints should apply to plans continuing to be prepared under the transitional arrangements set out in the existing Framework paragraph 220?

Yes, although this would not apply to the Chichester Local Plan as it is not being prepared under the transitional arrangements in the current NPPF paragraph 20.

Taking account of permissions granted in the Housing Delivery Test (HDT)

Q18. Do you support adding an additional permissions-based test that will ‘switch off’ the application of the presumption in favour of sustainable development where an authority can demonstrate sufficient permissions to meet its housing requirement?

Yes. It is unreasonable to penalise a local planning authority with regard to housing delivery when sufficient permissions have been issued but slow delivery results from developer behaviour.

Q19. Do you consider that the 115% ‘switch-off’ figure (required to turn off the presumption in favour of sustainable development Housing Delivery Test consequence) is appropriate?

A 15% contingency based on the number of permissions that are not likely to be progressed seems reasonable. Do not agree, however, that applications which are revised will not come forward. The fact that an applicant / developer is spending money on revising an application is surely evidence that they are looking at ways to make it possible to bring the site forward.

Consideration needs to be given to ensuring that any delivery tests are not able to be circumvented by land banking.

Q20. Do you have views on a robust method for counting deliverable homes permissioned for these purposes?

Agree that the number of homes rather than the number of permissions should be assessed. The AMR (annual monitoring review) process would be sufficient to undertake this assessment, referring to the description of development on decision notices. No need for national prescribed method.

Q21. What are your views on the right approach to applying Housing Delivery Test consequences pending the 2022 results?

The 2022 HDT results are due to be published soon (they are usually published the end January or in February). The 2022 results should be published as normal. Until any amendments are made to the NPPF (as a result of this consultation), the HDT, including buffers, should be applied as set out in the current NPPF.

Chapter 5 – A planning system for communities

Q22. Do you agree that the government should revise national planning policy to attach more weight to Social Rent in planning policies and decisions? If yes, do you have any specific suggestions on the best mechanisms for doing this?

Yes. We need to be able to respond to the greatest need within our communities and those on lower incomes are unlikely to have an opportunity to get onto the housing market, even with discounted house prices. We need a continuous reservoir of this level of this type of housing. However, the introduction of the government's First Homes requirements have, in practice, reduced the proportion of homes that are available for social rent. There are no changes to the NPPF to address this as the consultation is seeking suggestions for how to attach more weight to social rent in policies and decisions. Any changes to the NPPF need to consider and resolve the tensions between the stated aims of increasing social housing and ensuring home ownership is affordable. There also needs to be consideration of the viability impact of increasing social rent and being mindful of ensuring that discounted homes for sale continue to be part of the overall tenure mix. The introduction of a required percentage for social rent, similar to the first homes requirement would be a possible mechanism to give more weight to social rent but there also needs to be flexibility to allow the LPA and local housing authority to respond to individual circumstances.

Q23. Do you agree that we should amend existing paragraph 62 of the Framework to support the supply of specialist older people's housing?

Yes. The proposed change to paragraph 62 provides clarification of the type of housing that should be included when assessing the need for older persons accommodation. This is already considered through the evidence that we gather as part of the Housing and Economic Needs Assessment (HEDNA). There should be a recorded need for this type of housing, but it should be means-tested. Care homes as a Use Class should be dealt with on their merits according to the development strategy of the Council.

As well as recognising the need for older people's housing, more should be done to prevent the loss of existing provision, particularly care homes.

Q24. Do you have views on the effectiveness of the existing small sites policy in the National Planning Policy Framework (set out in paragraph 69 of the existing Framework)?

The existing small sites policy in the NPPF needs to be reviewed to determine whether it has been successful at bringing forward small sites and whether this has been at the expense of the delivery of larger sites which can achieve more affordable housing. The requirement for 10% of housing to be delivered on small sites may not reflect the best strategy for delivering housing for an authority. Notwithstanding the comment above, the tools referred to currently in paragraph 69 of the existing NPPF are sufficient. There is also a need to be mindful that the focus on increasing small sites does not undermine the delivery of affordable housing, or encourage the artificial sub-division of sites to circumvent the requirement to provide affordable housing or key infrastructure.

