

NPPF Consultation 2024

Dear Consultation Team,

Please find below our representation on the draft NPPF update.

Although we understand the desire to release poorly performing sites from the Green Belt for development, the draft changes to the NPPF require significant revision to meet the stated aspirations of a 'brownfield first' approach whilst protecting high performing Green Belt.

LPAs will be encouraged to release land and approve development on Green Belt sites as the easy answer to increase development, irrespective of whether it is a sustainable location with the necessary amenities and infrastructure, what housing etc is needed, and the causes of shortfalls.

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Questions

1. *Do you agree that we should reverse the December 2023 changes made to paragraph 61?*

No - the Standard Method does not calculate the actual need for housing; it is an algorithm that is adjusted to arrive at a predetermined target output number. The 0.8% multiplier and the proposed affordability adjustment factor do not in any way measure the need for housing in a location. For that reason, and as LPAs do not control what housing is built, failure to achieve the target should trigger a strategic review of the reasons for the shortfall, and ways to address it, with potential outcomes including, for example, the removal of obstacles to brownfield development, release of poorly performing Green Belt land if the site-specific exceptional circumstances are evidenced and/or using an alternative methodology that measures the actual need for housing (of a specific type) in an area. Instead, the proposals will allow LPAs to approve cheaper and easier greenfield developments, irrespective of the reasons why fewer housing units were developed than desired. The LPAs can even bypass the examination process by approving Green Belt developments via planning applications.

2. *Do you agree that we should remove reference to the use of alternative approaches to assessing housing need in paragraph 61 and the glossary of the NPPF?*

No - the Standard Method does not calculate the actual need for housing; it is an algorithm that is adjusted to arrive at a predetermined target output number. The 0.8% multiplier and the proposed affordability adjustment factor do not in any way measure the need for housing in a location. For that reason, and as LPAs do not control what housing is built, failure to achieve the target should trigger a strategic review of the reasons for the shortfall, and ways to address it, with potential outcomes including, for example, the removal of obstacles to brownfield development, release of poorly performing Green Belt land if the site-specific exceptional circumstances are evidenced

and/or using an alternative methodology that measures the actual need for housing (of a specific type) in an area. Instead, the proposals will result in cheaper and easier greenfield developments being approved, irrespective of the reasons why fewer housing units were developed than desired. The LPAs can even bypass the examination process by approving Green Belt developments via planning applications.

3. *Do you agree that we should reverse the December 2023 changes made on the urban uplift by deleting paragraph 62?*

Yes - the 35% uplift was another arbitrary factor that lacked granularity and does not reflect the need for housing in specific locations.

4. *Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130?*

No - the existing wording should be retained and be broadened to apply to all areas. Character and density are important considerations that impact how a community functions. Para 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development, which requires more than just building a certain number of homes.

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?*

Yes.

6. *Do you agree that the presumption in favour of sustainable development should be amended as proposed?*

No – the proposal is another way to weaken the protection of the Green Belt as an easy solution to increase development. Instead of focusing on the policies for delivery of additional land, it should reference the policies for the supply of additional housing.

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 five year supply is based on a methodology that is manipulated to align with the government's overall target, but which does not in any way measure or reflect the actual need for housing, especially at a granular level.

Therefore, before proposing far-reaching changes that would result in more LPAs being subject to the tilted balance, a sound methodology to reflect the actual demand/need for housing should be introduced.

As the vast number of approved but not developed housing schemes demonstrates, LPAs do not control housing development. Forcing increased development will result in LPAs approving cheaper greenfield developments, while allowing brownfield sites in more sustainable locations to remain undeveloped.

Just as the last decade has seen the demolition of high rise tower blocks that were once seen as an easy answer to the housing need, the long-term implications of the proposed upward development and the destruction of the Green Belt should be assessed.

NPPF para 7 notes that “*the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs*” and a rush for new homes to achieve a political target should not undermine that fundamental principle of the planning framework.

8. *Do you agree with our proposal to remove wording on national planning guidance in paragraph 77 of the current NPPF?*

No – past oversupply must offset future targets to avoid excessive expansion. Housing stock increase should be gradual, to allow infrastructure improvements to keep pace. Overdevelopment will put undue pressure on existing communities.

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 – the Standard Method is an algorithm that is manipulated to produce targets that align with the target number that is desired for political reasons, but which does not in any way reflect the actual number of housing units that is needed, especially at a granular level. The addition of further buffers only increases the randomness of target.

