MINISTRY OF HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

July – September 2024
Open consultation

Proposed reforms to the National Planning Policy Framework and other changes to the planning system

CPRE WARWICKSHIRE RESPONSE

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Consultation questions	
Chapter 3 – Planning for homes	**Response**
Housing need	
Question 1: Do you agree that we should reverse the December 2023 changes made to paragraph 61? [This question is about making the standard method for assessing housing needs mandatory, not advisory.]	No. The wording in the Dec 2023 NPPF is sound. Para 60 states, "The overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community." Para 61 includes: "The outcome of the standard method is an advisory starting-point for establishing a housing requirement for the area (see paragraph 67 below)." This reflects the fact that the standard method (either that in use or that now proposed) is a projection made without evaluation of the character of the LPA's area, its place in the wider region, its environmental and heritage constraints or its economy. To start with a projection of numbers and then require these to be met without any of those factors being weighed in making that a requirement is not sound town planning and disregards geography and the environment. The NPPF uses the term 'the area' but this means each LPA's area. The boundaries of LPAs are where local government has set them in the last reorganisation, not necessarily sound in geographical terms.
Question 2: Do you agree that we should remove reference to the use of	No. Using different approaches based on local data and information gives planning authorities the power to use

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alternative approaches to assessing housing need in paragraph 61 and the glossary of the NPPF?	information that they have. Ordering them to use a standard method, when this ignores the local information held, is both undemocratic and going to result in bad town planning.
Question 3: Do you agree that we should reverse the December 2023 changes made on the urban uplift by deleting paragraph 62?	No. It should not be reversed but amended. The urban uplift was introduced in Dec 2020 and the Dec 2023 amendment was made to prevent Councils trying to export housing numbers from urban onto peri-urban (often Green Belt) authorities. In some cases there was no case for applying the urban uplift as the city was already providing considerable new urban housing (eg Birmingham). It should be revised but the intention maintained. One value of it is to support the application of the fifth purpose of Green Belts – assisting urban regeneration.
Question 4: Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130?	No. NPPF para 130 protects urban areas of character from damage by higher density intrusions. These may be C18 and C19 classical terraces, Victorian and Edwardian villas, and Interwar suburban areas. They may or may not be Conservation Areas. Para 130 states, "significant uplifts in the average density of residential development may be inappropriate if the resulting built form would be wholly out of character with the existing area". This is an important policy which must be retained.
<u>Character and density</u>	
Question 5: Do you agree that the focus of design codes should move towards supporting spatial visions in local plans and areas that provide the greatest opportunities for change such as greater density, in particular the development of large new communities?	No. Paras 128 to 138 (existing Dec 2023 NPPF numbering) set out good policy on design including the value of design codes for all urban areas. There are always applications in existing urban areas which are not in locations identified for development –new housing and conversions to housing in these cases being classed as 'windfalls'. Good design is needed for them, not just in areas identified for major change. The consultation paper's proposal would be likely to result in poorer designs, unsuitable densities and harm to attractive urban environments. The present wording should be retained.
<u>'the presumption'</u>	
Question 6: Do you agree that the presumption in favour of sustainable development should be amended as proposed?	No. The 'presumption in favour of sustainable development' is a distorting factor and has been since first included in the original 2012 NPPF. It was not necessary for either plan-making or decisions-making under under the PPGs and PPSs which preceded the NPPF. It causes problems whenever introduced; 'sustainable development' is itself complicated to define and capable of different interpretations. It has resulted in terms like 'tilted balance' which appears in Chap 3 para 14 of the consultation paper

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	but is nowhere in the NPPF. Chap 3 Para 14 of the consultation states in full: "The primary function of the presumption is to provide a fallback to encourage planning permission to be granted where plan policies are not up-to-date, including where there is an insufficient supply of land. It broadly does this in two ways. It brings land into scope of potential development where it has not been specifically allocated for development (e.g. a site on the edge of existing settlements), or where land is allocated for another purpose (e.g. where housing may be proposed on a site allocated for employment uses). Additionally, it 'tilts the balance' towards approval by making clear that permission should be granted unless doing so would cut across protections for safeguarded areas, like National Parks and habitat sites, or the adverse impacts would 'significantly and demonstrably' outweigh the benefits when assessed against the NPPF taken as a whole." This description shows that the presumption is not 'in favour of sustainable development'. It is a presumption in favour of development, at least of housing. Para 11 is thus misleading by using the term 'sustainable development'. The proposed changes do not alter parts a+b of para 11 or footnote 7. They tinker with part d and can have the result that housing applications are granted (usually on appeal) when they depart from the development plan. This is a bad way to plan. Removal of 'the presumption' completely would be preferable. It was not necessary for good planning before 2012. Footnote 7 should be brought into the main text of the NPPF. It is very important and should not be a footnote.
Housing land supply	
Question 7: Do you agree that all local planning authorities should be required to continually demonstrate 5 years of specific, deliverable sites for decision making purposes, regardless of plan status?	No. The requirement to demonstrate a 5-year supply of housing land was made a policy by the NPPF in 2012. Prior to 2012, a five-year supply was a target, and desirable, but it was not a criterion in deciding whether or not a planning application on land not allocated in the development plan should be granted. There is no logic or justification for a local authority to have to show it has 5 years of supply, when the plan-led system (Planning & CP Act S.38(6)) makes the development plan the determining factor. The 5-year supply figure should be returned to being a target and a measure but not a factor in determining planning applications – as before 2012.