Q25. How, if at all, do you think the policy could be strengthened to encourage greater use of small sites, especially those that will deliver high levels of affordable housing?

As initial views are only being sought at this stage, it's not clear how the policy could be strengthened or what is meant by 'greater use of small sites'. If this means small rural exception sites for affordable housing, then this would be acceptable as most Councils have their own 'exception' policy.

Q26. Should the definition of "affordable housing for rent" in the Framework glossary be amended to make it easier for organisations that are not Registered Providers – in particular, community-led developers and almshouses – to develop new affordable homes?

Good idea in principle but would need to be carefully defined. Individual organisations would need to undergo due diligence testing.

Q27. Are there any changes that could be made to exception site policy that would make it easier for community groups to bring forward affordable housing?

If looking to promote more community groups, this should be clearly expressed within the NPPF and clearly defined to ensure applicants are credible and viable.

Q28. Is there anything else that you think would help community groups in delivering affordable housing on exception sites?

Reasonable and realistic land valuations – need some certainty over the 'hope value' of land – aided by up-to-date development strategy and consistent appeal decisions that resist development that doesn't accord with the strategy. Should be

helped by the evolving definition of 'need' – especially in rural areas, as it's not just about 'need' as we have other constraints, e.g., AONB. If the Government could provide grants, that could help community groups bring housing forward.

Q29. Is there anything else national planning policy could do to support community-led developments?

No, not aware of any local issues that have arisen that would influence an answer to this question.

Q30. Do you agree in principle that an applicant's past behaviour should be taken into account into decision making? If yes, what past behaviour should be in scope?

In relation to enforcement matters, perhaps yes, as persistent offenders can undermine confidence in the planning system – communities want certainty and clarity, and if that is exploited for personal benefit and profit, confidence is lost. Should remove the facility for retrospective applications. However, there is concern on the lack of definition of 'persistent offenders' and the difficulties with enforcing these requirements consistently. Adequate resources would need to be available to enforce the system.

Q31. Of the 2 options above, what would be the most effective mechanism? Are there any alternative mechanisms?

Option 1: making such behaviour a material consideration – need more stringent punishment for repeat offenders if Option 1 is considered the best option. Due diligence required as companies/repeat offenders could change company name or submit operate under another name.

Option 2: enabling a LPA to decline to determine an application – bit punitive. But this option is a good one if you don't have stringent punishments in place to ensure the transgressor learns the lesson. It may be that someone has genuinely made a mistake and is seeking to make amends.

Q32. Do you agree that the 3 build out policy measures that we propose to introduce through policy will help incentivise developers to build out more quickly? Do you have any comments on the design of these policy measures?

Yes.

- a. Publish data on sites over a certain size, in cases where they fail to build out according to their commitments.

- b. Developers will be required to explain how they propose to increase the diversity of housing tenures (won't be able to sit back and wait to maximise their profits). Land-banking is a big problem, so this would be an effective measure.
- c. NPPF will highlight that delivery can be a material consideration – slow delivery rate could be refused

Again, need firmness and consistency from PINS to ensure support for the intent of Government policy on this.

Chapter 6 – Asking for beauty

Q33. Do you agree with making changes to emphasise the role of beauty and placemaking in strategic policies and to further encourage well-designed and beautiful development?

Yes, providing 'beauty' is ~~explicitly-properly~~ defined.

Q34. Do you agree to the proposed changes to the title of Chapter 12, existing paragraphs 84a and 124c to include the word 'beautiful' when referring to 'well-designed places' to further encourage well-designed and beautiful development?

Yes, but need to avoid it being a purely subjective interpretation. Need demonstrable objectivity to define what it means in each individual case.