10. *If yes, do you agree that 5% is an appropriate buffer, or should it be a different figure?*

No – should be nil.

11. *Do you agree with the removal of policy on Annual Position Statements?*

Yes – housing decisions must be made strategically, not based on inevitable fluctuations that may result from extraneous events. It is, however, bizarre that the APS are being abandoned while at the same time the requirement to demonstrate 5 years’ supply is being expanded.

12. *Do you agree that the NPPF should be amended to further support effective co-operation on cross boundary and strategic planning matters?*

Yes, but 27b) must be deleted as it makes it easier for LPAs to pass the consequences of their failures to neighbouring areas.

13. *Should the tests of soundness be amended to better assess the soundness of strategic scale plans or proposals?*

Yes – for example, LB Enfield’s draft Local Plan proposes a development of 160+ (500?) homes on current Green Belt land in a PTAL 1b zone (= poor public transport accessibility) that has very limited local amenities and is not a sustainable development location.

14. *Do you have any other suggestions relating to the proposals in this chapter?*

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?*

The housing target must reflect both the existing housing stock and projected future demand. Exclusively looking back and considering how affordable housing is does not in any way indicate what housing is needed in the coming 10-20 years.

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 – Better Homes for Enfield have published a very insightful report on the methodology's shortcomings, which highlights, amongst others, that:

The earnings data exclude self-employed workers (approx. 15% of workforce in the UK).

The house prices in someone's workplace are of limited relevance. For example, some 615,000 people reportedly work in the City of London, but fewer than 10,000 actually live there. The measure should reflect people's place of residence, not that of work.

Sold house prices do not differentiate between dwelling sizes.

Data provided by the Valuation Office Agency and ONS for 2003-2022 do not, when dwelling size is taken into account, evidence that increased supply lowers house prices and improves affordability.

17. *Do you agree that affordability is given an appropriate weighting within the proposed standard method?*

No – the formula lacks scientific basis and adds to the randomness of the housing targets.

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?*

Yes – over a third of households live in rented accommodation, and this must be taken into account in housing targets.

19. *Do you have any additional comments on the proposed method for assessing housing needs?*

20. *Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?*

Although brownfield is important and must be prioritised, to state that “proposals for which should be regarded as acceptable in principle” is wholly inappropriate, as a decision must consider the footprint, bulk, character, design, setting, etc.

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?*

No – “*undermine the function of the Green Belt across the area of the plan as a whole*” is a flawed or disingenuous suggestion. The Green Belt makes up 22% of the London boroughs’ total area, and no land release could be argued to impact a borough as a whole. Furthermore, contrary to updated paras 24 and 27, it ignores that some development sites are on the boundary with neighbouring LPAs, who would be impacted by development.

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?*

23. *Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend?*

No – the wording of proposed para 152 contains so many holes that it is utterly pointless.

a) Grey belt

“*grey belt land*” must be better defined. Ministers have only quoted petrol stations and car park as examples, and the draft definition refers to making “*a limited contribution to the five Green Belt purposes*”, but what is deemed “limited” and who rates that?

“*sustainable locations*” is too vague. For example, LB Enfield’s draft Local Plan’s 16,000 page Evidence Base does not have a definition of sustainable development locations, so it is unclear how they would apply the proposed wording. To guide LPAs, the NPPF must define a sustainable location as one that provides appropriate local amenities (including retail, healthcare, education, leisure and employment) within active travel distance or easily reachable by public transport.

London Plan policy GG2 states that Good Growth means that development must “*plan for good local walking, cycling and public transport connections to support a strategic target of 80 per cent of all journeys using sustainable travel, enabling car-free lifestyles that allow an efficient use of land, as well as using new and enhanced public transport links to unlock growth*”.

Also, it is not clear whether the “*contributions set out in paragraph 155*” refers to financial or other contributions, and the infrastructure set out in para 155 must be in place or committed and budgeted for, i.e. not just financially contributed to and/or being considered.

“*undermine the function of the Green Belt across the area of the plan as a whole*” is a flawed or disingenuous suggestion. The Green Belt makes up 22% of the London boroughs’ total area, and no land release could be argued to impact a borough as a whole. Furthermore, contrary to updated paras 24 and 27, it ignores that some development sites are on the boundary with neighbouring LPAs, who would be impacted by development.