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	The Housing Delivery Test is an unhelpful distortion to good planning and should be abolished.
Question 8: Do you agree with our proposal to remove wording on national planning guidance in paragraph 77 of the current NPPF? [This is about adjusting treatment of past shortfalls and oversupply in calculating the housing supply requirement.]	The 5-year housing land supply measure should be returned to being a target and a measure as stated in answer to Q7 above.
Question 9: Do you agree that all local planning authorities should be required to add a 5% buffer to their 5-year housing land supply calculations?	No. No good reason has been given for changing it, if the 5-year supply test remains policy – it requires LPAs to show a 5 year and 3 months supply in effect. The 20% buffer requirement placed on some LPAs is also distorting and should be deleted.
Question 10: If yes, do you agree that 5% is an appropriate buffer, or should it be a different figure?	
Question 11: Do you agree with the removal of policy on Annual Position Statements?	Both Housing Delivery Test and Annual Position Statements should be abolished. They are requirements laid on LPAs which cost them staff time and add to their burdens.
<u>Co-operation and strategic planning</u>	
Question 12: Do you agree that the NPPF should be amended to further support effective co-operation on cross boundary and strategic planning matters?	Yes in principle. We support universal coverage of strategic planning within this Parliament and the intention to legislate for this. The form and scale of strategic planning has yet to be determined. Spatial Development Strategies have yet to demonstrate their value in the current form. Structure Plans covering counties (= sub-regional planning) are to be preferred, knitted together by non-statutory Regional Planning Guidance (as existed from the 1990s until 2007). They had the advantage of being directly democratic, approved by all elected members in their defined areas. SDSs may not be. The proposal to maintain 'duty to cooperate' conflicts with the LURA 2023 which abolishes the duty (which is in S.33A of the Planning & CP Act 2004). When Schedule 7 of the LURA is brought into force (and initiates Spatial Development Strategies among other powers) it will replace S.15 to S37 of the Planning & CP Act 2004, including the duty to cooperate clause. So this duty will cease to apply to all plans at any stage at that point. 'Duty to cooperate' as defined in S.33A has proved time-consuming in plan-making and it will simplify the processes to abolish it.

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	The proposals to bring in a form of strategic planning are important. But the short term aim and provisions to greatly increase allocation of land to housing (earlier in Chap 3) would lock in 15 years of housing allocations (and resulting permissions). This would conflict in a serious way with the commitment to devise, legislate and bring into force strategic planning within 5 years. Strategic planning would be constrained and pre-empted by the short-term policies proposed; the housing allocations would be fixed before work on the new Spatial Development Strategies or other strategic plans began. For a solution to this conflict see detailed answer to Q103 below about 'Transitional arrangements'.
Other	
Question 13: Should the tests of soundness be amended to better assess the soundness of strategic scale plans or proposals?	No. 'Soundness' of a plan was inserted into the law by the Planning & CP Act 2004. It was unnecessary and unjustified when it was initiated. Soundness tests were not necessary for Structure Plans, Unitary Development Plans or District-wide Local Plans under the 1991 Act system, the best system that England has had. It was not a test for Regional Spatial Strategies under the 2004 Act. So it not necessary for strategic planning. The test of soundness should be to removed from all forms of development plan.
Question 14: Do you have any other suggestions relating to the proposals in this chapter?	See answer to Q13. The 'soundness' test should be abolished, or if not removed should be completely rethought and revised.
Chapter 4 – A new Standard Method	
Question 15: Do you agree that Planning Practice Guidance should be amended to specify that the appropriate baseline for the standard method is housing stock rather than the latest household projections?	No. The existing Standard Method (SM) is summarised at Chap 4 paras 1-3. These explain that it identifies the minimum number of homes that a local planning authority should plan for in its area, and that this figure establishes a housing requirement for the area. It comprises a baseline of household projections (produced by ONS) adjusted to take account of affordability with some other adjustments. It is confirmed there that the SM is designed to sum to 300,000 at a national level. The proposed New Standard Method (NSM) is based on the existing housing stock level recorded in 2023 for each LPA area. It would apply an annual increase in housing of 0.8% (compound). This is not a measure of housing need. It takes no account of who is living there and whether household growth will happen in that area. There is then an affordability factor applied. This is also not a measure of housing need in an area. And it would be