Q35. Do you agree greater visual clarity on design requirements set out in planning conditions should be encouraged to support effective enforcement action?

Yes, goes back to needing to define it objectively, and having clear design codes.

Q36. Do you agree that a specific reference to mansard roofs in relation to upward extensions in Chapter 11, paragraph 122e of the existing framework is helpful in encouraging LPAs to consider these as a means of increasing densification/creation of new homes? If no, how else might we achieve this objective?

No, as Mansard roofs are not always characteristic of an area - overly prescriptive and will not be acceptable everywhere. What would the Cotswold alternative be for example? Need to reflect the individual design codes/guides of each authority.

Q37. How do you think national policy on small scale nature interventions could be strengthened? For example, in relation to the use of artificial grass by developers in new development?

Most development covered by Biodiversity Net Gain (BNG). Sterile environments and materials are discouraged but not banned by this system. A negative rating for such sterile environments would discourage their use further. BNG is focused on habitats, which means that small scale species enhancements such as boxes, bricks and pass throughs may now be de-prioritised as they do not count towards BNG. Such measures should be incorporated into the NPPF, but allow for local applicability. Sterile paving and artificial grass is low maintenance, planting and trees require maintenance and LPAs need the resource to enforce the 30 year provision within BNG and extend this to other biodiversity gains such as boxes and bricks

Food production

Q38. Do you agree that this is the right approach making sure that the food production value of high value farm land is adequately weighted in the planning process, in addition to current references in the Framework on best most versatile agricultural land?

Yes, and it is positive that the importance of the most versatile agricultural land is acknowledged without prejudicing the delivery of nature recovery and ecosystem services to offset new development. The revised footnote 67 includes the following new text *"the availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for development"*. The consultation says that the change adds detail on the relative value of agricultural land for food production, however it is not clear how the proposed change would consider the relative value of the land for food production or what difference it would make in practice or add to the current system. The south of the Chichester plan area has a high proportion of Grade 1 and 2 agricultural land, similar of other areas of coastal plain, which when looked at on a regional level shows the importance of the resource. It is not clear if or how this is to be considered or what weight should be attached (or what is meant by 'adequately weighted') to it if 'significant development of higher grade land is demonstrated to be necessary' – which it inevitably is in an area which faces other constraints. The consultation refers to the government's food strategy and the importance of food security, but doesn't provide any evidence to aid authorities in understanding which areas of the country have the most important role in ensuring food security. This needs to be considered and evidenced on a national or regional basis.

Q39. What method or measure could provide a proportionate and effective means of undertaking a carbon impact assessment that would incorporate all measurable carbon demand created from plan-making and planning decisions?

The Future Buildings Standard covers energy in use for space and water heating. However it does not cover the embodied carbon in the development or the transport impacts. A standard methodology for embodied carbon reporting, with certification of standard building products would be a big step forward in this regard.

For planning decisions, any method should include post development validation to demonstrate implementation/ effectiveness of measures.

Q40. Do you have any views on how planning policy could support climate change adaptation further, specifically through the use of nature-based solutions that provide multi-functional benefits?

Tree lined streets are a key element of the NPPF (para 131), but it should go further to ensure retention of existing tree to provide shade and prevent overheating. Many trees on new developments are not watered and many die before establishment. Conditions ensure replacement, which are then also left to die as there are no penalties that incentivise maintenance. This should be one of the elements of past behaviour that LPAs should be able to take into account under Q30 and Q31 of this consultation.

As a coastal authority room needs to be made at the coast for avoiding coastal squeeze and to allow for the creation and restoration of mudflats and saltmarsh. There should be a presumption against replacement of private sea defences on the same line where inter tidal habitats exist in front of them and where the defence is protecting garden or farmland rather than a built structure immediately next to the coast, unless there are individual circumstances where this would not be appropriate.