Therefore, we would suggest that para 152a) is amended to state: “*The development would utilise grey belt land (as defined in xxxx) in sustainable locations (which must provide appropriate local amenities within active travel distance or reachable by public transport), the contributions set out in paragraph 155 below are provided, and the development would not fundamentally undermine the function of the Green Belt across the nearby area of the plan as a whole; and*”

b) Housing supply

The last part of the sentence must be deleted: “~~or there is a demonstrable need for land to be released for development of local, regional or national importance~~”. This wording is so broad that such a need can always be argued to exist.

Also, the full stop at the end of 152b) must be changed to “; and”, to ensure that it is clear that 152c) must also be met.

c) Infrastructure per new para 155.

To avoid ambiguity “*the following contributions should be made*” must be replaced with “**the following conditions must be met**”.

In 155a), delete “~~subject to viability~~”, as the viability loophole is open to abuse.

In 155b), after “*necessary improvements to local or national infrastructure*” add the following wording: “**must be committed and budgeted for, and delivered in conjunction with the housing**”. There must be no scope to develop additional housing that reduces carbon sequestration and increases flooding risk and pollution through car usage.

24. *Are any additional measures needed to ensure that high performing Green Belt land is not degraded to meet grey belt criteria?*

Yes, the financial incentives are such that some landowners may be tempted to downgrade high performing Green Belt land. There must be a legal requirement for landowners to act as responsible guardians of a valuable and scarce resource, and failure to do so must not be rewarded by allowing them to reap financial gains.

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?*

Because of the far-reaching implications, and to avoid drawn out legal action, additional guidance is not merely helpful, it is crucial. Furthermore, to support accountability and enforceability, the wording must be contained in the NPPF, not PPG.

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?*

It does not, and the NPPF should reflect the explanatory notes. For example, the latter state that grey belt land must not perform strongly against any of the five purposes, and

that it must have at least one of five listed features. That wording must be reflected in the NPPF.

With respect to the explanatory wording in point 10 of Chapter 5, “*Land which makes no or very little contribution to preventing neighbouring towns from merging into one another*” fails to protect, for example, cities and (large) villages. It should therefore be replaced with “***Land which makes no, or very little, contribution to checking the unrestricted sprawl of large built-up areas***”.

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 enhanced?*

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 – the sequential approach referenced in point 17 of Chapter 5 of the explanatory text is not explicitly or clearly reflected in the draft NPPF, and instead appears to be implied through paras 142, 143 and 144.

Also, the comment in point 18 of the explanatory text relating to train stations ignores that the mere presence of a train station does not make a location sustainable, as that requires amenities such as NHS GPs and dentists, pharmacy or hospital, nurseries and schooling, supermarkets and leisure facilities, as well as employment, to be available within active travel distance or accessible via public transport.

The wording should be amended as follows:

- I. Para 142 allows LPAs to release land from the Green Belt whenever they want, and “*Green Belt boundaries **should***” must be replaced with “Green Belt boundaries **may**”.
- II. Para 142 must be amended to read “*Exceptional circumstances include, but are not limited to, instances where an authority **is able to demonstrate that it cannot meet its identified need for housing, commercial or other development***”. Housing need is measured against the target derived from the – flawed – Standard Method, but the need for commercial and other development is not calculated. As the need is not quantified there cannot be a shortfall. The need to demonstrate the inability aligns with para 143 (current 146).
- III. “*the function of the Green Belt across the **area of the plan as a whole***” introduces a new and fundamentally flawed concept.
 - a) The “*plan area*” is an administrative designation, which is totally uncorrelated to the function of the Green Belt.
 - b) Contrary to the updated paras 24 and 27, the proposed wording ignores the impact development may have on neighbouring plan areas if the Green Belt site is located on or near the borough boundary.

- c) The average plan area in England is 150 square miles and no individual site can be said to drive the Green Belt function across an entire plan area.

The proposed wording would in practice mean that no Green Belt land, however strongly performing, would be protected. The wording must therefore be amended to state “**the function of the Green Belt in the affected area**”.

- IV. The sequential approach is crucial and para 143 should add, at the start: “**Green Belts can only be released for development after all alternative sources of supply have been explored and developed, and**”

- 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 function of the Green Belt across the **area of the plan as a whole**” introduces a new and fundamentally flawed concept.

