

Planning Committee

03 February 2023

Agenda item number 12

Levelling up Bill, Planning and the NPPF, including proposed consultation response

Report by Planning Policy Officer

Summary

The Government are consulting on changes to the planning system as well as changes to the National Planning Policy Framework (NPPF). This Paper discusses the proposed changes to the planning system and NPPF and proposes a response to the consultation.

Recommendation

Members note the report and endorse the proposed consultation response.

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1. Introduction

- 1.1. Please note that this paper uses content from this article [Levelling-up and Regeneration Bill: reforms to national planning policy | Planning Resource](#) (log in required).
- 1.2. The government has released the [Levelling-up and Regeneration Bill: reforms to national planning policy](#). As well as seeking views on the government's proposed approach to the NPPF, the consultation also canvasses opinion on its proposed approach to preparing National Development Management Policies. Alongside it, the government published a [proposed text of the NPPF revisions](#). The consultation on them ends at 11.45pm on 2 March 2023. The government says it will respond to this consultation by Spring 2023, publishing the framework revisions as part of this, "so that policy changes can take effect as soon as possible".
- 1.3. The government also promises a wider review of the NPPF, to follow Royal Assent of the Levelling Up and Regeneration Bill. "The government will consult on the detail of these wider changes next year, reflecting responses to this consultation", the planning reforms consultation says.
- 1.4. The following is a summary of the key points made in Levelling-up and Regeneration Bill: reforms to national planning policy.
- 1.5. The main consultation document can be found here: [Levelling-up and Regeneration Bill: reforms to national planning policy - GOV.UK \(www.gov.uk\)](#)
- 1.6. The tracked changed NPPF can be found here: [National Planning Policy Framework: draft text for consultation \(publishing.service.gov.uk\)](#)
- 1.7. The proposed response to the consultation can be found at Appendix 1.

2. Policy objectives

- 2.1. The stated objectives of the proposals are to support the Government's wider objectives of making the planning system work better for communities, delivering more homes through sustainable development, building pride in place and supporting levelling up more generally. There are a number of themes identified, as follows:
 - Building beautiful and refusing ugliness;
 - Securing the infrastructure needed to support development;
 - More democratic engagement with communities on local plans;
 - Better environmental outcomes;
 - Empowering communities to shape their neighbourhoods; and
 - Delivering more homes in the right places.
- 2.2. These themes are referred to under many of the topics and are intended as a thread running through the document.

- 2.3. The consultation makes it clear that it is the Government's intention to retain the planned system, which is useful to note given the previous suggestions of a more generic zone-type approach, and reiterates the importance of up to date Local Plans and Neighbourhood Plans.
- 2.4. Much of the technical detail in the consultation is around housing development, the assessment of need and how this is delivered and details of this are provided below.

3. How housing need should be assessed and the resulting figures applied.

- 3.1. The government says it will review the implications for the standard method of new household projections data based on the 2021 Census, which is due to be published in 2024. But it is not proposing any changes to the standard method formula itself through this consultation. *Note that the Standard Method does not apply to the Broads Authority – we calculate our need in a bespoke study.*
- 3.2. More explicit indications will be given in planning guidance about the types of local characteristics which may justify the use of an alternative method of assessing housing need, the document says. Examples could include islands with a high percentage of elderly residents, or university towns with an above-average proportion of students.
- 3.3. The need to avoid development that would be uncharacteristically dense for the area can outweigh the requirement to meet local housing need, the draft NPPF revision says. This calculation should be made taking into account the principles in local design guides or codes.
- 3.4. Authorities would not need to review their green belts, even if meeting housing need would be impossible without such a review. A draft NPPF revision is intended to make clear that local planning authorities are not required to review and alter Green Belt boundaries if this would be the only way of meeting need in full.
- 3.5. Councils would be able to take past over-delivery of housing into account when assessing housing need. The draft NPPF is intended to make clear that, if permissions that have been granted exceed the provision made in the existing plan, that surplus may be deducted from what needs to be provided in the new plan.
- 3.6. The test of 'soundness' for local plans is to be softened. The draft NPPF revisions say that plans will no longer be required to be 'justified'. Instead, the examination would assess whether the local planning authority's proposed target meets need so far as possible, takes into account other policies in the Framework, and will be effective and deliverable. For the purposes of the changes to the test of soundness, the government proposes "that these will not apply to plans that have reached pre-submission consultation stage, plans that reach that stage within three months of the introduction of this policy change, or plans that have been submitted for independent examination".

