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

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Organisation:
Rural Services Network

d What type of organisation are you representing?

Other (please specify)

If you answered "other", please provide further details:

The Rural Services Network is a Special Interest Group of the LGA, representing the views of rural local authorities.

Consultation Introduction

1) Do you have any views on how statutory National Development Management Policies could be introduced in the most effective manner, should a future decision be made to progress these?

Answer:

2) Do you agree with the new format and structure of the NPPF which comprises separate plan-making policies and national decision-making policies?

Not Answered

a) Please provide your reasons, particularly if you disagree :

3) Do you agree with the proposed set of annexes to be incorporated into the draft Framework?

Not Answered

a) Please provide your reasons, particularly if you disagree :

4) Do you agree with incorporating Planning Policy for Traveller Sites within the draft Framework?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 1: Introduction

5) Do you agree with the proposed approach to simplifying the terminology in the NPPF where weight is intended to be applied?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 2: Plan-making policies

6) Do you agree with the role, purpose and content of spatial development strategies set out in policy PM1?

Partly disagree

a) Please provide your reasons, particularly if you disagree :

Having a sub-regional strategy is helpful but the proposed content will lead to rural areas only being considered as strategic locations for environmental, green space and nature recovery, rather than also providing a strategic planning approach to meet the social and economic needs of the rural communities in the Plan area.

As Local Plans are required to be in conformity with the SDS there is a risk that they will adopt spatial strategies that limit growth in rural communities and restrict the application of the draft NPPF's positive policies for rural affordable housing.

There should be inserted into Spatial Development Strategies policy PM1 a new sub para (d) to read as follows:

'Including a strategic approach that supports rural revitalisation through sustainable development in rural areas that recognises the need for rural communities to grow and support urban and rural communities together.'

This is the same wording for one of the six overarching spatial principles set out in the Scottish National Planning Framework 4.

7) Do you agree that alterations should be made to spatial development strategies at least every 5 years to reflect any changes to housing requirements for the local planning authorities in the strategy area?

Not Answered

a) If not, do you think there should be a different approach, for example, that alterations should only be made to spatial development strategies every five years where there are significant changes to housing need in the strategy area?:

8) If spatial development strategies are not altered every five years, should related policy on the requirements used in five year housing land supply and housing delivery test policies, set out in Annex D of the draft Framework, be updated to allow housing requirement figures from spatial development strategies to continue to be applied after 5 years, so long as there has not been a significant change in that area's local housing need?

Not Answered

a) Please provide your reasons, particularly if you disagree :

9) Do you agree with the role, purpose and content of local plans set out in policy PM2?

Not Answered

a) Please provide your reasons, particularly if you disagree :

10) Do you think that local plans should cover a period of at least 15 years from the point of adoption of the plan?

Not Answered

a) If not, do you think they should cover a period of at least 10 years, or a different period of time. Please explain why. :

11) Do you agree with the principles set out in policy PM6(1c), including its provisions for preventing duplication of national decision-making policies?

Not Answered

a) Please provide your reasons, particularly if you disagree :

12) Do you agree with the approach to initiating plan-making in PM7?

Not Answered

a) Please provide your reasons, particularly if you disagree :

13) Do you agree with the approach to the preparation of plan evidence set out in policy PM8?

Partly agree

a) Please provide your reasons, particularly if you disagree :

To ensure Development Plans are prepared in accordance with the Purpose of Planning (para 16) and take local circumstances into account including the needs and opportunities of each area the NPPF should require those preparing SDS and Local Plans to collect evidence at appropriate geographic scales.

This should be supported by more detailed guidance in the Gathering Baseline Information section of the Create or Update Local Plan that sets out the importance of collecting data at a scale appropriate to understanding the circumstances and needs of rural areas.

14) Do you agree with the approach to identifying land for development in PM9?

Not Answered

a) Please provide your reasons, particularly if you disagree.:

15) Do you agree with the policies on maintaining and demonstrating cross-boundary cooperation set out in policy PM10 and policy PM11?

Not Answered

a) Please provide your reasons, particularly if you disagree.:

16) Do you agree that policy PM12 increases certainty at plan-making stage regarding the contributions expected from development proposals?

Not Answered

a) Please provide your reasons, particularly if you disagree.:

17) Do you agree that plans should set out the circumstances in which review mechanisms will be used, or should national policy set clearer expectations?

Not Answered

a) Please provide your reasons, particularly if you disagree :

18) Do you agree with policy PM13 on setting local standards, including the proposal to commence s.43 of the Deregulation Act 2015?

Not Answered

a) Please provide your reasons, particularly if you disagree :

19) Do you agree that the tests of soundness set out in policies PM14 and PM15 will allow for a proportionate assessment of spatial development strategies, local plans and minerals and waste plans at examination?

Not Answered

a) If not, please explain how this could be improved to ensure a proportionate assessment, making it clear which type of plan you are commenting on?:

20) Do you have any specific comments on the content of the plan making chapter which are not already captured by the other questions in this section?

Answer:

Chapter 3: Decision-making policies

21) Do you agree with the principles set out in policy DM1?

Partly agree

a) Please provide your reasons, particularly if you disagree :

The clarifying and simplifying of the principles and information requirements is helpful, with a list that summarises validation requirements, will smooth the planning application and decision-making process. However, the policy needs to accommodate the additional information for RES sites where RES policy H010 sets out specific requirements that should be met over and above those for generic residential developments. These include information on:

- Evidence of local housing need from local housing needs surveys or secondary data no more than 5 years old
- the arrangements for securing perpetuity
- the arrangements for ensuring occupancy for those with a local connection as in the NPPF definition of

Rural exception sites

- be accompanied by a planning statement that covers those matters in DM1(b)

It should also encourage the use of pre-app discussions for RES sites where their sensitive setting and the need to balance housing need requirements with financial viability and grant availability means pre-app discussions can find solutions that can then be incorporated into the application, reducing risk and cost to the applicant and time for the LPA.

DM (2) should be amended to read:

"Proposals for other types of development should be supported by the minimum necessary information requirements to enable a decision that is in line with the relevant NDMP policies, including those specific to RES developments where a planning statement as set out in DM1b should be submitted. In certain circumstances, set out elsewhere in this Framework, this should include pre-application discussions (see policies CO2 and P4). Pre-application

engagement may also be required where proposals raise complex planning matters, such as the potential effect on heritage assets and for rural exception sites.”

22) Do you agree with the policy DM2 on information requirements for planning applications?

Partly agree

a) Please provide your reasons, particularly if you disagree.:

It will reduce, risk cost for developers of affordable housing and time for them and LPAs.

Helpfully it states the lists should reflect requirements of NDMPs. This will be vital for RES to provide LPA with assurance that the requirements of RES and affordable housing policy are met.

To support principles of clarity and consistency it would be helpful if the NPPF Annex or at a minimum NPPG included specific guidance on requirements for RES and for small sites in Designated Rural Areas providing affordable housing

23) Do you have any views on whether such a policy could be better implemented through regulations?

Answer:

24) Do you agree with the principles set out in DM3?

Strongly agree

a) Please provide your reasons, particularly if you disagree.:

It addresses many of the factors that delay RES applications progressing through the DM process. They reinforce the need for proportionality, positive approach and timely decision making. It also reduces the risks and costs associated with waiting for responses from statutory and internal consultees beyond the statutory deadlines

To maximise the benefits of this policy the proposed amendment to DM1 (2) to support pre-app discussions for RES is agreed so the last sentence reads:

“Pre-application engagement may also be required where proposals raise complex planning matters, such as the potential effect on heritage assets and for rural exception sites.”

25) Do you agree that policy DM5 would prevent unnecessary negotiation of developer contributions, whilst also providing sufficient flexibility for development to proceed?

Partly agree

a) Please provide your reasons, particularly if you disagree :

Most of the changes would avoid the practice of developers delivering less affordable housing than policy requirements. However, there remains a risk of unnecessary negotiation of development contributions by leaving open ended the time period when unforeseen costs can be used to trigger these negotiations. To avoid this risk, for small, medium, and strategic sites, this provision should be limited to during the construction of ground works, which is the time when such costs are most likely to be evident.