- a) The “*plan area*” is an administrative designation, which is totally uncorrelated to the function of the Green Belt.
- b) The proposed wording ignores the impact development may have on neighbouring plan areas if the Green Belt is located on or near the borough boundary, which is contrary to the updated paras 24 and 27.
- c) The average plan area in England is 150 square miles and no individual site can be said to determine the Green Belt function across an entire plan area.

The proposed wording would in practice mean that no Green Belt land, however strongly performing, would be protected. The wording must therefore be amended to state “**the function of the Green Belt in the affected area**”.

- 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 – Green Belt is a valuable resource and must be dealt with through strategic planning. Allowing Officers to approve Green Belt developments reduces it to an operational level and will allow LPAs to bypass the sequential approach that is said to be a critical component.

Para 123 (current 125) requires LPAs to take a proactive role in identifying and helping bring forward brownfield sites etc. LB Enfield’s draft Local Plan, which has been submitted for examination, is entirely based on reactive Calls for Sites, with a quarter of the 34,000 new homes to be developed on land that is currently Green Belt. We intend to raise the failure to pursue all alternative sources of supply to the examiner at the public hearings, but the proposed NPPF changes would allow the Council to bypass this independent examination and simply approve Green Belt developments on a case-by-case basis.

Only sites that are Previously Developed Land should be allowed to be approved for development outside the plan-making framework, to ensure strategic planning and independent examination.

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?*

Much is made of the economic and social objectives of the NPPF update, but the environmental objective is largely minimised.

The importance of the Green Belt should be reflected in release of land to be a last resort, and justified. As such “*other development*” must be defined, and the criteria more strictly defined. The wording as drafted would, for example, allow valuable Green Belt land to be released for development of an open air container storage business or a scrapyards, which would in many locations be wholly inappropriate.

Also, other than development that is not inappropriate, only development on sites that are Previously Developed Land should be allowed outside the plan-making framework, to ensure strategic planning and independent examination.

32. *Do you have views on 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?*

Traveller sites are, as the name suggests, often used on a temporary basis, whereas “*the essential characteristics of Green Belts are their openness and their permanence*” (NPPF para 139). The impact on the remaining Green Belt land, which is often important to wildlife and biodiversity, cannot be assessed if the use is fluid, and the two therefore appear to be incompatible.

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?*

Traveller sites are, as the name suggests, often used temporarily, whereas “*the essential characteristics of Green Belts are their openness and their permanence*” (NPPF para 139). The impact on the remaining Green Belt land, which is often important to wildlife and biodiversity, cannot be assessed if the use is fluid, and the two therefore appear to be incompatible.

34. *Do you agree with our proposed approach to the affordable housing tenure mix?*

The term “*affordable housing*” must be defined in a way that is clear, measurable and realistic.

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?*

CPRE’s ‘*State of the Green Belt*’ report (2018) noted that the average density of Green Belt developments was 21dph, vs 32 outside the Green Belt. They also highlighted that developments in London’s Green Belt have greater reliance on car use, which is contrary to climate change action.

Furthermore, lower cost housing, which by definition relies on higher density and/or cheaper builds, would likely adversely impact remaining nearby Green Belt land.

Finally, viability is a constant issue, and the proposed wording recognises and qualifies the requirement with it being “*subject to viability*”.

The term affordable homes must be defined, measurable and reflect true affordability, with a target that is materially lower than 50%.

36. *Do you agree with the proposed approach to securing benefits for nature and public access to green space where Green Belt release occurs?*

The proposals are no more than a token gesture, and are as pointless as the widespread planning policies that allow mature trees to be removed and centuries-old greenfield sites to be concreted over as long as the new housing incorporates a green roof or green walls. The proposals should incorporate meaningful requirements.

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?*

LPAs are not equipped to assess land values, and a tool with granular data would be of use.

38. *How and at what level should Government set benchmark land values?*

There is very little difference between agricultural land values throughout the UK, with land values being in the order of £25,000 per hectare. Landowners require an incentive to release their land and an incentive of 10 x agricultural land value would be sufficient. At this level all greenfield green belt sites will be viable and able to deliver 50% Affordable Housing on site. Green Belt sites that are allocated in Local Plans will soar in value and it is therefore important that the Government sets fixed benchmark land values (that can increase with CPI). This land value should be fixed at £250,000 per hectare for greenfield green belt sites. For PDL in the green belt, the land value should be the existing use value plus a 20% premium. All hope value should be ignored.