- 3.7. The government intends to retain the uplift of 35 per cent to the assessed housing need for the 20 largest towns and cities in England. The draft NPPF revisions would require that this uplift is, “so far as possible”, met by the towns and cities concerned rather than exported to surrounding areas, except where there is voluntary cross-boundary agreement to do so.
- 3.8. The duty to co-operate is to be replaced with an as-yet-unformulated “alignment policy”. The duty will remain in place until those provisions come into effect, and “further consultation on what should constitute the alignment policy will be undertaken”.
- 3.9. Some authorities with emerging local plans will benefit from a reduced housing land supply requirement. For the purposes of decision-making, where emerging local plans have been submitted for examination or where they have been subject to a Regulation 18 or 19 consultation which included both a policies map and proposed allocations towards meeting housing need, those authorities will benefit from a reduced housing land supply requirement, the consultation says. This will be a requirement to demonstrate a four-year supply of land for housing, instead of the usual five. These arrangements would apply for a period of two years from the point that these changes to the Framework take effect, the document adds.

4. Changes to the housing delivery test and 5 year land supply test

- 4.1. Authorities with an up-to-date local plan will no longer need to continually show a deliverable five-year housing land supply. In this case, “up-to-date” means where the housing requirement as set out in strategic policies is less than five years old, the document says. The government proposes the change to take effect when it publishes the revised National Planning Policy Framework, “expected in Spring 2023”. *Note that the Local Plan for the Broads was adopted May 2019.*
- 4.2. Local Planning Authorities would no longer have to provide five-year housing land supply buffers.
- 4.3. Local planning authorities would be allowed to include historic oversupply in their five-year housing land supply calculations. This would be implemented by amending the Framework and planning practice guidance, the document says.
- 4.4. Evidence of sufficient deliverable permissions could save Local Planning Authorities from the most severe Housing Delivery Test sanction. The document proposes to add to the test an additional permissions-based test. This will ‘switch off’ the application of ‘the presumption in favour of sustainable development’ as a consequence of under-delivery, where a local planning authority can show sufficient permissions for enough deliverable homes to meet their own annual housing requirement or, where lacking an up-to-date plan, local housing need, plus an additional contingency based on the number of planning permissions that are not likely to be progressed or are revised

(which the government proposes defining as 115 per cent of the housing requirement or local housing need). *The Housing Delivery Test does not apply to the Broads Authority.*

- 4.5. The government is considering suspension or amendment of the usual consequences of failure of the 2022 Housing Delivery Test. “Given our proposed changes,” the document says, “we would like to receive views on whether the test’s consequences should follow from the publication of the 2022 Test or if they should be amended, suspended until the publication of the 2023 Housing Delivery Test, or frozen to reflect the 2021 Housing Delivery Test results while work continues on our proposals to improve it”.

5. Measures to tackle slow build-out of permissions

- 5.1. Past “irresponsible planning behaviour” by applicants could in future be taken into account when applications are being determined. As examples of such applicant behaviour, the document cites “persistently breaching planning controls or failing to deliver their legal commitments to the community”. Primary legislation would be needed to enact such measures, on which the government is seeking views.
- 5.2. Government data will be published on developers of sites over a certain size who fail to build out according to their commitments.
- 5.3. Developers will be required to explain how they propose to increase the diversity of housing tenures to maximise a development scheme’s absorption rate (which is the rate at which homes are sold or occupied).
- 5.4. Delivery will become a material consideration in planning applications. “This could mean that applications with trajectories that propose a slow delivery rate may be refused in certain circumstances,” the document says.
- 5.5. A financial penalty for developers that are building out too slowly will be consulted on separately.