The consultation refers to a review of policy and guidance in relation to the production of Strategic Flood Risk Assessments (SFRAs), to make updates more frequent. Any future review needs to take into account the time it takes for SFRAs to be produced - which can be considerable, especially due to the complex modelling, need for input from the Environment Agency and other stakeholders and need to respond to changes in policy.

Q41. Do you agree with the changes proposed to Paragraph 155 of the existing National Planning Policy Framework?

Yes, to extend or renew the life of existing windfarms is considered very positive.

Q42. Do you agree with the changes proposed to Paragraph 158 of the existing National Planning Policy Framework?

Yes, the significant weight given to increasing renewable energy development is positive.

Q43. Do you agree with the changes proposed to footnote 54 of the existing National Planning Policy Framework? Do you have any views on specific wording for new footnote 62?

It is considered that the requirement for community support should be removed from footnote 62. This is not measurable, and applications for renewable energy developments should be considered in the same way as any other application for development. If it is acceptable in planning terms this should suffice.

Q44. Do you agree with our proposed Paragraph 161 in the National Planning Policy Framework to give significant weight to proposals which allow the adaptation of existing buildings to improve their energy performance?

Yes, the significant weight given to increasing energy performance, whilst also recognising the need to protect heritage assets is positive.

Q45. Do you agree with the proposed timeline for finalising local plans, minerals and waste plans and spatial development strategies being prepared under the current system? If no, what alternative timeline would you propose?

The timeline for submission of local plans under the existing legal framework by 30 June 2025 is reasonable and Chichester District Council are on track to submit the Chichester Local Plan 2021 – 2039 before that date with adoption by autumn 2024. However, the submission of the Site Allocation DPD (which forms a second part of the Local Plan to allocate any sites which have not come forward through the neighbourhood planning process and to define the Southbourne Broad Location for Development) is not due to be submitted until summer 2026. The implications for this document are therefore unclear.

The cut off date for plans to be adopted (by 31 December 2026) is not going to work in practice, as local planning authorities have less control over the plan timetable once it has been submitted. There is no need for a cut off date for adoption, only a cut off date for submission.

Q46. Do you agree with the proposed transitional arrangements for plans under the future system? If no, what alternative arrangements would you propose?

The timeline for transitioning to the new system needs to make it clearer that the November 2024 date at which LPAs with a plan over five years old must begin the

new plan making process does not apply where they are progressing a plan under the current system and aiming for the 30 June 2025 cut-off date.

The timescale of 30 months to complete a plan will be very challenging, as plan making can be delayed due to factors, some of which are outside the control of the local planning authority such as delays to consultee responses, responding to changes in national guidance, finding solutions to complex planning issues, reliance on planning inspectorate timescales-

Q47. Do you agree with the proposed timeline for preparing neighbourhood plans under the future system? If no, what alternative timeline would you propose?

Yes, the cut off date of 30 June 2025 for neighbourhood plans to be submitted for examination under the existing legal framework is reasonable.

Q48. Do you agree with the proposed transitional arrangements for supplementary planning documents? If no, what alternative arrangements would you propose?

There is insufficient detail about the new 'Supplementary Plans' to determine what role they have alongside Local Plans – if they are to have the same weight, as suggested in the consultation, then will they be subject to the same level of examination?

It is not clear what the issue is that this change is seeking to address? SPDs are useful tools for additional detail and guidance to support Local Plans. In relation to the transitional arrangements, they do not take into account that SPDs are normally prepared after a local plan has been adopted, so valuable guidance could be lost in the interim period if current SPDs cease to have effect.

Development Management

Q49. Do you agree with the suggested scope and principles for guiding National Development Management Policies?

Yes, if it provides greater clarity.

Scope:

1. extract DM policies from the NPPF and review them for new document – fine. Need to ensure there's still a flow between the docs so that people can understand where the policies have come from.
2. Select new additions to reflect new priorities – would be helpful where information isn't necessarily as obtainable at a local level, e.g. energy performance/net zero national evidence base which is easier for national

government to source than LPAs - agree. Same again re. flow between the docs.