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	inherently unstable: affordability goes up and down, and so would the projected 'housing need' number, even while the Plan was being prepared. The affordability factor is a flawed method on economic grounds. Economic theory, and actual practice and experience, show that building more houses in an area does not lower house prices, and can distort population trends by generating inward migration. This has been found in South Warwickshire where (under the Warwick District and Stratford-on-Avon District Local Plans adopted in 2016-17) new housing built under the projections then made has been largely occupied by inward migration, not existing residents of the area. The NSM would be likely to result in housing being developed in the wrong places – not where there is a housing need, in main urban areas, but where there is not. The consequence would be purchase of houses in unsustainable locations where residents would be dependent on cars and where services (health, education, public transport, emergency services, waste collection) would be more expensive to provide than in existing urban areas. The figures produced under the NSM show that housing provision would be distorted, and add to CO2 emissions not reduce them. The NSM makes no distinction between types of housing. It sets no requirement for rented housing. It does not count empty properties returned to use as part of supply. While the term 'Local Housing Need' is used it is not a calculation of need for housing in the LPA's area. Targets for supply of rented housing, which meets needs of people for housing, are not set and the new NSM fails to take the opportunity to set such targets. The demand for rented housing is met by private sector rental and by Registered Providers (RPs – mainly local authorities, housing associations, and charities including churches). The supply of private sector rented housing is falling fast because of various government policies that make it an unattractive investment – tax changes, imposition of regulations, and proposed legislation. The supply of local authority rented housing is restricted by right-to-buy policy that is causing it to decline, and that by RPs is limited by lack of public funding. A target for social rented homes, based on the House of Commons LUHC Committee recommendation of 90,000 social rented homes annually across England, should be set for each LPA area. (*The Finances and Sustainability of the*

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	Social Housing Sector, LUHC Committee, HC60, May 2024 – para 17 and Recommendation 1. See https://publications.parliament.uk/pa/cm5804/cmselect/cmcomloc/60/report.html) No targets or requirements should be set for private sector houses for sale. Private sector builders hold 1.1 million unimplemented permissions in 2024. The present cartel of large housebuilding company groups are on past evidence unlikely to complete and sell more than 150,000 market houses a year. In five years their output could be 750,000, without any new permissions being issued. --------- **If** a projection of households is used, it could be reasonably related to a housing requirement. ONS subnational population and household projections based on the 2021 Census have been awaited for some time, and are due in Spring 2025. These will show up to date household projections. The ONS HHP will show for each LPA area for each future year projections of births, deaths, internal (within GB) migration to and from the area, and international migration. These allow separating out of (a) natural population change (growth or decline), (b) net internal migration from and to other parts of GB, and (c) international migration. The HHPs for each LPA should allow planning decisions in the Local Plan process to be made about how much, if any, net inward migration to provide new housing for. The proposed NSM, using existing housing stock and projecting an annual growth in need for housing based on that, and making that mandatory, undermines principles of town-planning which should be deciding the scale, nature and location of new housing.
Question 16: Do you agree that using the workplace-based median house price to median earnings ratio, averaged over the most recent 3 year period for which data is available to adjust the standard method's baseline, is appropriate?	No. These calculations are all proposed as parts of a badly-conceived model which should not be being used. It has been shown to produce housing requirements which are both out of relationship with actual housing needs, and unachievable because the house numbers of houses calculated by the model will not be built.
Question 17: Do you agree that affordability is given an appropriate weighting within the proposed standard method? [The proposed changes involve applying a higher affordability	No. The affordability weighting distorts sound assessment under the existing SM. A higher affordability multiplier would increase this distortion.

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multiplier.]	
Question 18: Do you consider the standard method should factor in evidence on rental affordability? If so, do you have any suggestions for how this could be incorporated into the model?	
Question 19: Do you have any additional comments on the proposed method for assessing housing needs?	See answer to Q15 above.
Chapter 5 – Brownfield, grey belt and the Green Belt	
Question 20: Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?	Questions 20 to 45 are a series of questions about details of the proposals for the Green Belt. They do not begin with a formal question about the changes and their purpose. Chap 5 begins (para 2) with the following policy statement: **"To deliver the homes and commercial development this country needs, we are proposing the targeted release of grey belt land** (bold in the text). This government recognises the important role the Green Belt plays in preventing urban sprawl and remains committed to its continued protection - but we must review the post-war Green Belt policy to make sure it better meets the needs of present and future generations." There is no first question seeking responses on this central proposal for targeted release of land from the Green Belt, or whether Green Belt policy should be reviewed. Question 20 is the first in a series of questions about details. Proposals in the government consultation would undermine the whole principle of the Green Belt and be likely to so damage it that its purpose and value would be gradually lost. The collective and cumulative effect of the proposed changes would be the effective destruction of the principles of Green Belt while maintaining the facade of its purposes unchanged. **The proposals for changes to planning policy on Green Belt should be withdrawn and reconsidered.**
Question 21: Do you agree with the proposed change to paragraph 154g of the current NPPF to better support the development of PDL in the Green Belt?	Para 154g reads "limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings)". The words to be added are: "which would not cause substantial harm to the openness of the Green Belt." These appear to be an assertion that developing PDL in the