This could be achieved by amending DM5c to read:

During construction of ground works the development is demonstrably burdened by costs which were unforeseeable when the development plan was prepared.

26) Do you have any further comments on the likely impact of policy DM5: Development viability?

Answer:

STRONGLY SUPPORT

Including in policy that the price paid for land or intended to be paid through an option agreement should not be justification for failing to accord with relevant policies in the plan.

As well as securing affordable housing it will reduce land price inflation and make it a more level playing field for SME developers, RPs, and some CLH groups to compete for sites.

There remain concerns that in high value market areas the uplift on Benchmark Land Values reflect the high costs, and unaffordability, of market housing at the time the EVA is undertaken. This results in higher land prices which ultimately reduces the ability to increase delivery of affordable housing. As the standard housing need methodology simply increases housing numbers that do not necessarily improve affordable housing supply, or the ability to achieve lower priced market housing, it would be helpful if the proposed NPPF Annex setting out the inputs for viability assessments, set a maximum 20% uplift on BVL in areas where housing numbers are increased by the affordability ratio multiplier in the standard methodology.

27) Do you have any views on how the process of modifying planning obligations under S106A, where needed once a section 106 agreement has been entered into, could be improved?

a) Please explain. If so, please provide views on specific changes that may improve the efficacy of S106A and the main obstacles that result in delay when seeking modification of planning obligations.:

28) Do you have any views on how the process of modifying planning obligations could be improved in advance of any legislative change, noting the government's commitment to boosting the supply of affordable housing.

a) Please explain. If so, please provide views on the current use of s73 and, if any, the impact on affordable housing obligations:

29) Do you agree with the approach for planning conditions and obligations set out in policy DM6, especially the use of model conditions and obligations?

Partly Agree

Answer:

Greater consistency and simplification are welcome, but the wording that discourages use of planning obligations is imprecise. This could result in LPAs using conditions rather than S106 on RES sites and mean the requirements of the NDMP RES policy HO10 are not achieved. This is because only planning obligations run with the land ensuring that the development meets the perpetuity requirements for all forms of affordable housing, the homes are occupied by those with a local connection, as defined in the glossary definition of RES. These assurances are critical to Landowners selling land at a price that makes RES schemes financially viable and community support for these schemes.

The process would be simplified, more consistent and faster if the government and PAS's development of national model planning obligation included one for RES.

30) Do you agree that policy DM7 clarifies the relationship between planning decisions and other regulatory regimes?

Not Answered

a) Please provide your reasons, particularly if you disagree :

31) Do you agree with the new intentional unauthorised development policy in policy DM8?

Not Answered

a) Please provide your reasons, particularly if you disagree :

32) Are there any specific types of harm arising from intentional unauthorised development, and any specific impacts from the proposed policy, which we should consider?

a) If so, are there any particular additions or mitigations which we should consider?:

33) Do you agree with the new Article 4 direction policy in policy DM10?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 4: Achieving sustainable development

34) Do you agree with the proposed approach to setting a spatial strategy in development plans?

Partly agree

a) Please provide your reasons, particularly if you disagree :

Completely support the need for plans to include a spatial strategy, but the current wording of S1 and S2 in combination with CC1 and CC2 is likely not to deliver the objective set out at the beginning of this section, or the purposes of planning as defined in para 16 in rural areas. Instead, it will focus growth in larger and urban centres with only limited opportunities for development in rural communities.

The spirit of the objective for this section should be incorporated into S1 and S2 through the following amendments:

Amend S1 as follows:

S1 a The development plan should plan positively for future growth in urban and rural areas by....

And

S1 b Providing for new development, and improvement of the environment, in a way which promotes sustainable development and seeks to mitigate climate change and adapt to its effects.

Amend S2 as follows:

S2(1)a Settlements within the development plan area, whether existing or proposed, including in rural areas clusters of settlements that share services, and their boundaries (or clear criteria for identifying settlement extents) etc....

35) Do you agree with the proposed definition of settlements in the glossary?

Strongly disagree

a) Please provide your reasons, particularly if you disagree :

The definition of settlements in the glossary risks many rural settlements being excluded as the wording is vague and it is likely that because of their more limited access to public transport and a range of services LPAs will consider they do not meet the requirements of S1, S2 ,C1 and C2 and therefore they do not contribute to a sustainable pattern of development. In consequence the opportunities to use a plan -led approach to meet the stated objective of development supporting rural economies and rural communities will not be achieved.

This could be avoided amending the definition of settlements to give more flexibility to the application of this and related policies and thus support a positive plan-led approach to development in rural areas as follows:

Settlement: Includes cities, towns, villages, and other predominantly built-up areas, including land which is allocated or has permission for development which will form part of the built-up area once the development is complete. This includes areas defined as a settlement in the development plan (whether using defined settlement boundaries or equivalent terms, or criteria for identifying settlement extents). In rural areas settlements can include individual settlements or clusters of smaller villages that share services and together act as a sustainable settlement. Settlements do not include isolated hamlets and scattered groups of houses located outside predominantly built-up areas, unless specifically defined as a settlement in the development plan.

36) Do you agree with the revised approach to the presumption in favour of sustainable development?

Partly disagree

a) Please provide your reasons, particularly if you disagree :

There is a significant risk that the definition of settlements will result in the adoption of spatial strategies that include settlement hierarchies based on availability of a range of services and public transport, which will have the effect of excluding many rural villages from development. The negative impact of these approaches on the social and economic sustainability of rural areas has been well evidenced. They will also undermine the helpful policies in the NPPF that support the development of rural affordable housing, including HO5.

This could be avoided by amending the definition of settlements to give more flexibility to the application of this and related policies and thus support a positive plan-led approach to development in rural areas as follows:

Settlement: Includes cities, towns, villages, and other predominantly built-up areas, including land which is allocated or has permission for development which will form part of the built-up area once the development is complete. This includes areas defined as a settlement in the development plan (whether using defined settlement boundaries or equivalent terms, or criteria for identifying settlement extents). In rural areas settlements can include clusters of smaller villages that share services and together act as a sustainable settlement. Settlements do not include isolated hamlets and scattered groups of houses located outside predominantly built-up areas, unless specifically defined as a settlement in the development plan.

37) Do you agree to the proposed approach to development within settlements?

Partly agree

a) Please provide your reasons, particularly if you disagree :

It is helpful that there should be a positive and plan led approach to development in rural communities, but for this to be successful it is critical that the definition of settlements is expanded to include clusters of rural settlements that share services in effect functioning as a sustainable community - see response to Q36.

However, S4 poses a risk that some rural communities could, as now, be recipients of development that is inappropriate in scale and fails to meet their affordable housing needs. This could be avoided by re-instating the current wording of the NPPF that the adverse impact of not providing affordable housing can be a reason to refuse to apply PFSD. This could be achieved by adding a third point to the reasons when a development may be unacceptable as follows:

S4(2) iii the application of the policies in this Framework for providing affordable housing, including where the proposed development fails to meet or exceed up to date development plan requirements for affordable housing relevant to the location, including the minimum proportion of social rent.

38) Do you agree to the proposed approach to development outside settlements?

Partly agree

a) Please provide your reasons, particularly if you disagree :

It is vital that NPPF policy offers some opportunities for rural growth in the event of development plans' spatial development strategies restricting these opportunities. It is particularly helpful that the forms of development considered appropriate include exception sites as these play a vital role in providing affordable housing in many rural communities where there are no site allocations.

However, there are two elements of the policy that pose a risk for achieving sustainable development in rural communities.

Firstly, the absence in S5j of the wording in the current NPPF that the adverse impact of not providing affordable housing can be a reason to refuse to apply PFSD. Without this provision there is a risk that as now smaller rural communities will be swamped by development that is of an inappropriate scale and fails to meet the housing needs of the host community. This could be avoided by the including an additional sub point to 5J as follows:

S5j (iii) the proposed development meets the up-to-date development plan requirements for affordable housing relevant to the location, including the minimum proportion of social rent.