3. Selective new additions to close gaps where national policy is silent – comes from the review of the existing policies in the NPPF – agree.

On net zero policies these should cover building standards for new construction, consequential improvement as part of extension and refurbishment works and net zero transportation. The latter may be difficult to achieve nationally as site choice and availability of active travel choices will be key to site selection and so fit with Local Plan making. On building performance and renewable energy the evidence base is expensive for local authorities, but against this it must be balanced that national policy can only address the local viability situation to a limited degree and thus tends to produce policy that travels at the pace of the slowest. There is perhaps an argument here for additional investment in net zero buildings in lower viability areas as part of the levelling up agenda. The optional technical standard for areas able to go beyond the baseline situation is welcomed (see Q51).

Overall, there is concern that the national policies could be too prescriptive and that this inhibits the ability to reflect local circumstances and issues through local and neighbourhood plans.

Q50. What other principles, if any, do you believe should inform the scope of National Development Management Policies?

Agree with the principles that have been set out for setting the scope of the NDMPs and would support retaining the scope to allow LPAs to have optional technical standards to be set through local plans to go above the minima set through building standards where appropriate and viable.

Q51. Do you agree that selective additions should be considered for proposals to complement existing national policies for guiding decisions?

Yes, agree with the selected additions, although any policy encouraging housing in town centres will need to be carefully considered to ensure that the vitality of centres is retained.

Q52. Are there other issues which apply across all or most of England that you think should be considered as possible options for National Development Management Policies?

Not possible to comment at this stage without seeing the full scope of potential policies.

Levelling up and boosting economic growth

Q53. What, if any, planning policies do you think could be included in a new framework to help achieve the 12 levelling up missions in the Levelling Up White Paper? (We are therefore interested in any and all bold, innovative ideas through which the planning system can better enable the government to achieve its levelling up missions.)

- No comments. Planning process needs to encourage sustainability and innovation, especially if we are to achieve net zero goals. Commercial operations and in particular new commercial premises should be expected to achieve higher standards of design, efficiency and carbon neutrality.
- NPPF needs to ensure clear guidance to support business.

Formatted: Font: (Default) Arial, 12 pt

Q54. How do you think that the framework could better support development that will drive economic growth and productivity in every part of the country, in support of the Levelling Up agenda?

- Affordable start up spaces, and move on spaces for high value light industrial and manufacturing industries.
- Creating hubs or zones for growth areas in particular sectors such as light industrial, transport, digital, creative, climate adaption technology, green tech, etc.
- Closer ties between technical colleges and universities with businesses.
- Allow entrepreneurship to flourish and encourage institutions and businesses to think and start tackling some of the biggest issues the country faces.

No comments

Q55. Do you think that the government could go further in national policy, to increase development on brownfield land within city and town centres, with a view to facilitating gentle densification of our urban cores?

No. There is already a great deal of emphasis on bringing forward brownfield land, but there may be other factors such as viability which prevent schemes from coming forward. Consideration could be given to identifying vacant brownfield land and incentivising it's redevelopment through a land value tax.

Q56. Do you think that the government should bring forward proposals to update the framework as part of next year's wider review to place more emphasis on making sure that women, girls and other vulnerable groups in society feel safe in our public spaces, including for example policies on lighting/street lighting?

This should be about good design contributing to public spaces being safe for everyone, not just limited to specific groups.

Q57. Are there any specific approaches or examples of best practice which you think we should consider to improve the way that national planning policy is presented and accessed?

The search function should be improved, as it currently returns a list with no indication of where the search term is located within the list.

Q58. We continue to keep the impacts of these proposals under review and would be grateful for your comments on any potential impacts that might arise under the Public Sector Equality Duty as a result of the proposals in this document.

No comments