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	Green Belt will not cause substantial harm to openness of the Green Belt. It might not, or it could do. The test of whether it would harm openness is well-established in existing policy. It should not be altered or made ambiguous.
Question 22: Do you have any views on expanding the definition of PDL, while ensuring that the development and maintenance of glasshouses for horticultural production is maintained?	PDL does not include buildings or structures in agricultural use. This applies both in Green Belts and in other countryside. Glasshouses are an agricultural use and benefit from permission in Green Belts for that reason. If they are able to be defined as PDL (brownfield) they will soon be redeveloped and horticultural production ended. This will undermine local food production, when fruit and vegetables grown under glass should be produced next to cities – a benefit of retaining Green Belts.
Question 23: Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend?	No. 'Grey belt' is an unsuitable concept and should not be included in the NPPF. If made planning policy it would cause a large decline in quality of open land and its maintenance. Owners who wish th develop land in the Green Belt will seek to put it into a state where it meets the criteria for 'grey belt'. Brownfield land in the Green Belt can be recognised now and can be redeveloped under well-established principles (NPPF para 154). The tests proposed at Chap 5 para 10 to determine "Land which makes a limited contribution" to the Green Belt would be used to reduce it and cut it back, particularly at its inner edge where it provides the most benefit to residents of the city that it surrounds.
Question 24: Are any additional measures needed to ensure that high performing Green Belt land is not degraded to meet grey belt criteria?	
Question 25: Do you agree that additional guidance to assist in identifying land which makes a limited contribution of Green Belt purposes would be helpful? If so, is this best contained in the NPPF itself or in planning practice guidance?	No. See answer to Q23.
Question 26: Do you have any views on whether our proposed guidance sets out appropriate considerations for determining whether land makes a limited contribution to Green Belt purposes?	Yes. See answer to Q23
Question 27: Do you have any views on the role that Local Nature Recovery Strategies could play in identifying areas of Green Belt which can be	

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enhanced?	
Question 28: Do you agree that our proposals support the release of land in the right places, with previously developed and grey belt land identified first, while allowing local planning authorities to prioritise the most sustainable development locations?	No. Questions 28+29 relate to 'Land release through plan-making'. This section begins with Chap 5 para 16. That states: "16. Under the existing NPPF, there is no requirement for local planning authorities to review Green Belt where they fall short of housing need. Instead, local planning authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully justified. We propose correcting that, to **require local planning authorities to undertake a review where an authority cannot meet its identified housing, commercial or other need without altering Green Belt boundaries**. (*bold in the text*) This proposal (a) is fundamentally contrary to the principle of permanence of Green Belts and (b) disregards the intention to introduce strategic planning. Green Belt cannot fulfil its purposes when reviews are required because of application of a housing requirement calculation which requires more houses to be built every year in a defined plan area as an addition to existing housing stock. The existing NPPF policy should be retained and strategic planning (due within 5 years) should be the way to review Green Belt – treating each region's Green Belt as a whole. (Example: the West Midlands Green Belt, which falls into the planning areas of 22 LPAs.)
Question 29: Do you agree with our proposal to make clear that the release of land should not fundamentally undermine the function of the Green Belt across the area of the plan as a whole?	No. The proposed changes if implemented, and the way that landowners would react to them, would fundamentally undermine the function of the Green Belt and be likely to so damage it that its purpose and value would be gradually lost. The collective and cumulative effect of the proposed changes would be the effective destruction of the principles of Green Belt while maintaining the facade of its purposes unchanged.
Question 30: Do you agree with our approach to allowing development on Green Belt land through decision making? If not, what changes would you recommend?	No. The existing principles for allowing certain forms of development on Green Belt land are well established and work effectively. See current NPPF para 154. They should be retained.
Question 31: Do you have any comments on our proposals to allow the release of grey belt land to meet commercial and other development needs through plan-making and decision-making, including the triggers for release?	We do not support the 'grey belt' concept. See answer to Q23.
Question 32: Do you have views on	Traveller sites are harmful to the Green Belt. Those that

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whether the approach to the release of Green Belt through plan and decision-making should apply to traveller sites, including the sequential test for land release and the definition of PDL?	exist are difficult or impossible to remove, but the policies for Green Belt should not permit any new sites to be established in the Green Belt. Urban industrial locations are the least harmful places to put any new traveller sites.
Question 33: Do you have views on how the assessment of need for traveller sites should be approached, in order to determine whether a local planning authority should undertake a Green Belt review?	See answer to Q32.
Question 34: Do you agree with our proposed approach to the affordable housing tenure mix?	
Question 35: Should the 50 per cent target apply to all Green Belt areas (including previously developed land in the Green Belt), or should the Government or local planning authorities be able to set lower targets in low land value areas?	We oppose any change to current well-established policy which sets out what is appropriate (or 'not inappropriate') development in the Green Belt. The forms of development allowed under established policy are well-known and the policy has worked effectively for many years (see NPPF para 154).
Benchmark land values	
Question 36: Do you agree with the proposed approach to securing benefits for nature and public access to green space where Green Belt release occurs?	'Benchmark land values' proposals – Q36 to Q46. Land value issues should not be taken into account in Green Belt policy. It should remain as it is now.
Question 37: Do you agree that Government should set indicative benchmark land values for land released from or developed in the Green Belt, to inform local planning authority policy development?	
Question 38: How and at what level should Government set benchmark land values?	
Question 39: To support the delivery of the golden rules, the Government is exploring a reduction in the scope of viability negotiation by setting out that such negotiation should not occur when land will transact above the benchmark land value. Do you have any views on this approach?	
Question 40: It is proposed that where development is policy compliant, additional contributions for affordable housing should not be sought. Do you have any views on this approach?	
Question 41: Do you agree that where	