6. Onshore wind development/energy efficiency

- 6.1. Onshore wind power schemes would in future be able to go ahead on sites that have not been designated in the local plan. The government says its proposed changes to the existing NPPF footnote 54 will ensure that “local authorities have a range of routes to demonstrate their support for certain areas in their boundaries to be suitable for onshore wind”.
- 6.2. Replacing the old turbines with more powerful and efficient models will be made easier. Changes to paragraphs 155 and 158 of the existing NPPF will enable the re-powering of renewable and low carbon energy schemes where planning permission is needed, and providing that the impacts of any development proposal are or can be made acceptable in planning terms, the document says.

- 6.3. The NPPF will be amended with a new paragraph 161 to give “significant weight” to the importance of energy efficiency through adaptation of buildings. But the document says that this will be done in a way that ensures that local amenity and heritage continues to be protected.

7. Environmental protection and tackling climate change

- 7.1. Steps will be taken to prevent developers ‘gaming’ Biodiversity Net Gain rules by clearing habitats before submitting applications. “We will work with Defra to review the current degradation provisions for Biodiversity Net Gain”, the document says, “to reduce the risk of habitat clearances prior to the submission of planning applications, and before the creation of off-site biodiversity enhancements”.
- 7.2. Use of artificial grass by developers in new development would be clamped down on. “We will consider how we can halt “the threat to wildlife created by the use of artificial grass by developers in new development (noting the importance of some uses of artificial grass such as on sports pitches)”, the document says.
- 7.3. The possibility of embedding a broad form of carbon assessment in planning policy will be explored. “We are interested in whether effective and proportionate ways of deploying a broad carbon assessment exist, including what they should measure, what evidence could underpin them ... and how they may be used in a plan- making context or as a tool for assessing individual developments”, the document says.
- 7.4. Policy and guidance in relation to the production of Strategic Flood Risk Assessments will be reviewed. “This will be done to encourage maximum coverage and more frequent updates”.

8. Plan making

- 8.1. Steps are being taken to maximise the amount of authorities who can make use of policy changes around plan-making intended to be introduced by NPPF revisions in the Spring, before the revised plan-making system set out in the Levelling Up Bill is introduced in late 2024. Plan-makers will have until 30 June 2025 to submit their local plans, neighbourhood plans, minerals and waste plans, and spatial development strategies for independent examination under the existing legal framework. The government is also proposing that, to be examined under existing legislation, all independent examinations of local plans, minerals and waste plans and spatial development strategies must be concluded, with plans adopted by 31 December 2026.
- 8.2. Authorities will be required to start work on new plans by, at the latest, five years after adoption of their previous plan, and to adopt that new plan within 30 months. “Under the reformed system, which we expect to go live in late 2024, there will be a requirement for local planning authorities and minerals and waste planning authorities to start work on new plans by, at the latest, five years after adoption of their previous plan, and to adopt that new plan within 30 months,” the document says.

- 8.3. Authorities that do not meet the 30 June 2025 submission deadline for 'old-style' plans will need to prepare plans under the new plan-making system.
- 8.4. Plans that will become more than five years old during the first 30 months of the new system will continue to be considered 'up-to-date' for decision-making purposes for 30 months after the new system starts. Where a plan has been found sound subject to an early update requirement, and the Inspector has given a deadline to submit an updated plan within the first 30-months of the new system going live, this deadline will be extended to 30-months after the new system goes live, the document says.
- 8.5. Authorities will no longer be able to prepare supplementary planning documents (SPDs) in the revised planning system. Instead, they will be able to prepare Supplementary Plans, the document says, which will be afforded the same weight as a local plan or minerals and waste plan. The government proposes that, when the new system comes into force (expected late 2024), existing SPDs will remain in force for a time-bound period; until the local planning authority is required to adopt a new-style plan. Current SPDs will automatically cease to have effect at the point at which authorities are required to have a new-style plan in place.