Secondly there are similar concerns with the provisions for development around stations. They are ambiguous and could be potentially harmful in a rural context where stations can be small and located outside the community. See response to Q40.

39) Do you have any views on the specific categories of development which the policy would allow to take place outside settlements, and the associated criteria?

Partly agree

a) Please provide your reasons:

Meeting rural communities needs for affordable housing makes it essential that the categories of development allowed outside settlements includes:

- Limited infilling within groups of houses;
- An exception site as provided for in policy HO10, or development brought forward

To ensure all sites deliver affordable housing it is vital that the NPPF includes the following:

The proposed definition of DRAs in policy HO5 that allows LPAs in these areas to secure affordable housing from these sites; and

the expectation remains that any affordable housing contributions are on site and that where a cash sum is taken in lieu it is of equivalent value to affordable homes provision on site and there is a cascade that gives priority for any commuted sum to be used to support rural affordable housing delivery.

However, the proposal for developments around stations that do not fall within the definition of well-connected station given in footnote 26 are problematic in a rural context. In rural areas these can be very small, often on the edge or a distance away for a settlement. These would not be appropriate locations for development and certainly not at the density proposed in Policy L3.

40) Do you agree with the proposed approach to development around stations, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12?

Strongly disagree

a) Please provide your reasons, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers and other groups with protected characteristics.:

The proposals for developments around stations that do not fall within the definition of well-connected station given in footnote 26, will be problematic in rural areas.

The lack of a definition of what would qualify as a well-connected station that does not meet the criteria in footnote 26 potentially opens up any site near a railways line for development. In rural areas these can be very small, often on the edge or a distance away for a settlement. These would not be appropriate locations for development and certainly not at the density proposed in Policy L3

If development near stations other than those defined as well connected (footnote 26) are to be included in the policy and those where infrastructure is proposed rather than existing the following is required:

a) a clear definition of what would count as a well-connected station that does not meet the criteria given in footnotes 26,45 and 52

b) The wording of SP5h is redrafted as a criteria-based policy;

With re-wording of the following criterion:

The development is of a scale which can be accommodated in accordance with DP3 and taking into account the existing infrastructure or where contracts are in place to deliver proposed infrastructure.

41) Do you agree that neighbourhood plans should contain allocations to meet their identified housing requirement in order to qualify for this policy?

Not Answered

a) If not, please provide your reasons:

Chapter 5: Meeting the challenge of climate change

42) Do you agree with the approach to planning for climate change in policy CC1?

Not Answered

a) Please provide your reasons, particularly if you disagree :

43) Do you agree with the approach to mitigating climate change through planning decisions in policy CC2?

Not Answered

a) If not, what additional measures could be taken to ensure climate change mitigation is given appropriate consideration? :

44) Do you agree with the approach to climate change adaptation through planning decisions in policy CC3?

Not Answered

a) What additional measures could be taken to ensure climate change mitigation is given appropriate consideration? :

45) Does the policy on wildfire adaptation clearly explain when such risks should be considered and how these risks should be mitigated?

Not Answered

a) Please provide your reasons, particularly if you disagree :

46) How should wildfire adaptation measures be integrated with wider principles for good design, and what additional guidance would be helpful?

Answer:

47) Do you have any other comments on actions that could be taken through national planning policy to address climate change?

Answer:

Chapter 6: Delivering a sufficient supply of homes

48) Do you agree the requirements for spatial development strategies and local plans in HO1 and HO2 are appropriate?

Not Answered

a) Please provide your reasons, particularly if you disagree :

49) Is further guidance is required on assessing the needs of different groups, including older people, disabled people, and those who require social and affordable housing?

Strongly agree

If so, what elements should this guidance cover?:

For policies and decision making to take account of the affordable housing needs of rural residents, the evidence base should provide data and analysis at parish level. Without this the needs in rural areas are masked by data that covers larger areas with very different housing market conditions, particularly where this is reported at local authority level.

Further guidance is required on assessing the need for affordable housing at parish level such as the Rural Affordable Housing Needs model devised by Arc 4. It uses NPPG methodology, using secondary data analysed at parish level and rurally appropriate assumptions. These assessments have been successfully used by several local authorities to support their policies and target their housing enabling capacity, including the rural York and North Yorkshire Strategic Place Partnership. Further details are available from Dr Michael Bullock michael.bullock@arc4.co.uk

National guidance would also be helpful on assessing the housing needs of older people who are diverse group with correspondingly different housing and care needs and resources to meet those needs.

50) Do you agree with the approach to incorporating relevant policies of Planning Policy for Traveller Sites within this chapter?

Not Answered

a) Please provide your reasons, particularly if you disagree :

51) Is further guidance needed on how authorities should assess the need for traveller sites and set requirement figures?

Not Answered

a) If so, what are the key principles this guidance should establish?:

52) Do you agree the new Annex D to the draft Framework is sufficiently clear on how local planning authorities should set the appropriate buffer for their local plan 5-year housing land supply?.

Not Answered

a) Please provide your reasons, particularly if you disagree :

53) Do you agree the new Annex D to the draft Framework is sufficiently clear on the wider procedural elements of 5-year housing land supply, the Housing Delivery Test and how they relate to decision making?

Not Answered

a) Please provide your reasons, particularly if you disagree :

54) Do you agree the requirements to establish a 5 year supply of deliverable traveller sites and monitor delivery are sufficiently clear?

Not Answered

a) Please provide your reasons, particularly if you disagree :

55) Do you agree the plan-making requirements, for both local plans and spatial development strategies, in relation to large scale residential and mixed-use development are sufficiently clear?

Not Answered

a) Please provide your reasons, particularly if you disagree :

56) Do you agree our proposed changes to the definition of designated rural areas will better support rural social and affordable housing?

Strongly agree

a) Please provide your reasons, particularly if you disagree :

Reasons:

On the positive side, the mainstay of site supply in villages are small sites, often less than 10 dwellings. The new definition of DRA means that in 91% of parishes with populations of 3,000 or fewer it will now be possible to take an affordable housing contribution from these sites. This will increase the supply of rural affordable housing through a plan-led approach, reducing the reliance of Rural exception sites. In addition, it will result in reducing the price of allocated sites making it easier for SME builders to compete in the land market in rural areas. Lower land values for allocated sites should also reduce the price differential between allocated and RES sites, which should reduce 'hope value' on the latter.

However, the final wording of policy HO5 needs to be amended to reflect the introduction of 'medium' sized developments as follows:

i. setting requirements for the type and mix of affordable housing (applying the definition in Annex B) required to meet identified local needs, including the minimum proportion of Social Rent homes required, as part of major and medium developments. In Designated Rural Areas, development plans may also set affordable housing requirements for small residential developments of fewer than 10 dwellings.

Vitaly, the benefits of this policy will only be achieved if the NPPF retains an expectation that affordable housing contributions on all sizes of site will be on-site. It is recognised however they may need to be some limited flexibility to take a financial contribution in lieu at the LPA's discretion and with a requirement that priority is given to use those sums raised in rural areas to support the delivery of rural affordable housing

57) Do you agree with our proposals to ask authorities to set out the proportion of new housing that should be delivered to M4(2) and M4(3) standards?

Not Answered

a) Please provide your reasons, particularly if you disagree :

58) Do you agree 40% of new housing delivered to M4(2) standards over the plan period is the right minimum proportion?

Not Answered

a) Please provide your reasons, and would you support an alternative minimum percentage requirement?:

59) Do you agree the proposals to support the needs of different groups, through requiring authorities to set identify sites or set requirements for parts of allocated sites are proportionate?

Not Answered

a) Please provide your reasons, particularly if you disagree :

60) Do you agree with our proposals to ask authorities to set out requirements for a broader mix of tenures to be provided on sites of 150 homes or more?