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viability negotiations do occur, and contributions below the level set in policy are agreed, development should be subject to late-stage viability reviews, to assess whether further contributions are required? What support would local planning authorities require to use these effectively?	
Question 42: Do you have a view on how golden rules might apply to non-residential development, including commercial development, travellers sites and types of development already considered 'not inappropriate' in the Green Belt?	
Question 43: Do you have a view on whether the golden rules should apply only to 'new' Green Belt release, which occurs following these changes to the NPPF? Are there other transitional arrangements we should consider, including, for example, draft plans at the regulation 19 stage?	
Question 44: Do you have any comments on the proposed wording for the NPPF (Annex 4)?	
Question 45: Do you have any comments on the proposed approach set out in paragraphs 31 and 32?	
Question 46: Do you have any other suggestions relating to the proposals in this chapter?	
Chapter 6 – Delivering affordable, well-designed homes and places	
Question 47: Do you agree with setting the expectation that local planning authorities should consider the particular needs of those who require Social Rent when undertaking needs assessments and setting policies on affordable housing requirements?	Chap 6 para 1 says, "We will deliver the biggest increase in social and affordable housebuilding in a generation. As part of our plan to do so, we are strengthening planning obligations to ensure new developments provide more affordable homes and supporting councils and housing associations to build their capacity and make a greater contribution to affordable housing supply through the changes proposed below." Para 2 continues, "These changes are designed to support our objectives of a more diverse housing market, that delivers homes more quickly and better responds to the range of needs of communities." The policy, like existing NPPF policy, uses the term 'affordable' which is not a useful definition. The need is for social rented housing. The policy proposes to add social rent to the other needs in local housing authorities' needs

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	assessments. Para 3 states, "We want to deliver the much-needed affordable housing local communities need and the wider infrastructure that will mitigate the impacts of new development. We believe the best way to achieve this will be to focus on improving the existing system of developer contributions." This means relying on private sector housebuilders to provide sites for social rented housing, build it and then sell it to Registered Providers of social housing: the present policy. This policy is ineffective. CPRE's research in 2023 shows that of 13 housing sites completed or under way, where the land had been removed from the Green Belt, totalling some 7,100 houses, only 5% of the dwellings completed or being built are social-rented and another 7.5% 'affordable rented'. In practice greenfield housing sites deliver very little social rented housing. ['State of the Green Belt 2023' – page 21 Table 11 - CPRE Aug 2023] Seealso the CEBR research undertaken for SHELTER and the National Housing Federation published in February 2024. Instead of a policy that sets annual housing requirements, the policy needed is one that sets targets for social rented housing.
Question 48: Do you agree with removing the requirement to deliver 10% of housing on major sites as affordable home ownership?	Yes. 'Affordable sale' dwellings are not in practice affordable to those who need housing, in many parts of England.
Question 49: Do you agree with removing the minimum 25% First Homes requirement?	Instead of a policy that sets annual housing requirements, the policy needed is one that sets targets for social rented housing.
Question 50: Do you have any other comments on retaining the option to deliver First Homes, including through exception sites?	
Question 51: Do you agree with introducing a policy to promote developments that have a mix of tenures and types?	No. This requires the land for social rented housing on mainly private-sector developments to be transferred to the local authority or Registered Provider on grant of permission, so that they can build the homes that will be owned by the LHA or RP and rented out. At present these dwellings are built by the private developer and their price and/or quality can result in the LHA or an RP not buying them. See for example details of how this is happening in the investigative article in the 'i' 3 August 2024, https://inews.co.uk/news/thousands-unused-affordable-homes-empty-housing-scandal-3204602

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Question 52: What would be the most appropriate way to promote high percentage Social Rent/affordable housing developments?	The LHA or RP should own the land and fund the construction of the rented homes, and probably engage the architect and undertake the quality control.
Question 53: What safeguards would be required to ensure that there are not unintended consequences? For example, is there a maximum site size where development of this nature is appropriate?	Large social-rented housing estates are undesirable – a return to the Council estates of the past. Brownfield sites and windfall housing sites are generally small and in urban areas. These do not reach anything like the scale of the council housing estates of the 1920s to 1960s era. The policy should be to develop social rented housing on small sites in urban areas. Greenfield sites are generally unsuitable for this housing also because residents who rent are least likely to own cars and the most likely to need to be near services (schools, health centres, shops, buses).
Question 54: What measures should we consider to better support and increase rural affordable housing?	In rural areas any new affordable housing will normally be rented housing. There are a number of forms of rented housing in rural England, and one purchased form, which should all be supported: 1. Social housing in villages provided by local authorities, which have not transferred their housing stock to RPs. 2. Rented housing provided by RPs, mostly rural housing associations. RHAs have taken over local authority housing in many LAs. Rural exception sites have generally been successful but the rate of rural housing provided by RHAs has fallen off (there were more programmes 20-30 years ago). 3. Privately rented housing let on the open market by individual property owners (assured shorthold tenancies). Labour in power 1997-2010 found it worked well and saw no need to alter the legislation. Recent and current government policies are causing a loss of private rented housing. These should be reversed to restore incentives to let property, and maximise the number of houses for rent. 4. Housing owned by farmers which has an agricultural tie. Removal of these ties should be resisted; the houses are to meet the needs for rural workers in the area, not just those of the owning farmer, and provide valuable rural housing. 5. Houses owned by landowners, which are not subject to an agricultural tie but are let to local people under the 1988 Act. Estates large and small let houses (which they do not wish to sell). This type includes the National Trust. 6. Houses and apartments owned by religious bodies or other charities, such as historic almshouses. While often for old age pensioners they are in some places let to families. 7. Former council houses in villages sold under ‘Right to