9. National Development Management Policies

- 9.1. There is intended to be a consultation next year on how National Development Management Policies (NDMPs) are implemented. They will cover planning considerations that apply regularly in decision-making across England or significant parts of it, the document says, such as general policies for conserving heritage assets, and preventing inappropriate development in the Green Belt and areas of high flood risk. Before any NDMP was designated by the secretary of state, there would be a public consultation.
- 9.2. The starting point for creating NDMPs would be existing parts of the NPPF that apply to decision-making. "However, we welcome views on whether there are other topics that should be added," the document says. Two other categories for NDMPs, in the government's "initial view", are firstly, "selective new additions to reflect new national priorities, for example net zero policies that it would be difficult to develop evidence to support at a district level, but which are nationally important", and secondly "selective new additions to close 'gaps' where existing national policy is silent on planning considerations that regularly affect decision-making across the country (or significant parts of it)". Indicative examples of 'gaps' where national policy is silent on common decision-making issues, which NDMPs would address, are: carbon reduction in new developments; allotments and housing in town centres and built-up areas.
- 9.3. NDMPs will cover "only matters that have a direct bearing on the determination of planning applications. Other key principles, according to the consultation, are that they would be "limited to key, nationally important issues commonly encountered in making decisions on planning applications across the country (or significant parts of the

country); and that they would solely address planning issues, “in other words that concern the development and use of land”.

10. Other

- 10.1. Authorities will be expected to take particular care to ensure that they meet need for retirement housing, housing-with-care and care homes. The government proposes to do this by adding an additional specific expectation to the NPPF.
- 10.2. Authorities will be encouraged to use planning conditions to require clear details of a scheme’s design and materials. The document says: “We propose to amend the Framework to encourage local planning authorities to consider how they can ensure that planning conditions associated with applications reference clear and accurate plans and drawings which provide visual clarity about the design of development, as well as clear conditions about the use of materials where appropriate, so they can be referred to as part of the enforcement process”.
- 10.3. Mansard roofs would be encouraged. The government is proposing that “a reference to mansard roofs as an appropriate form of upward extension ... where appropriate” should be added to the NPPF.
- 10.4. Protection against development that conflicts with neighbourhood plans is to be extended to older such plans. The NPPF currently says that the adverse impact of allowing development that conflicts with the Neighbourhood Plan is likely to outweigh the benefits, but not if that plan is more than two years old. The government is proposing that the protection should be extended to plans that are up to five years old. It is also proposing removing tests which currently mean local planning authorities need to demonstrate a minimum housing land supply and have delivered a minimum amount in the Housing Delivery Test for Neighbourhood Plans to benefit from the protection.
- 10.5. Planning for provision of social rent homes would be given higher priority in the NPPF.

11. Conclusion

- 11.1. There has been uncertainty in the last year around the direction of national planning policy with conflicting messages, and the publication of the revised NPPF has been delayed. The publication of these documents is welcome.
- 11.2. Members will be aware that the Broads Authority is in the early stages of reviewing its Local Plan, which was adopted in 2019. Some of the changes proposed may impact on how we do this, but there is nothing in the consultation documents which requires any major change at this point.

Author: Natalie Beal

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Appendix 1 – Proposed response to the consultation on planning and the NPPF.

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

- Agreed.

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

- Agreed.

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

- Yes.

4 What should any planning guidance dealing with oversupply and undersupply say?

- The guidance needs to include a formula for all LPAs to use when producing their 5-year land supply statement.

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

- No, but guidance needs to be provided on when Neighbourhood Plans need to be reviewed.

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

- No comment.

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

- No comment.

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

- Other than National Parks and the Broads, which already need to use an alternative approach, no.

9 Do you agree that national policy should make clear that Green Belt does not need to be reviewed or altered when making plans, that building at densities significantly out of

character with an existing area may be considered in assessing whether housing need can be met, and that past over-supply may be taken into account?

- No comment.

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

- No comment.