Not Answered

a) Please provide your reasons and indicate if an alternative site size threshold would be preferable? :

61) Do you agree with proposals for authorities to allocate land to accommodate 10% of the housing requirement on sites of between 1 and 2.5 hectares?

Strongly agree

a) Please provide your reasons:

Also Strongly agree with the requirement that LPAs should allocate sites that support and enhance the viability of rural communities and enable villages to grow and thrive, especially where this will support local services.

If the sustainable development objectives of the NPPF are to be achieved in rural areas and the plan led approach with a presumption in favour of development is going to work for rural, it is essential that LPAs allocate small sites in rural communities.

As worded, the draft NPPF HO6 would increase the availability of small sites that with the changes in HO5 to the DRA definition will increase the supply of rural affordable housing.

It moves the provision of rural affordable housing into a plan-led approach that mirrors that available in urban areas. In so doing for some communities, it will reduce the reliance on rural exception site delivery, although this route will still be vital to meeting the needs of rural communities, particularly smaller settlements where there are likely to be few site allocations.

However, there is a risk the benefits of HO5 and HO6 will be undermined if there is any.

62) Are any changes to policy HO7 needed in order to ensure that substantial weight is given to meeting relevant needs?

Answer:

63) Do you agree that proposals to add military affordable housing to the definition of affordable housing, and allow military housing to be delivered as part of affordable housing requirements, will successfully enable the provision of military homes?

Not Answered

a) Please provide your reasons, particularly if you disagree :

64) Do you agree flexibility relating to the size of market homes provided will better enable developments providing affordable housing?

Not Answered

a) Please provide your reasons, particularly if you disagree :

65) Would requiring a minimum proportion of social rent, unless otherwise specified in development plans, support the delivery of greater number of social rent homes?

Partly agree

a) If so, what would be an appropriate minimum proportion and development size threshold taking into account development viability?:

National and local evidence shows an acute need for affordable housing in rural communities. Consistently across the country the greatest need is for Social Rented Housing. However, the lower income achieved from Social Rent has implications for scheme viability.

It would therefore be helpful if HO8 set a minimum proportion of housing for social rent, but that it also sets out that at the local authority's discretion, in exceptional circumstances arising from viability challenges, a lower proportion of social rented housing can be accepted.

This would be achieved by splitting HO8 into two subsections. HO8(1) would read as follows:

HO8(1) Development proposals should at a minimum provide 15% of affordable housing as Social Rent unless:

a) subject to evidence of local housing need the Development Plan sets a higher proportion for Social Rent

b) in exceptional circumstances where a 15% Social Rent requirement makes a scheme financially unviable, the local authority may accept a lower proportion of social rented housing.
to a minimum of proportion of 5% for Social Rent; and
the remaining proportion should be in the form of other affordable housing tenures, with priority given to providing Affordable Rent.

66) Are changes to planning policy needed to ensure that affordable temporary accommodation, such as stepping stone housing, is appropriately supported, including flexibilities around space standards?

a) If so, what changes would be beneficial?:

67) Do you agree that applicants should have discretion to deliver social and affordable housing requirements via cash payments in lieu of on-site delivery on medium sites?

Strongly disagree

a) If so, would it be desirable to limit the circumstances in which cash contributions in lieu of on-site delivery can be provided – for example, should it not be permitted on land released from the Green Belt where the Golden Rules apply? Please explain your answer.:

This approach would completely undermine the positive policies that support the delivery of affordable housing to meet the needs of rural communities and the creation of mixed and balanced rural communities. There are very few alternative sites in these villages where the money could be used to provide affordable homes.

Yes, it would be desirable to limit the circumstances - it should be at the local authority not the developer's discretion.

b) If you do not believe applicants should have blanket discretion to discharge social and affordable housing requirements through commuted sums, do you think cash contributions in lieu of on-site delivery should be permitted in certain circumstances – for example where it could be evidenced that onsite delivery would prevent a scheme from being delivered? Please explain your answer:

Yes – there should be flexibility to allow for a cash contribution in lieu of on-site delivery in a limited number of circumstances, for example where there is robust evidence that otherwise the scheme would not be delivered, such as viability and lack of RP interest. But this should be at the discretion of the LPA.

However, the policy should prioritise the use of any sums raised through rural schemes for rural affordable housing delivery.

The wording of the draft HO8 should be amended to:

in exceptional cases at the discretion of the local planning authority, affordable housing contributions can be taken from any sized site as a cash contribution in lieu of on-site provision. The use of these sums should be subject to the following cascade:

- First three years from receipt of payment - the sums should be used in the rural community where they were raised.
- The following three years - they should be used to support affordable housing in rural communities across the Local authority area
- After 6 years - any remaining sums can be used to support affordable housing anywhere in the Local Plan area.
- If cash sums still remain unspent the local authority must for a period of 12 months invite RPs and CLH developers to bid for this funding to support the delivery of affordable housing.

68) What risks and benefits would you expect this policy to have? Please explain your answer. The government is particularly interested in views on the potential impact on SME housing delivery, overall housing delivery, land values, build out rates, overall social and affordable housing delivery, and Registered Providers (including SME providers).

Answer:

BENEFITS – NONE

RISKS:

It would undermine the government's intention stated in the consultation document 'to support the provision of much needed social and affordable housing in rural areas. This is due to the fact that it would reduce the delivery in rural areas because there few if any alternative sites in rural areas on which affordable housing can be provided.

It would limit opportunities for RPs, particularly smaller RPs specialising in rural development to be involved with these schemes. These developments benefit the financial viability of these schemes through their tenure mix and relatively quick build-out which supports their cash flow. The inclusion of these schemes in their development programmes allows a degree of internal cross subsidy that supports the delivery of schemes in lower value areas and rural exception sites.

69) What guidance or wider changes would be needed to enable Local Planning Authorities to spend commuted sums more effectively and more quickly? Please explain your answer.

Answer:

70) Would further guidance be helpful in supporting authorities to calculate the appropriate value of cash contributions in lieu?

Yes

a) If so, what elements and principles should this guidance set out? Please explain your answer. For example, guidance could make clear that contributions in lieu should be an amount which is the equivalent value of providing affordable housing on site, based on a comparison of the Gross Development Value of the proposed scheme with the Gross Development Value of the scheme assuming affordable housing was provided onsite. :

STRONGLY AGREE

The guidance should make clear that contributions in lieu should be an amount which is the equivalent value of providing affordable housing on site, based on a comparison of the Gross Development Value of the proposed scheme with the Gross Development Value of the scheme assuming affordable housing was provided onsite.

71) Do you support proposals to enable off site delivery where affordable housing delivery can be optimised to produce better outcomes in terms of quality or quantity?

Strongly disagree

a) Please provide your reasons, particularly if you disagree :

This proposal would see funding for rural affordable housing raised from small rural schemes being used to support larger schemes in urban areas. As such it runs the risk of undermining other policies in the NPPF supporting rural affordable housing delivery and with it the ability to create mixed and balanced rural communities if the funding is moved to schemes delivering elsewhere.

72) Do you agree the with the criteria set out regarding the locations of specialist housing for older people?

Strongly disagree

a) Please provide your reasons, particularly if you disagree :

This policy would not meet the needs of older people in rural areas where centralisation of services and lack of public transport means there is limited access to frequently used services by walking and wheeling.

However, the older age profile and the more rapidly ageing population of rural areas means there is a need for a policy that meet the needs of these rural residents.

In villages a small scheme of purposely designed accommodation, with on or off-site access to care and support, can meet the needs of older residents, allowing them to remain in their community near the support of family and friends and in familiar surroundings, all of which are vital to their health and well-being.

Support for this type of accommodation could be achieved by inserting a final clause in HO9 (1)(a)(i) to read as follows:

a. Housing for older people:

i. being located where residents will be able to access frequently used services easily and safely by walking, wheeling (including mobility scooters) and public transport; including through on-site provision where applicable; or where the homes will allow residents to remain in their communities and able to benefit from the continuing informally provided support and care.