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	Buy'. These can only be sold (in designated rural areas) only to people who live in the local area, not on the open market. (Housing Act 1985, Section157.) This type of rural housing is under covenant control and should be supported.
Question 55: Do you agree with the changes proposed to paragraph 63 of the existing NPPF?	
Question 56: Do you agree with these changes?	Yes (community-led small housing schemes)
Question 57: Do you have views on whether the definition of 'affordable housing for rent' in the Framework glossary should be amended? If so, what changes would you recommend?	See Answer to Q47 above. What is needed is a clear distinction between social rented housing and other forms of 'affordable housing' which often are not affordable.
Question 58: Do you have views on why insufficient small sites are being allocated, and on ways in which the small site policy in the NPPF should be strengthened?	Small sites should be provided and encouraged. But the big housebuilders squeeze out SME builders on many sites, especially when (until about 2014) firm planning policy against greenfield housing development made the large companies bid for small sites. The way to give SME builders more scope, and the ability to expand their businesses, is to break up the cartel of large house building groups (which are ever more concentrated – soon only six main companies will control most housebuilding in England).
Question 59: Do you agree with the proposals to retain references to well-designed buildings and places, but remove references to 'beauty' and 'beautiful' and to amend paragraph 138 of the existing Framework?	No. The references to beauty and beautiful should remain until here is something equally effective in ensuring good design of housing and other buildings.
Requiring "well designed" development	
Question 60: Do you agree with proposed changes to policy for upwards extensions?	Neither the Dec 2023 NPPF text which supports mansard roofs nor the proposed change to allow increasing height of houses are suitable. If floors are to be added to a house or block of flats, the design must be consistent with the prevailing height and form of neighbouring properties and the overall street scene,
Question 61: Do you have any other suggestions relating to the proposals in this chapter?	
Chapter 7 – Building infrastructure to grow the economy	
Question 62: Do you agree with the	No. There are always new forms of industry being

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changes proposed to paragraphs 86 b) and 87 of the existing NPPF?	developed. Older industries contract and the land they have used becomes available for new economic activity. The normal churn of industrial land provides for these changes without greenfield land being required. Reviewing the list at Chap 7 para 3: Laboratories: Land for laboratories has never been a difficulty and they will often be on sites already used for scientific research Gigafactories: Battery manufacturing. If these are viable they do not need greenfield sites. The proposals in the UK have not been able to attract finance, indicating that investors do not think they would be profitable Data Centres: a topical concept in 2024. There is no reason why these need any new land or special status. They can be located in existing industrial areas and need no special planning status. Freight and logistics: these by contrast are wasteful users of land and generate lorry traffic. In the Midlands 'triangle' (set by M1, M6, and A38/M42) there is already much large warehousing, which has used good agricultural land and generated traffic and thus carbon emissions. There is enough competition between sites now to make it unnecessary to support any more floorspace.
Question 63: Are there other sectors you think need particular support via these changes? What are they and why?	Those listed at para 3 a-d do not need 'particular support' in the planning system. It is unlikely that there are others which cannot be handled by normal planning applications on land already within the relevant use class.
Question 64: Would you support the prescription of data centres, gigafactories, and/or laboratories as types of business and commercial development which could be capable (on request) of being directed into the NSIP consenting regime?	No. The NSIP Regime removes control of development from LPAs and elected councillors. It means that an LPA cannot guide location of the proposed development and consultees and local residents cannot be heard through a democratic process. It makes LPAs in effect become objectors to proposals in their own areas, if they do not support the proposal or its proposed location. There are no grounds for taking these classes of development out of the normal planning process.
Question 65: If the direction power is extended to these developments, should it be limited by scale, and what would be an appropriate scale if so?	
Question 66: Do you have any other suggestions relating to the proposals in this chapter?	
Chapter 8 – Delivering community	

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needs	
Question 67: Do you agree with the changes proposed to paragraph 100 of the existing NPPF?	No. There is no need to change the NPPF
Question 68: Do you agree with the changes proposed to paragraph 99 of the existing NPPF?	
Question 69: Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?	No. The 'Vision-led' approach to transport planning does not appear to have any effect on the main problem of development – granting permission for development in unsustainable locations which generate traffic on local roads, and development which adds traffic to local roads, adding to noise and safety risks. The NPPF has been damaging since 2012. NPPF para 115 states: " Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe". The test that impacts must be 'severe' before permission can be refused, and the advice that harm to highway safety should be accepted as long as it is not 'unacceptable' has resulted in development adding traffic on local roads and increasing danger to road users notably those on foot or cycle. A change to para 155 should reverse the test – promoters of development must show that their proposals have no adverse effect by increasing traffic on local roads.
Question 70: How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity?	
Question 71: Do you have any other suggestions relating to the proposals in this chapter?	
Chapter 9 – Supporting green energy and the environment	
Question 72: Do you agree that large onshore wind projects should be reintegrated into the s NSIP regime?	No. A planning application for wind energy development involving one or more turbines should not be considered acceptable unless it is in an area identified as suitable for wind energy development in the development plan or a supplementary planning document; and, following consultation, it can be demonstrated that the planning impacts identified by the affected local community have been appropriately addressed and the proposal has community support. This is the policy wording since September 2023 that was issued following consultation in