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?*

It should be irrelevant at what land is acquired if there are fixed rules. Greenfield green belt sites should have a fixed benchmark land value of £250,000 per hectare for viability assessments. PDL land in the greenbelt should have a land value of existing use value + 20%, with all hope value ignored. This will ensure that developers do not overpay for land and will result in the highest level of affordable housing being achieved. Where viability assessments are undertaken, there should be an automatic viability review midway through the scheme, when 50% of the private units have been completed, and again when 75% of the private units are completed.

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?*
 Developments that provide policy compliant levels of affordable housing without viability assessment should not have to provide any additional affordable housing.
41. *Do you agree that where 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?*
 Where viability assessments are undertaken, there should be an automatic viability review midway through the scheme, when 50% of the private units have been completed, and a late stage review when 75% of the private units are completed.
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?*
 As the Green Belt exists for the welfare of communities, any development on land that is to be released from the Green Belt must incorporate improvements to infrastructure and green spaces for their benefit.
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?*
 Especially as the NPPF update expands the scope of development on Green Belt land through decision-making, the golden rules must apply to any development for which planning approval has not yet been issued.
44. *Do you have any comments on the proposed wording for the NPPF (Annex 4)?*
 In 2), "subject to other material considerations" is too vague and will undermine the requirement, as any development could be approved with the argument that more dwellings/commercial spaces/travellers sites are needed.
45. *Do you have any comments on the proposed approach set out in paragraphs 31 and 32 of Chapter 5?*
 It would be wholly inappropriate for LPAs to be able to use compulsory purchase powers to acquire Green Belt land from unwilling sellers. For example, in spite of NPPF para 123 (current 125) requiring the LPA to "take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership, using the full range of powers available to them", LB Enfield's Regulation 19 draft Local Plan is based on Calls for Sites, with no evidence of a proactive approach. As long as LPAs ignore the requirement to fully explore and pursue alternative sources of supply, they should not be given a get-out-of-jail card by being able to force landowners to sell Green Belt sites for development.
46. *Do you have any other suggestions relating to the proposals in this chapter?*

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?*
48. *Do you agree with removing the requirement to deliver 10% of housing on major sites as affordable home ownership?*
49. *Do you agree with removing the minimum 25% First Homes requirement?*
50. *Do you have any other comments on retaining the option to deliver First Homes, including through exception sites?*
51. *Do you agree with introducing a policy to promote developments that have a mix of tenures and types?*
52. *What would be the most appropriate way to promote high percentage Social Rent/affordable housing developments?*
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?*
54. *What measures should we consider to better support and increase rural affordable housing?*
55. *Do you agree with the changes proposed to paragraph 63 of the existing NPPF (on Social Rent)?*
56. *Do you agree with these changes (on community-led development)?*
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?*
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?*
 There is no science behind the 10% target, which may simply no longer be achievable, as areas are increasingly built up, land values have increased and costs have risen dramatically. At the same time, infrastructure investment has been inadequate and the increasing housing density is producing unappealing dwellings.
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?*
60. *Do you agree with proposed changes to policy for upwards extensions?*

The deletion of 'height' renders the remaining language unclear, as 'form' is an abstract term. We would therefore suggest a change to: "where the development would be consistent with the prevailing **height and form bulk, scale and mass** of neighbouring properties".

61. *Do you have any other suggestions relating to the proposals in this chapter?*
62. *Do you agree with the changes proposed to paragraphs 86 b) and 87 of the existing NPPF?*
No – it is inappropriate to mention a select few examples.
63. *Are there other sectors you think need particular support via these changes? What are they and why?*
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?*
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?*
66. *Do you have any other suggestions relating to the proposals in this chapter 7?*
67. *Do you agree with the changes proposed to paragraph 100 of the existing NPPF?*
68. *Do you agree with the changes proposed to paragraph 99 of the existing NPPF?*
No – the term "post-16 places" is used as distinct to "school", without explaining that it relates to education; this needs to be defined.
69. *Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?*
No - having a vision is not enough; development must be matched by appropriate sustainable infrastructure, which must be committed and budgeted for, and provided in conjunction with the housing.
70. *How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity?*
71. *Do you have any other suggestions relating to the proposals in this chapter 8?*
72. *Do you agree that large onshore wind projects should be reintegrated into the NSIP regime?*
73. *Do you agree with the proposed changes to the NPPF to give greater support to renewable and low carbon energy?*

74. *Some habitats, such as 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?*
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?*
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?*
77. *If you think that alternative thresholds should apply to onshore wind and/or solar, what would these be?*
78. *In what specific, deliverable ways could national planning policy do more to address climate change mitigation and adaptation?*
79. *What is your view of the current state of technological readiness and availability of tools for accurate carbon accounting in plan-making and planning decisions, and what are the challenges to increasing its use?*
80. *Are any changes needed to policy for managing flood risk to improve its effectiveness?*
 Yes, the proposed wording loosens requirements and increases the risk of flooding, which is becoming more prevalent due to climate change – for example: para 165 should be amended to read “**Inappropriate** development in areas at risk of flooding should be avoided by directing development away from areas at **highest** risk”.
81. *Do you have any other comments on actions that can be taken through planning to address climate change?*
 Developing Green Belt land will exacerbate the effects of climate change. Therefore, as with biodiversity, development should require a net gain in carbon sequestration.
<https://publications.naturalengland.org.uk/publication/5419124441481216>
82. *Do you agree with removal of this text from the footnote?*
 No – recent global events have shown the importance of ensuring the availability of agricultural land for food production. It is bizarre for the government to suggest that it is important to list, inter alia, laboratories and data centres, but that food supply references can be removed or weakened.
83. *Are there other ways in which we can ensure that development supports and does not compromise food production?*
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?*

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?*

86. *Do you have any other suggestions relating to the proposals in this chapter 9?*

87. *Do you agree that we should we replace the existing intervention policy criteria with the revised criteria set out in this consultation?*

No – the consultation only provides draft wording for the NPPF, whereas the changes to the intervention policy appear to relate to the Planning and Compulsory Purchase Act 2004. Proposed changes should be transparent and clear, and this topic should be dealt with by way of a separate dedicated consultation, with draft wording to be provided, to ensure that the full implications and context can be considered.

88. *Alternatively, would you support us withdrawing the criteria and relying on the existing legal tests to underpin future use of intervention powers?*

Changes to the Planning and Compulsory Purchase Act 2004 should be subject to a separate consultation, with draft wording to be provided to ensure that the full implications and context can be considered.

89. *Do you agree with the proposal to increase householder application fees to meet cost recovery?*

Yes.

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.*

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.

No – costs will differ by LPA and must be set by each authority, with independent audit to ensure accountability and transparency.

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.*

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.*
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.*
 Yes – costs will differ by LPA and must be set by each authority, with independent audit to ensure accountability and transparency.
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 fees locally.
Neither
Don't Know
Please give your reasons in the text box below.
 Full localisation, as costs will differ for each LPA.
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?*
 Costs of more than one application per calendar year to increase with each submission.
 Cost of retrospective applications to increase.
97. *What wider planning services, if any, other than planning applications (development management) services, do you consider could be paid for by planning fees?*
 Enforcement cost charge out.
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?*
 Yes.
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.*
100. *What limitations, if any, should be set in regulations or through guidance in relation to local authorities' ability to recover costs?*
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.

102. Do you have any other suggestions relating to the proposals in this chapter 12?

103. Do you agree with the proposed transitional arrangements? Are there any alternatives you think we should consider?

No – as LPAs are under tremendous pressures, the NPPF changes should not result in unnecessary work. For example, the 2021 London Plan was approved with an annual housing target of 66,000 dwellings. The new Standard Method results in London's housing need falling from 99,000 to 80,700. The transitional arrangements should make it clear that, where the Standard Methodology changes will result in a lower housing need number than under the current methodology, Local Plans do not need to be updated.

104. Do you agree with the proposed transitional arrangements?

This question repeats question 103.

No – as LPAs are under tremendous pressures the NPPF changes should not result in unnecessary work. For example, the 2021 London Plan was approved with an annual housing target of 66,000 dwellings. The new Standard Method results in London's housing need falling from 99,000 to 80,700. The transitional arrangements should make it clear that, where the Standard Methodology changes will result in a lower housing need number than under the current methodology, Local Plans do not need to be updated.

105. Do you have any other suggestions relating to the proposals in this chapter 12?

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 (under the Equality Act 2010)? 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?