73) Do you agree with the criteria set out regarding the locations of specialist community-based accommodation, including changes to the glossary?

Not Answered

a) Please provide your reasons, particularly if you disagree :

74) Do you agree with the criteria set out regarding the locations of purpose built student accommodation and large scale shared living accommodation, including changes to the glossary?

Not Answered

a) Please provide your reasons, particularly if you disagree :

75) Do you agree the proposals provide adequate additional support for Rural Exception Sites?

Partly disagree

a) Please provide your reasons, including what other changes may be needed to increase their uptake?:

But fundamentally disagree that the NPPF sets any size limits for rural exception sites either in policy or the glossary definition.

And strongly urge that policy HO10 is accompanied by the introduction of a bespoke Rural Exception Site Permission in Principle.

Policy HO10 is welcome but its uptake should be strengthened by adopting the following four measures:

Measure 1 Amend the Town and Country Planning (Permission in Principle) Order 2017 to include a RES Permission in Principle (RES PiP) that requires the applicant to state the location, number of dwellings and proposed tenure mix.

This should be accompanied by more detailed guidance on the process and evidence requirements in NPPG.

Reason – Evidence shows that consistently RES schemes experience significant delays at the planning application stage. This results in increased risk and costs for RPs, Community Led Housing groups and landowners developing RES schemes. In turn these disincentives them from engaging in RES development.

The proposed generic PiP for medium sized sites does not work for RES developments. This is because the generic PiP only requires the applicant to state the location and number of dwellings that will be built. Unlike the proposed RES PiP there is no requirement for a generic PiP application to state the tenure mix. In effect therefore once the generic PiP has been approved permission is granted solely for residential development. A developer could then build the scheme out as market housing or sell it on as such to another developer with no or little affordable housing provision.

The result will be:

-LPAs are highly unlikely to approve an application for a RES scheme submitted for approval through the generic PiP as they will have no assurance or mechanism to ensure the ensuing development will meet the NDMP requirements of the RES policy to provide affordable housing to meet local housing needs in perpetuity – as now stated as a NDMP HO10.

-Landowners are highly unlikely to sell land at a price that makes it viable to deliver a RES site if it is submitted through the generic PiP route given the risk that these sites will be developed as market housing.

-Communities are highly unlikely to support a scheme submitted under the generic PiP route given the risk that these sites will be developed as market housing.

-The rural benefits the new SAHP will not be achieved because RES schemes will continue to be delayed in the planning process, this will delay the award of Homes England grant which is only approved once planning permission is given. This adds further risk and cost meaning that RPs will continue to be wary of taking on rural schemes.

Measure 2 providing separate wording for rural exception sites and traveller sites with the latter including rural and urban exception sites.

Measure 3 – remove any site limits for rural exception sites.

Including a limit size in the NPPF unnecessarily fetters the discretion of local authorities to respond to the settlement size and pattern in their areas. In some areas it would lead to schemes in small communities being too small to be financially viable for RPs to develop. In others this and/or the 1-hectare limit would result in large schemes that could swamp the host community and run counter to NPPF design policy.

To avoid these risks the following amendments are needed:

Delete the size requirements currently in HO10(2b)

Amend the wording of the definition of RES in the glossary by removing 'small,' so it reads as follows:

Rural exception sites: Sites used for affordable housing and affordable traveller sites in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.

Measure 4 including a RES model S106 agreement in the suite of model agreements that government is preparing with PAS.

76) Do you agree with proposals to remove First Homes Exception Sites as a discrete form of exception site?

Strongly Agree

a) Please provide your reasons, particularly if you disagree :

First Homes Exception Sites should be removed from the NPPF. These properties sell for a higher price than other forms of affordable housing, meaning that a higher land value can be paid. There is some evidence that this has reduced landowner interest in providing land for rural exception sites that provide the range of affordable housing tailored to the affordable housing needs of the community, including social rented homes.

77) Do you agree proposals for a benchmark land value for rural exception sites will help to bring forward more rural affordable homes?

Strongly agree

a) If so, which approach and value as set out in the narrative for policy HO10 of the consultation document is the most beneficial for government to set out?:

Setting a benchmark value for RES sites for viability assessments would be helpful. It would avoid delays and difficulties securing sites because of 'hope value,' ensure the land price means the scheme can viably deliver a RES policy compliant affordable housing scheme, and that the scheme meets the value for money criteria for Homes England grant funding.

a) the most beneficial for government would be:

whichever is the higher of £13k a plot, 5x agricultural value, 1.5 x existing use value where appropriate.

REASON:

It would provide a necessary but limited degree of flexibility to take into account the different housing market conditions, agricultural land values and uses across the country and that some sites will have an existing use with a value,

The proposed values offer a limited uplift in land value to encourage landowners to release sites, whilst still keeping land values at a level that mean the development meets the requirements of RES policy as set out in HO10.

78) Do you agree the proposals to set out requirements for traveller sites at HO12 adequately capture relevant aspects from Planning Policy for Traveller Sites, whilst ensuring fair treatment for traveller sites in the planning system?

Not Answered

79) Please provide your reasons to Question 78, particularly if you do not agree

Answer:

80) Do you agree the proposals in policy HO13 will help to ensure development proposals are built out in a reasonable period?

Not Answered

a) Please provide your reasons, particularly if you disagree :

81) Do you agree the requirements to take a flexible approach to the consenting framework for large scale residential and mixed-use development is sufficient to ensure the opportunities of large scale development are supported?

Not Answered

a) Please provide your reasons, particularly if you disagree :

82) Are any more specific approaches or definitions needed to support the delivery of very large (super strategic) sites, including new towns?

Not Answered

a) Please provide your reasons:

83) Do you agree with the proposed changes to the Housing Delivery Test rule book?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 7: Building a strong , effective economy

84) Do you agree that more emphasis should be placed on relevant national strategies and the need for flexibility in planning for economic growth, as drafted in policy E1?

Not Answered

a) Please provide your reasons, particularly if you disagree.:

85) Do you agree with the approach to meeting the need for business land and premises in policy E2?

Not Answered

a) Please provide your reasons, particularly if you disagree :

86) Do you agree with the proposed new decision-making policy supporting freight and logistics development in policy E3?

Not Answered

a) Please provide your reasons, particularly if you disagree :

87) Do you agree with the approach to rural business development in policy E4?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 8: Ensuring the vitality of town centres

88) Do you agree with the proposed changes to policy for planning for town centres?

Not Answered

a) Please provide your reasons, particularly if you disagree :

89) Do you agree with the approach to development in town centres in policy TC2?

Not Answered

a) If not, please explain how you would achieve this aim differently :

90) What impacts, if any, have you observed on the operation of planning policy for town centres since the introduction of Use class E?

Answer:

91) Do you believe the sequential test in policy TC3 should be retained?

Not Answered

a) Please provide your reasons, particularly if you disagree :

92) Do you agree with the approach to town centre impact assessments in policy TC4?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 9: Supporting high quality communications

93) Do you agree that the updated policies provide clearer and stronger support for the rollout of 5G and gigabit broadband?

Not Answered

a) Please provide your reasons, particularly if you disagree :

94) Do you agree the requirements for minimising visual impact and reusing existing structures are practical for applicants and local planning authorities?

Not Answered

a) Please provide your reasons, particularly if you disagree :

95) Do you agree the supporting information requirements are proportionate and sufficient without creating unnecessary burdens?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 10: Securing Clean Energy and Water

96) Do you agree with the approach to planning for energy and water infrastructure in policy W1

Not Answered

a) Please provide your reasons, particularly if you disagree, what alternative approach would you suggest?:

97) Do you agree with the amendments to current Framework policy on planning for renewable and low-carbon development in policy W2?

Not Answered

a) Please provide your reasons, particularly if you disagree:

98) Do you agree with the proposed approach to supporting development for renewable and low carbon development and electricity network infrastructure in policy W3?