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	Dec 2022-Mar 2023. It is at Footnote 58 (60 in revised draft) and is shown as to be deleted. The deletion was announced by a modification issued on 8 July 2024, but that was not at that stage subject to consultation. Changes to the NPPF are always consulted on so this consultation should seek responses on the change of policy. Neither this policy change, nor the intention to bring onshore wind proposals under the NSIP regime, was included in Labour's manifesto. That states, 'To deliver our clean power mission, Labour will work with the private sector to double onshore wind' by 2030, but says nothing at all about changing existing planning policy. It only mentions 'the Conservatives' ban on new onshore wind' (which was not a ban) alongside 'failure to build new nuclear power stations' as a reason for high energy bills. Removing wind energy development from the planning system into the NSIP Regime removes control of it as development from LPAs and elected councillors. It means that an LPA cannot guide location of the proposed development and consultees and local residents cannot be heard through a democratic process. It makes LPAs in effect become objectors to proposals in their own areas, if they do not support the proposal or its proposed location. The reasons for keeping wind energy development in the planning system confirmed in 2015 are as strong now as they were then.
Question 73: Do you agree with the proposed changes to the NPPF to give greater support to renewable and low carbon energy?	No. Chap 9 para 7 states: “We are proposing amendments to existing paragraph 163 to direct decision makers to give significant weight to the benefits associated with renewable and low carbon energy generation, and proposals’ contribution to meeting a net zero future. In doing so, this aims to increase the likelihood of local planning authorities granting permission to renewable energy schemes….” The proposed wording at para 164 would force local planning authorities to support planning applications. The new wording would be, “Local planning authorities should support planning applications for all forms of renewable and low carbon development.” The intention expressed in para 163 is to push LPAs into approving wind turbine and solar farm applications. Para 164 as amended is even more directive: LPAs must support the planning applications made. This appears to be unlawful: planning policy cannot direct a planning authority to support any planning application.
Question 74: Some habitats, such as	

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those containing peat soils, might be considered unsuitable for renewable energy development due to their role in carbon sequestration. Should there be additional protections for such habitats and/or compensatory mechanisms put in place?	
Question 75: Do you agree that the threshold at which onshore wind projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50 megawatts (MW) to 100MW?	The determination of all solar and onshore wind applications should be undertaken through the planning system and not handled under the NSIP regime. Removing wind energy and solar energy development from the planning system into the NSIP Regime removes control of it as development from LPAs and elected councillors. It means that an LPA cannot guide location of the proposed development and consultees and local residents cannot be heard through a democratic process. It makes LPAs in effect become objectors to proposals in their own areas, if they do not support the proposal or its proposed location. Putting solar and wind energy applications into the NSIP regime makes the decision-maker the Secretary of State for Energy and Net Zero, who is promoting the policy and is not likely to refuse applications which his Department is supporting. This would produce a conflict of interest and risk abuses of power. Keeping all solar and wind energy applications within the planning system would mean that if they are subject to planning appeal or call-in, the decision-maker is the Secretary of State for Housing, Communities & Local Government who has to make a decision on the development plan and other material planning considerations only.
Question 76: Do you agree that the threshold at which solar projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50MW to 150MW?	See answer to Q75
Question 77: If you think that alternative thresholds should apply to onshore wind and/or solar, what would these be?	See Answer to Q75
Question 78: In what specific, deliverable ways could national planning policy do more to address climate change mitigation and adaptation?	
Question 79: What is your view of the current state of technological readiness and availability of tools for accurate carbon accounting in plan-making and	

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planning decisions, and what are the challenges to increasing its use?	
Question 80: Are any changes needed to policy for managing flood risk to improve its effectiveness?	
Question 81: Do you have any other comments on actions that can be taken through planning to address climate change?	
Question 82: Do you agree with removal of this text from the footnote?	
Question 83: Are there other ways in which we can ensure that development supports and does not compromise food production?	
Question 84: Do you agree that we should improve the current water infrastructure provisions in the Planning Act 2008, and do you have specific suggestions for how best to do this?	
Question 85: Are there other areas of the water infrastructure provisions that could be improved? If so, can you explain what those are, including your proposed changes?	
Question 86: Do you have any other suggestions relating to the proposals in this chapter?	
Chapter 10 – Changes to local plan intervention criteria	
Question 87: Do you agree that we should we replace the existing intervention policy criteria with the revised criteria set out in this consultation?	
Question 88: Alternatively, would you support us withdrawing the criteria and relying on the existing legal tests to underpin future use of intervention powers?	
Chapter 11 – planning application fees + cost recovery related to Nationall Infrastructure Projects	
Question 89: Do you agree with the proposal to increase householder application fees to meet cost recovery?	

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Question 90: If no, do you support increasing the fee by a smaller amount (at a level less than full cost recovery) and if so, what should the fee increase be? For example, a 50% increase to the householder fee would increase the application fee from £258 to £387.	
If Yes, please explain in the text box what you consider an appropriate fee increase would be.	
Question 91: If we proceed to increase householder fees to meet cost recovery, we have estimated that to meet cost-recovery, the householder application fee should be increased to £528. Do you agree with this estimate?	
Yes No – it should be higher than £528 No – it should be lower than £528 no - there should be no fee increase Don't know	
If No, please explain in the text box below and provide evidence to demonstrate what you consider the correct fee should be.	
Question 92: Are there any applications for which the current fee is inadequate? Please explain your reasons and provide evidence on what you consider the correct fee should be.	
Question 93: Are there any application types for which fees are not currently charged but which should require a fee? Please explain your reasons and provide evidence on what you consider the correct fee should be.	
Question 94: Do you consider that each local planning authority should be able to set its own (non-profit making) planning application fee? Please give your reasons in the text box below.	
Question 95: What would be your preferred model for localisation of planning fees?	
Full Localisation – Placing a mandatory duty on all local planning authorities to set their own fee. Local Variation – Maintain a nationally-set default fee and giving local planning authorities the option to set all or some	

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fees locally. Neither Don't Know	
Please give your reasons in the text box below.	
Question 96: Do you consider that planning fees should be increased, beyond cost recovery, for planning applications services, to fund wider planning services?	
If yes, please explain what you consider an appropriate increase would be and whether this should apply to all applications or, for example, just applications for major development?	
Question 97: What wider planning services, if any, other than planning applications (development management) services, do you consider could be paid for by planning fees?	
Question 98: Do you consider that cost recovery for relevant services provided by local authorities in relation to applications for development consent orders under the Planning Act 2008, payable by applicants, should be introduced?	
Question 99: If yes, please explain any particular issues that the Government may want to consider, in particular which local planning authorities should be able to recover costs and the relevant services which they should be able to recover costs for, and whether host authorities should be able to waive fees where planning performance agreements are made.	
Question 100: What limitations, if any, should be set in regulations or through guidance in relation to local authorities' ability to recover costs?	
Question 101: Please provide any further information on the impacts of full or partial cost recovery are likely to be for local planning authorities and applicants. We would particularly welcome evidence of the costs associated with work undertaken by local authorities in relation to applications for development consent.	

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Question 102: Do you have any other suggestions relating to the proposals in this chapter?	
Chapter 12 – The future of planning policy and plan making	
Question 103: Do you agree with the proposed transitional arrangements? Are there any alternatives you think we should consider?	No. The Consultation paper at Chap 3 paras 25-28 emphasises that strategic planning is to be developed soon. Para 25 states, "The Government was clear in its manifesto that housing need in England cannot be met without planning for growth on a larger than local scale, and that it will be necessary to introduce effective new mechanisms for cross-boundary strategic planning. Para 26 adds: "We will therefore take the steps necessary to enable universal coverage of strategic planning within this Parliament, which we will formalise in legislation." The proposals in this consultation for housing supply, for revisions to the presumption in favour of sustainable development (NPPF para 11), and for forcing LPAs to allocate more land, conflict with the proposals to introduce universal coverage by strategic planning within the present Parliament. These proposed provisions to increase allocation of land to housing (earlier in Chap 3) would lock in 15 years of housing allocations (and resulting permissions) – up to 2040 in many cases. This would conflict in a serious way with the commitment to devise, legislate and bring into force strategic planning within 5 years. Strategic planning would be constrained and pre-empted by the short-term policies proposed; the housing allocations would be fixed before work on the new Spatial Development Strategies or other strategic plans began. The transitional arrangements should be revised to apply to the period until strategic planning is brought into operation. Local Plans produced under current legislation (in which there is no statutory higher level of strategic planning) should only provide for development needs (principally Local Housing Need as currently defined) for the period until 2029/30. Strategic planning – including a strategic approach to reviews of Green Belts – must not be pre-empted and prejudiced by allocations of land for housing for up to 15 years (to 2040) which are set by local appraisals without any strategic planning base. The transitional arrangements should be revised to set a timescale for Draft Local Plans now at Reg.18 and Reg.19 stage which is short term. Housing allocations in Plans produced under current legislation should not be set for

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	longer than 2030. The transitional procedures proposed in Chap 12 paras 4-10 are not supported. These would prejudice the scope of the incoming strategic plans and their freedom to plan effectively.
Question 104: Do you agree with the proposed transitional arrangements?	No. See answer to Q103.
Question 105: Do you have any other suggestions relating to the proposals in this chapter?	Yes. See answer to Q103.
Chapter 13 – Public Sector Equality Duty	
Question 106: Do you have any views on the impacts of the above proposals for you, or the group or business you represent and on anyone with a relevant protected characteristic? If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how. Is there anything that could be done to mitigate any impact identified?	