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

- How would removing this test ensure that the Examiner can check and ensure that proposals and policies have the necessary evidence to justify their inclusion in Local Plans? Say a poorly constructed approach with little justification or proof that it is needed and will make a positive difference to the area was included in a Local Plan, what powers would the Inspector have to challenge or remove it?

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

- Agreed.

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

- No comment.

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

- No comment.

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

- No comment as Norwich is not in the top 20.

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

- Disagree – those Authorities will have met their housing need in their Local Plan and will have an up to date Local Plan so should benefit from the same rule as all other subsequent local plans – 5 (or 4) year land supply not apply. There seems to be no logical reason to require this.

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

- No comment.

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

- Agreed.

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

- Disagree. The wording in the consultation document talks about 'permitted enough housing' not 'permissions more than enough housing'. The 15% seems to be a made-up figure with no justification. It should therefore be 100% - if they can prove they have met at least their annual amount, the HDT is disengaged.

20 Do you have views on a robust method for counting deliverable homes permitted for these purposes?

- Ask for the number of net new dwellings permitted each year using a survey similar to the self-build survey from DELTA.

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

- If you are going to change things in the next few months then it seems wait until 2023 HDT is logical.

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

- No comment. We are not the Housing Authority for our area.

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

- No comment other than this is already addressed by the current wording of the NPPF – 'ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations'.

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

- No comment.

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

- Affordable Housing can be required on schemes of 10 dwellings or more, generally. Small sites could be below that threshold. So, care needs to be taken in linking small sites with delivery of affordable housing – the two objectives will not always go hand in hand.

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

- No comment. We are not the Housing Authority for our area.

27 Are there any changes that could be made to exception site policy that would make it easier for community groups to bring forward affordable housing? And 28 Is there anything else that you think would help community groups in delivering affordable housing on exception sites?

- Whilst policy does allow for exception sites, we wonder whether this is the right thing to do. Given the drive for net zero, given that some places where exception sites are proposed do not have any key services and given that transport is a key emitter of Carbon Dioxide, is allowing housing in remote areas, under the exceptions sites policies, the right thing to do? Indeed, later on in the consultation document you talk about ‘pursuing sustainable patterns of development’. Further, given the cost of living crisis and the cost of diesel and the impacts that social isolation can have on people and their wellbeing, again, are exception sites the right thing to do?

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

- No comment.

30 Do you agree in principle that an applicant’s past behaviour should be taken into account into decision making?

- Agreed, but what kind of past behaviour will be considered? Failing to build in line with the permission? Not getting permission in the first place? And will this apply to all types of development of all scale? We are a small LPA for a protected landscape and have a busy Enforcement Officer, but the kind of things that we are looking at may seem small scale to others, but are very important to the local area. This policy approach will need to ensure all types of development of all scale are included.

31 Of the two options above, what would be the most effective mechanism? Are there any alternative mechanisms?

- It is not clear how option 1 will work consistently across the country; how much bad behaviour and to what extent would, for example, merit a refusal on those grounds? Option 2 seems a more consistent approach, subject to guidance.

- You also need to consider how a developer or applicant can resolve their past behaviour. Perhaps if they rectify their past ‘mistakes’, the slate is wiped clean? Afterall, the community and LPA want that discrepancy or unauthorised development authorised, removed or improved.

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

- You talk about reporting to the LPA when they commence, but it would be useful if they were to report to the LPA when a dwelling is completed as well.

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

- Agreed, but query the title of this section; rather than ‘ask for beauty’ wouldn’t ‘expect beauty’ be better?

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

- No comment.

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

- Agreed.

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

- Disagree to a nation-wide policy that requires or encourages mansard roofs. In some areas it would significantly change the character of the place (detrimentally) and other forms of roof extension would be more appropriate.

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

- We have a biodiversity enhancements guide: [Broads Authority biodiversity enhancements \(broads-authority.gov.uk\)](https://broads-authority.gov.uk/biodiversity-enhancements)

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

- 3a and indeed 3b land is scarcely mapped. That needs to be the first exercise – nationally map 3a and 3b (as well as check the areas which are other grades) and then share that dataset.
- The proposed amendment to the NPPF is through a footnote. That seems to not give the issue as much weight as it would have in the actual text. Suggest it is included in the main text of the NPPF.