Not Answered

a) Please provide your reasons, particularly if you disagree, and any changes you would make to improve the policy?:

99) Do you agree with the proposed approach to supporting development for water infrastructure in policy W4?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 11: Facilitating the sustainable use of minerals

100) Do you agree with the proposed prohibition on identifying new coal sites in policy M1, and to the removal of coal from the list of minerals of national and local importance?

Not Answered

a) Please provide your reasons, particularly if you disagree :

101) Do you agree with how policy M1 sets out how the development plan should consider oil and gas?

Not Answered

a) Please provide your reasons, particularly if you disagree :

102) Do you agree with the proposed addition of critical and growth minerals to the glossary definition of 'minerals of national and local importance'?

Not Answered

a) Please provide your reasons, particularly if you disagree :

103) Do you agree criteria b of policy M2 strikes the right balance between preventing minerals sterilisation and facilitating non minerals development?

Not Answered

a) Please provide your reasons, particularly if you disagree :

104) Do you agree policy M3 appropriately reflects the importance of critical and growth minerals?

Not Answered

a) Please provide your reasons, particularly if you disagree :

105) Do you agree with the exclusion of development involving onshore oil and gas extraction from policy M3?

Not Answered

106) Please provide your reasons in response to question 105, particularly if you disagree

Answer:

107) Do you agree policy M4 sufficiently addresses the impacts of mineral development, noting that other national decision-making policies will also apply?

Not Answered

108) Please provide you reasons in response to question 107, particularly if you do not agree

Answer:

109) Do you agree with approach to coal, oil and gas in policy M5?

Not Answered

a) Please provide your reasons, particularly if you disagree :

110) Are there any other exceptional circumstances in which coal extraction should be permitted?

Not Answered

111) If yes in reply to question 110, please outline the exceptional circumstances in which you think coal extraction should be permitted.

Answer:

112) Do you agree policy M6 strikes the right balance between preventing the sterilisation of minerals reserves and minerals-related activities, and facilitating non-minerals development?

Not Answered

a) Please provide your reasons, particularly if you disagree :

113) Does policy M6 provide sufficient clarity on the role of Minerals Consultation Areas?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 12: Making effective use of land

114) Do you agree policy L1 provides clear guidance on how Local Plans should be prepared to promote the efficient use of land?

Not Answered

115) If not, in response to question 114, what further guidance is needed?

Answer:

116) Do you agree policy L2 provides clear guidance on how development proposals should be assessed to ensure efficient use of land?

Not Answered

a) Please provide your reasons, particularly if you disagree :

117) Do you agree policy L2 identifies appropriate typologies of development to support intensification?

Not Answered

a) If not, what typologies should be added or removed and why?:

118) Do you agree the high-level design principles provided in policy L2(d) appropriate for national policy?

Not Answered

a) Please provide your reasons, particularly if you disagree :

119) Do you agree policy L2 (d)(i) achieves its intent to enable appropriate development that may differ from the existing street scene, particularly in cases such as corner plot redevelopment and upwards extensions.

Not Answered

a) Please provide your reasons, particularly if you disagree :

120) Do you agree with the proposed safeguards in policy L2 that allow development in residential curtilages?

Not Answered

a) Please provide your reasons, particularly if you disagree :

121) Do you agree policy L3 provides clear guidance on achieving appropriate densities for residential and mixed-use schemes?

Not Answered

a) If not, please explain how guidance could be clearer?:

122) Do you agree with the minimum density requirements set out within policy L3?

Not Answered

a) Please provide your reasons, particularly if you disagree :

b) Could these minimum density requirements lead to adverse impacts on Gypsies and Travellers and other groups with protected characteristics? Please provide your reasons, including any evidence.:

123) Do you agree that using dwellings per hectare is an appropriate metric for setting minimum density requirements? Additionally, is our definition of 'net developable area' within the NPPF suitable for this policy?

Not Answered

a) Please provide your reasons, particularly if you disagree :

124) Do you agree with the proposed definition of a 'well-connected' station used to help set higher minimum density standards in targeted growth locations? In particular, are the parameters proposed for the number of Travel to Work Areas and service frequency appropriate for defining a 'well-connected' station?

Strongly disagree

a) Please provide your reasons and preferred alternatives:

The Policy proposes two density requirements but only offers a definition of those stations where 50 dwellings per hectare will be required.

The policy does not take any account of the character and nature of the area. These densities would be inappropriate for small rural stations. In consequence this policy is in conflict with L3(1), L3(2) and DP3.

125) Are there other types of location (such as urban core, or other types of public transport node) where minimum density standards should be set nationally?

Not Answered

a) If so, how should these locations be defined in a clear and unambiguous way and what should these density standards be? :

126) Should we define a specific range of residential densities for land around stations classified as 'well-connected'?

Not Answered

127) In reply to question 126, if so, what should that range be, and which locations should it apply to?

Answer:

128) Do you agree policy L4 provides clear high-level guidance on good design for residential extensions?

Not Answered

129) Please provide your reasons in response to question 128, particularly if you disagree

Answer:

Chapter 13: Protecting Green Belt land

130) Do you agree that policy GB1 provides appropriate criteria for establishing new Green Belts?

Not Answered

131) Please provide your reasons in response to question 130, particularly if you disagree.

Answer:

132) Do you agree policy GB2 gives sufficient detail on the expected roles spatial development strategies and local plans play in assessing Green belt land?

Not Answered

a) Please provide your reasons, particularly if you disagree.:

133) Do you agree with proposals to better enable development opportunities around suitable stations to be brought forward?

Not Answered

a) Please provide your reasons, particularly if you disagree.:

134) Do you agree the expectations set out in policy GB5 are appropriate and deliverable in Local Plans?

Not Answered

135) Please provide your reasons in response to question 134, particularly if you disagree.

Answer:

136) Do you agree policies GB6 and GB7 set out appropriate tests for considering development on Green Belt land?

Partly agree

a) Please provide your reasons, particularly if you disagree :

The wording is positive and helpful and particularly welcome is the GB7(1) and the inclusion of infilling in villages and rural exception sites as not inappropriate development in the Green Belt.

However, the Green Belt policies should be strengthened in their support of rural affordable housing delivery by two amendments.

1) the wording of GB7 (1) so that it clearly states what development would be appropriate and avoids the nebulous term 'openness' being used to refuse RES applications in the Green Belt.

-Amending the wording of GB7(1) and GB8(1) to read:

"GB7(1). The following categories of development are not inappropriate in the Green Belt, and therefore should not be regarded as harmful to the Green Belt, including its 'openness' or required to demonstrate very special circumstances"

GB8 requires that LPAs apply proportionality in the requirements of non-affordable housing contributions, so these do not make RES schemes unviable and therefore undeliverable. This should be achieved by amending the policy as follows:

"GB8(1) insert between a and b, Other contributions, which should be applied proportionally to rural exception site developments".

And with regards to our response to Q137 below in which no space is given to add comment we strongly disagree that GB7(1h) successfully targets appropriate development locations and types in the Green Belt. Our response is that the lack of a definition of what would qualify as a well-connected station that does not meet the criteria in footnote 26 potentially opens up any site near a railways line in a Green Belt for development. In rural areas these can be very small, often on the edge or a distance away for a settlement. These would not be appropriate locations for development and certainly not at the density proposed in Policy L3.

137) Do you agree policy GB7(1h) successfully targets appropriate development locations and types in the Green Belt, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12?

Strongly disagree

138) Please provide your reasons to your reply to question 137, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers

Answer:

139) Do you agree that site-specific viability assessment should be permitted on development proposals subject to the Golden Rules in these three circumstances?

Not Answered

a) Please provide your reasons, particularly if you disagree :

140) With regards to previously developed land, are there further changes to policy or guidance that could be made to help ensure site-specific viability assessments are used only for genuinely previously developed land, and not predominantly greenfield sites?

Answer:

141) Do you agree with setting an affordable housing 'floor' for schemes subject to the Golden Rules accompanied by a viability assessment subject to the terms set out?

Not Answered

142) Please explain your answer to question 141, including your view on the appropriate approach to setting a 'floor', and the right level for this?

Answer:

143) Do you agree with local planning authorities testing viability at the plan-making stage using a standardised Benchmark Land Values scenario of 10 times Existing Use Value for greenfield, Green Belt land?

Not Answered

a) Please explain your answer.:

144) Do you have any other comments on the use of nationally standardised Benchmark Land Values for local planning authorities to test viability at the plan-making stage?

Answer:

145) Do you agree that proposed changes to the grey belt definition will improve the operability of the grey belt definition, without undermining the general protections given to other footnote 7 areas?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 14: Achieving well-designed places

146) Do you agree that policy DP1 provides sufficient clarity on how development plans should deliver high quality design and placemaking outcomes?

Not Answered

a) Please provide your reasons, particularly if you disagree :

147) Do you agree with the approach to design tools set out in policy DP2?

Not Answered

a) Please provide your reasons, particularly if you disagree.:

148) Do you agree policy DP3 clearly set out principles for development proposals to respond to their context and create well-designed places?

Not Answered

a) Please provide your reasons, particularly if you disagree.:

149) Do you agree with the proposed approach to using design review and other design processes in policy DP4?

Not Answered

a) If not, what else would help secure better design and placemaking outcomes?:

Chapter 15: Sustainable transport

150) Do you agree that policy TR1 will provide an effective basis for taking a vision-led approach and supporting sustainable transport through plan-making?

Not Answered

a) Please provide your reasons, particularly if you disagree :

151) Do you agree that policy TR2 strikes an appropriate balance between supporting maximum parking standards where they can deliver planning benefits, and requiring a degree of flexibility and consideration of business requirements in setting those standards?

Not Answered

a) Please provide your reasons, particularly if you disagree :

152) Do you agree with the changes proposed in policy TR3(1a), including the reference to proposals which could generate a significant amount of movement, and the proposed use of the Connectivity Tool?

Not Answered

a) Please provide your reasons, particularly if you disagree :

153) Do you agree that proposed policy TR4 provides a sufficient basis for the effective integration of transport considerations in creating well-designed places?

Not Answered

a) Please provide your reasons, particularly if you disagree :

154) Do you agree with policy TR5 as a basis for supporting the provision and retention of roadside facilities where there is an identified need?

Not Answered

a) Please provide your reasons, particularly if you disagree :

155) Do you agree that the amended wording proposed in policy TR6 provides a clearer basis for considering when transport assessments and travel plans will be required, and for considering impacts on the transport network?

Not Answered

a) Please provide your reasons, particularly if you disagree :

156) Do you agree the proposed text in policy TR7 provide an effective basis for assessing proposals for marine ports, airports and general aviation facilities?

Not Answered

a) Please provide your reasons, particularly if you disagree :

157) Do you agree with the additional policy on maintaining and improving rights of way proposed in policy TR8?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 16: Promoting healthy communities

158) Do you agree with the approach to planning for healthy communities in policy HC1, including the expectation that the development plan set local standards for different types of recreational land, drawing upon relevant national standards?

Not Answered

a) Please provide your reasons, particularly if you disagree :

159) Do you agree that Local Green Space should be 'close' to the community it serves?

Not Answered

a) Please provide your reasons, particularly if you disagree :

160) Do you agree that the proposed policies at HC3 and HC4 will support the provision of community facilities and public service infrastructure serving new development?

Not Answered

a) Please provide your reasons, particularly if you disagree :

161) Do you have any views on whether further clarity is required to improve the application of this policy, including the term 'fast food outlets', and the types of uses to which it applies?

Answer:

162) Do you agree with the proposed approach to retaining key community facilities and public service infrastructure in policy HC6?

Not Answered

a) Please provide your reasons, particularly if you disagree :

163) Do you agree with the approach taken to recreational facilities in policy HC7, including the addition of 'and/or' with reference to quantity and quality of replacement provision?

Not Answered

a) Please provide your reasons, particularly if you disagree :

164) Do you agree with the clarification that Local Green Space should not fall into areas regarded as grey belt or where Green Belt policy on previously developed land apply?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 17: Pollution, Public Protection and Security

165) Do you agree with policy P1 as a basis for identifying and addressing relevant risks when preparing plans?

Not Answered

a) Please provide your reasons, particularly if you disagree :

166) Are any additional tools or guidance needed to enable better decision-making on contaminated land?

Answer:

167) Do you agree with the criteria set out in proposed policy P3 as a basis for securing acceptable living conditions and managing pollution?

Not Answered

a) Please provide your reasons, particularly if you disagree :

168) Do you agree policy P4 makes sufficiently clear how decision-makers should apply the agent of change principle?

Not Answered

a) Please provide your reasons, particularly if you disagree :

169) Do you agree policy P5 provides sufficient basis for addressing possible malicious threats and other hazards when considering development proposals?

Not Answered

a) Please provide your reasons, particularly if you disagree :

170) Do you agree that substantial weight should be given to the benefits of development for defence and public protection purposes?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 18: Managing Flood Risk and Coastal Change

171) Do you agree with the proposed changes set out in policy F3 to improve how Coastal Change Management Areas are identified and taken into account in development plans?

Not Answered

a) Please provide your reasons, particularly if you disagree :

172) Do you agree with the proposed clarifications to the sequential test set out in policy F5?

Not Answered

a) Please provide your reasons, particularly if you disagree :

173) Do you agree with the proposed approach to the exception test set out in policy F6?

Not Answered

a) Please provide your reasons, particularly if you disagree :

174) Do you agree with the proposed requirement in policy F8 for sustainable drainage systems to be designed in accordance with the National Standards?

Not Answered

a) Please provide your reasons, particularly if you disagree :

175) Do you agree with the proposed new policy to avoid the enclosure of watercourses, and encourage the de-culverting and re-naturalisation of river channels?

Not Answered

a) Please provide your reasons, particularly if you disagree :

176) Do you agree with the proposed changes to policy for managing development in areas affected by coastal change?

Not Answered

a) Please provide your reasons, particularly if you disagree :

177) The National Coastal Erosion Risk Map sets out where areas may be vulnerable to coastal change based on different scenarios. Do you have views on how these scenarios should be applied to ensure a proportionate approach in applying this policy?

Answer:

178) Do you agree with the proposed new additions to Table 2: Flood Risk Vulnerability Classifications?

Not Answered

a) Should any other forms of development should be added? Please give your reasoning and clearly identify which proposed or additional uses you are referring to:

Chapter 19: Conserving and enhancing the natural environment

179) Do you agree that the proposed approach to planning for the natural environment in policy N1, including the proposed approach to biodiversity net gain, strikes the right balance between consistency, viability, deliverability, and supporting nature recovery?

Not Answered

a) Please provide your reasons, particularly if you disagree:

180) In what circumstances would it be reasonable to seek more than 10% biodiversity net gain on sites being allocated in the development plan, especially where this could support meeting biodiversity net gain obligations on other neighbouring sites in a particular area?

Answer:

181) Do you agree policy N2 sets sufficiently clear expectations for how development proposals should consider and enhance the existing natural characteristics of sites proposed for development?

Not Answered

a) Please provide your reasons, particularly if you disagree :

182) Do you agree the policy in Policy N4 provides a sufficiently clear basis for considering development proposals affecting protected landscapes and reflecting the statutory duties which apply to them?

Strongly disagree

a) Please provide your reasons, including how policy can be improved to ensure compliance:

The policy does not achieve this objective because it fails to mention the statutory duty to foster the social and economic well-being of the communities in these areas in pursuit of their statutory purposes.

In so doing it will unduly restrict the provision of affordable housing that provides homes for those employed to protect the landscape, provide the services and opportunities that promote an understanding of these special landscapes and ensure that communities in these areas are sustainable, mixed, and well balanced. In short, the NPPF's stated purpose of planning in these areas will not be achievable.