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

- The method could include:
 - Embedded CO2
 - CO2 in use
 - Savings from deployment of renewables such as rooftop solar
 - Transport emissions from development.
- But LPAs are not likely to have the internal expertise for such an assessment and would need to contract that out probably at an additional cost which will need to be met somehow, at times where budgets are tight.

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

- New schemes that come forward are few in number when compared to the buildings that are already out there. Changes to the NPPF need to explore how planning policy can tackle the efficiency (water, energy) of the existing stock of dwellings somehow.

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

Agreed.

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

Agreed.

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

- There are no changes proposed to footnote 54 or paragraph 54 or paragraph 154 (new or old) or on page 54. Therefore, it is not clear what this question is referring to.
- Footnote 62 – it is not clear how allowing these orders to deliver turbines fits in areas where local plans do not identify areas for wind turbine. This needs greater explanation and justification.

- Footnote 63 – a SPD cannot make policy and if a SPD identifies areas where wind turbines can go, that is making policy. Also, the document proposes the removal of SPDs so it is not clear why SPDs are seen as a way of addressing this issue, if they are to be removed.

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

- The proposed NPPF wording does not ‘give significant weight to proposals’, which would make more sense – it says ‘gives significant weight to the need to’. As worded, 161 is not clear in what it actually wants to happen.

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

- Para 5 above this question – is that linked to the para 4 plans – ones that have until 30 June to be submitted? Does para 5 apply to those plans submitted now to 30 June? It does not say that and therefore is not clear if that is the case. If that is saying that all examination of plans submitted between now and 30 June 2025 needs to be finished by 31 December 2026, then that 18 month period seems suitable and logical.
- Para 6 under ‘Setting out the timeline for preparing local plans, spatial development strategies, minerals and waste plans and supplementary plans under the reformed system’ says ‘and to adopt that new plan within 30 month’ – that implies the 30 month period would include the examination. The examination stage is totally out of LPA’s hands. Examinations can take up to 14 months or even more; the 30 month limit leaves little time for preparing a good plan. In fact, one would have to guess how long they have to prepare a plan by guessing how long an examination would take place. If examination time is included, that time frame is unreasonable and unachievable and unrealistic.

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

- No comment.

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

- No comment.

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

- Disagree. These SPDs should have weight until the new Local Plan is adopted. They contain important information and guidance and are therefore instrumental to good planning. By affording some weight until the new Local Plan is adopted, this gives time

for what is written in the SPD to become part of the Local Plan and so the guidance and requirements are not lost. It is unreasonable to erase such important information without allowing it to be part of another document so there is continuation.

49 Do you agree with the suggested scope and principles for guiding National Development Management Policies? And 50 What other principles, if any, do you believe should inform the scope of National Development Management Policies?

- The devil will be in the detail. When writing these, the Government will need to have all LPAs and their areas in mind when coming up with these National Development Management Policies – city, rural, protected landscape – all are different.
- It is imperative that the Government remembers protected landscapes when coming up with these.
- Taking permitted development rights as an example, which could be classed as National Development Management policies, there are many exemptions to certain rights – could that be the case for these National Development Management Policies?
- Also, how will you get the engagement from members of the public and local groups that LPAs are able to do when consulting on these?
- When will the National Development Management Policies be reviewed? Every five years like Local Plans? Will they be subject to HRA and SA like local plan policies?
- Can the National Development Management Policies be ‘added’ or supplemented to through Local Plan policies?

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

- No comment.

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

- Flood risk, SuDS, heritage.

53 What, if any, planning policies do you think could be included in a new framework to help achieve the 12 levelling up missions in the Levelling Up White Paper?

- No comment.

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

- No comment.

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

- Brownfield first in areas with good access to key services by modes other than single occupancy car use seems logical.

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

- No comment.

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

- No comment.