The following amendment should be adopted to avoid this barrier and set a positive policy for affordable housing in these landscapes:

N4 Development proposals within Protected Landscapes should be limited in scale and extent and sensitively located and designed to avoid harm to their statutory purposes and special qualities, whilst also supporting their statutory duty. Substantial weight should be placed on the importance of conserving and enhancing the natural beauty of these areas, and to conserving and enhancing wildlife and cultural heritage in National Parks and the Broads, whilst recognising the role that development, particularly affordable housing plays in achieving the statutory purposes.

In addition, the policy should set out types of development that would be appropriate in these areas. It should include:

- Affordable housing on allocated sites of an appropriate scale and location
- Rural exception Site development
- 100% affordable housing sites

183) Do you agree policy N6 provides clarity on the treatment of internationally, nationally and locally recognised site within the planning system?

Not Answered

a) Please provide your reasons, particularly if you disagree:

184) Are there any further issues for planning policy that we need to consider as we take forward the implementation of Environmental Delivery Plans?

Answer:

Chapter 20: Conserving and enhancing the historic environment

185) Do you agree the government should implement the additional regard duties under Section 102 of the Levelling-Up and Regeneration Act?

Not Answered

a) Please provide your reasons:

186) Do you have any evidence as to the impact of implementing the additional regard duties for development?

Answer:

187) Do you agree with the approach to plan-making for the historic environment, including the specific requirements for World Heritage Sites and Conservation Areas, set out in policies H1 – H3?

Not Answered

a) Please provide your reasons, particularly if you disagree :

188) Do you agree with the approach to assessing the effects of development on heritage assets set out in policy H5?

Not Answered

a) Please provide your reasons, particularly if you disagree :

189) Do you agree with the approach to considering impacts on designated heritage assets in policy HE6, including the change from "great weight" to "substantial weight", and in particular the interactions between this and the statutory duties?

Not Answered

a) Please provide your reasons, particularly if you disagree :

190) Do you agree with the new policies in relation to world heritage, conservation areas and archaeological assets in policies HE8 – HE10?

Not Answered

a) Please provide your reasons, particularly if you disagree :

191) Do you have any other comments on the revisions to the heritage chapter?

Answer:

Further questions

192) Do you agree with the transitional arrangements approach to decision-making?

Not Answered

a) Please provide your reasons, particularly if you disagree :

193) Do you have any further thoughts on the policies outlined in this consultation?

Answer:

194) Do you agree with the list of Written Ministerial Statements set out in Annex A to the draft Framework whose planning content would be superseded by the policies proposed in this consultation?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Annex A - Data Centres / Onsite Generation

195) Do you consider the planning regime, including reforms being delivered through the Planning and Infrastructure Act, provide sufficient flexibility for energy generation projects co-located with data centres to be consented under either the NSIP or TCPA regime?

Not Answered

a) Please provide your reasons:

196) Would raising the Planning Act 2008 energy generation thresholds for renewable projects that are co-located with data centres in England (for the reason outlined above) be beneficial?

Not Answered

a) If so, what do you believe would be the appropriate threshold? Please provide your reasons. :

197) Do you have any views on how we should define 'co-located energy infrastructure'? Please provide your reasons.

Answer:

198) Do you think the renewable energy generation thresholds under Section 15 of the Planning Act 2008 for other use types of projects should be increased, or should this be limited to projects co-located with data centres?

Not Answered

a) Please provide your reasons:

199) What benefits or risks do you foresee from making this change? Please provide your reasons.

Answer:

Annex B - Viability: Standardised inputs in viability assessment

200) Would you support the use of growth testing for strategic, multi-phase schemes?

Not Answered

a) Please explain your answer.:

201) Would you support the optional use of growth testing for regeneration schemes?

Not Answered

a) Please explain your answer.:

202) Do you agree greater specificity, including single figures, which local planning authorities could choose to diverge from where there is evidence for doing so, would improve speed and certainty?

Not Answered

a) Please explain your answer. If you agree, the government welcomes views on the appropriate figure – for example, whether 17.5% would be an appropriate reflection of the industry standard for most market for sale housing:

203) Are there any site types, tenures, or development models to which alternative, lower figures to 15-20% of Gross Development Value might reasonably apply?

a) Please explain your answer. The government is particularly keen for views on whether clarifying the appropriate profit on Gross Development Value for affordable housing tenures would make viability assessments more transparent and speed up decision making. :

204) Are there further ways the government can bring greater specificity and certainty over profit expectations across landowners, site promoters and developers such that the system provides for the level of profit necessary for development to proceed, reducing the need for subjective expectations?

a) Please explain your answer:

205) Existing Viability Planning Practice Guidance refers to developer return in terms a percentage of gross development value. In what ways might the continued use of gross development value be usefully standardised?

a) Please explain your answer:

206) Do you agree there circumstances in which metrics other than profit on gross development value would support more or faster housing delivery, or help to maximise compliance with plan policy?

Not Answered

a) Please explain your answer:

207) Are there types of development on which metrics other than profit on gross development value should be routinely accepted as a measure of return e.g. strategic sites large multi-phased schemes, or build to rent schemes?

a) Please explain your answer:

208) Do you agree that guidance should be updated to reflect the fact a premium may not be required in all circumstances?

Not Answered

a) In what circumstances might a premium, or the usual premium, not be required?:

b) What impact (if any) would you foresee if this change were made?:

209) Do you agree that extant consents should not be assumed to be sufficient proof of alternative use value, unless other provisions relating to set out in plans are met?

Not Answered

a) Please explain your answer:

210) If extant consents were not to be assumed as sufficient proof of alternative use value, should this be at the discretion of the decision-maker, or should another metric (e.g. period of time since consent granted) be used?

Not Answered

a) If another metric, please set out your preferred approach and rationale:

211) What further steps should the government take to ensure non-policy compliant schemes are not used to inform the determination of benchmark land values in the viability assessments that underpin plan-making?

a) Please explain your answer:

212) Do you agree that the residual land value of the development proposal should be cross-checked with the residual land values of comparable schemes; to help set the viability assessment in context?

Not Answered

a) Please explain your answer:

Annex C - Reforming Site Thresholds

213) Do you agree that a 2.5 hectare threshold is appropriate?

Not Answered

a) Please provide your reasons, particularly if you disagree :

214) Do you agree that a unit threshold of between 10 and 49 units is appropriate?

Not Answered

a) Please provide your reasons, particularly if you disagree :

215) Do you foresee risks or operability issues anticipated with the proposed definition of medium development?

Not Answered

216) In relation to question 215, if so, please explain you answer and provide views on potential mitigations.

Answer:

217) Do you have any views on whether the current small development exemption should be extended to cover a wider range of sites – indicatively to sites of fewer than 50 dwellings, or fewer than 120 bedspaces in purpose-built student accommodation?

a) Please provide your reasons, particularly if you disagree :

218) If the exemption were to be extended, do you have any views on whether the development of 120 purpose-built student accommodation bedspaces is an appropriate equivalent to a development of 50 dwellings for the purposes of the levy exemption?

a) Please provide your reasons, particularly if you disagree :

219) If the exemption were to be extended, do you have any views on whether the exemption should be based solely on the existing metrics (dwellings/bedspaces) or whether there should also be an area threshold.

a) Please explain your answer:

220) If you do have views on possible changes to the small developments levy exemption, please specify the potential impact of the possible change of the levy exemption on people with protected characteristics as defined in section 149 of the Equality Act 2010.

Answer:

221) What do you consider to be the potential economic, competitive, and behavioural impacts of possible changes to the levy exemption? Please provide any evidence or examples to support your response.

Answer:

222) Do you agree with the proposal to extend the Permission in Principle application route to medium development?

Not Answered

a) Please provide your reasons, particularly if you disagree :

223) Do you have views about whether there should be changes to the regulatory procedures for these applications, including whether there should be a requirement for a short planning statement?

Answer:

Public Sector Equality Duty

224) 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?

Not Answered

a) If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how. :

225) Is there anything that could be done to mitigate any impact identified?

a) Please explain your answer: