

Planning Committee

13 February 2026

Agenda item number 10

National Planning Policy Framework consultation and changes to Biodiversity Net Gain

Report by Planning Policy Officer

Summary

An amended NPPF is out for consultation. There are also some changes to how Biodiversity Net Gain is applied. This report briefs Members and sets out a response to the consultation.

Recommendation

To note the report and endorse the nature of the proposed response.

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1. Introduction

- 1.1. An amended, refreshed NPPF is out for consultation.
- 1.2. Section 2 uses a published article that explains the key changes to the NPPF as basis for briefing Members of the changes. Wording is taken from Planning Resource article titled ‘**60 things you need to know about the rewritten NPPF (updated 18.12.25)**’ released on 18 December 2025. The original article can be found here (subscription needed): [60 things you need to know about the rewritten NPPF \(updated 18.12.25\) | Planning Resource](#).
- 1.3. Section 3 addresses proposed changes to Biodiversity Net Gain that are outside of the proposed new NPPF.
- 1.4. Appendix 1 shows the proposed response to the NPPF consultation. The Committee’s comments, guidance and endorsement are invited.

2. 60 things you need to know about the rewritten NPPF

- 2.1. The government published the much-anticipated new version of the NPPF on 16 December. Out for consultation until 10 March 2026, the draft document vastly increases the length of the current NPPF, from 69 pages to 100, with a further 25 pages of annexes.
- 2.2. It also entirely restructures the current document around a series of policies within thematic chapters. Most chapters are split between plan-making policies and “decision-making policies”, the latter being how the document refers to what the government previously called national development management policies.
- 2.3. Instead of simply listing the text in consecutively numbered paragraphs, the draft presents plan-making and decision-making policies as numbered policies, much like they would be in local plans. The consultation says this presentational change is being made for ease of reference.
- 2.4. Below are the 60 key points from the draft issued for consultation.
- 2.5. Please note that text in italics is wording from the Planning Policy Officer.

2A GENERAL PRINCIPLES

1. The draft of the new NPPF put out for consultation contains both revised plan-making policies and national decision-making policies (NDMPs) in one document. As revealed by housing secretary Steve Reed in November, these NDMPs are proposed to be non-statutory. However, the associated [consultation](#) makes clear this status remains “under review”, with the case for statutory NDMPs likely to be reconsidered “if the proposed policies do not have

the desired outcomes of supporting more effective decisions and reducing generic or alternate policies in development plans”.

2. According to plan-making policy PM6 on general principles for plan-making, “all plan-makers” should not “duplicate, substantively restate or modify” what is contained in the NPPF’s decision-making policies. Policies should only be included that are “necessary and relevant to the plan being prepared”.

3. The draft proposes that as soon as it is live, local development plan policies that are “in any way inconsistent with the national decision-making policies” outlined in the NPPF should be given “very limited weight” in decision-making. The exception to this rule would be where local policies have been examined and adopted against the new framework.

We will seek to ‘future proof’ our Local Plan to reflect the emerging NPPF where possible, in liaison with the Planning Inspector through the examination of the Local Plan.

4. Plans being prepared today under the existing plan-making system can continue to be judged against the current NPPF. However, any plans being brought forward under the new system envisaged under the 2023 Levelling Up and Regeneration Act, due to come into force early next year, should use this new version.

This is where we are currently.

5. The proposed NPPF includes a series of new annexes that hold key technical reference information, including the methodologies by which to calculate housing need and the housing delivery test, and to conduct green belt reviews. The consultation issued alongside the draft also proposes moving new planning practice guidance on viability into a further NPPF annexe.

2B ACHIEVING SUSTAINABLE DEVELOPMENT

6. Policy S1 says any development plan should seek to meet the development needs of their area as a minimum. Plans should provide for new development, and improvements to the environment, in a way that promotes a sustainable pattern of growth and seeks to mitigate climate change and adapt to its effects, the policy says.

7. Policy S3 takes forward the presumption in favour of sustainable development. It retains the existing principle that proposals which accord with the various development plans should be approved without delay.

8. Policy S4 says development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, which includes impacts in relation to other policies in the framework. This might be where the proposal would have an unacceptable impact in relation to the allocation or safeguarding of land for particular uses in the development plan, or to the application of certain policies in the framework for safeguarding, the draft says.

9. Policy S5 proposes a new “tilted balance” to assessing development proposals outside settlements. It says only certain forms of development should be approved outside settlements. These include:

- Rural business and services that need to be located outside settlements.
- Development within reasonable walking distance of a railway station that provides a high level of connectivity to jobs and services (the document clarifies that this would include green belt development assessed to be not inappropriate).
- Development that would address “an evidenced unmet need” (including where the council cannot demonstrate a five-year housing land supply) and where development would be well related to an existing settlement or would comprise major development for storage and distribution purposes that accord with policy E3.

These developments, it says, should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects.

2C STRATEGIC PLANNING: SPATIAL DEVELOPMENT STRATEGIES

10. Policy PM1 introduces the new system of strategic planning. It says spatial development strategies (SDSs) are required to be produced by strategic planning authorities and the mayor of London. They should set a positive vision for future growth and change at a subregional scale, and should be “genuinely strategic in nature”, allowing for more detailed issues to be considered through other parts of the development plan.

11. SDSs should set out a strategy for a sustainable pattern of growth covering a period of at least 20 years. This includes through the apportionment to local planning authorities in the strategy area of objectively assessed needs for housing and other uses.

12. Tests of soundness are applied to the examination of SDSs. The tests are “positive”, “appropriate”, “effective” and “consistency with national policy”, as set out in policy PM14. The “positive” test states that a strategy which does not provide for objectively assessed needs “should be considered an exception”.

2D LOCAL PLANNING

13. Policy PM2 says local plans should provide a spatial strategy for a period of no less than 15 years. But the consultation asks whether this period is still appropriate, or whether it should be reduced to ten years.

14. Local plans should be prepared and adopted within 30 months of publishing a “Gateway 1” self-assessment. Authorities must start on the preparation of the next local plan no later than five years after adoption of the current plan. But it says this should be earlier where an inspector at examination of the current plan has made a recommendation to do so or where there has been a significant change in local circumstances (including an increased housing requirement).

15. Policy PM10 instructs plan-making authorities to engage proactively and regularly to identify and address cross-boundary matters, including where development needs that

cannot be met wholly within a particular plan area could be met elsewhere, and to determine optimal locations for growth. Where matters are already addressed by an adopted SDS, plan-making authorities within the strategy area do not need to revisit them when preparing their plans.

16. Statements of common ground should be used to demonstrate that relevant cross-boundary matters have been addressed, including by distributing and providing for unmet needs across neighbouring and/or nearby areas. Where it has not been possible to fully address cross-boundary matters, plan-making authorities should demonstrate that they have taken all reasonable steps to address them.

17. Quantitative standards set through development plan policies should be limited to infrastructure provision, affordable housing requirements, parking and design and placemaking, says policy PM13. These should be in instances where such standards will provide clarity and a high degree of certainty about the requirements that relevant development proposals are expected to meet. The consultation makes clear this means plans will not be expected to set higher standards for energy efficiency than those within building regulations.

18. The soundness tests for local plans remain, with the exception of the “effective” test being replaced by a “realistic” test, and a new test stating that the plan should be in general conformity with any adopted SDS for the area.

2E CHANGES TO DECISION-MAKING POLICIES

19. The new policy on development viability, DM5, sets out a range of scenarios where viability tests might be appropriate to reduce planning contributions from a site to levels below that expected in local policy. The policy says viability tests are reasonable where the development proposed is different from that envisaged during the local plan examination; where the site characteristics “differ substantially” from those assumed during the plan process; where the site is burdened by unforeseeable costs; or where economic circumstances have changed significantly.

20. A revised policy on planning conditions and contributions makes clear that “model” planning conditions “should be used unless there are strong reasons for using a different condition”. Conditions requiring discharge prior to development commencing “should be avoided”, it proposes.

21. Both local authorities and mayoral authorities are “strongly encouraged” to make use of local development orders (LDOs) to provide certainty to applicants about the prospects of permission. The current framework does not extend to mayoral authorities and authorities are merely “encouraged” to use LDOs.

22. The fact that an up-to-date calculation of local housing need is higher than the local housing requirement should not be considered evidence of unmet housing need for a period of five years from adoption of a plan, as long as certain conditions are met. These are that the planning authority can demonstrate a five-year supply of deliverable housing sites (with

the appropriate buffer) and where the housing delivery test indicates that the delivery of housing is more than 75 per cent of the housing requirement over the previous three years.

2F GREEN BELT

23. Housing and mixed-use development around stations defined as “well-connected” will not be considered inappropriate, provided it is of an appropriate scale, does not prejudice long-term development proposals and complies with the “golden rules”. The government says the objective of this policy is to support high-density development in sustainable locations. Footnote 52 of the document defines the term “well-connected”.

24. Policy GB2 says the preparation of strategic plans (SDSs) should be informed by an assessment of the strategic role of green belt land in the area. The assessment should take into account the five purposes of the green belt, it adds. The strategic assessment should be used to help develop the SDS and to identify whether there are areas where green belt boundaries may require further consideration through the preparation of local plans.

25. Green belt reviews should identify broad locations for strategic development including new settlements and major urban extensions. Such broad locations should extend over any large site allocations in adopted local plans, it says.

26. The development plan should set out ways in which the impact of green belt releases could be offset through compensatory improvements to the environmental quality and accessibility of remaining green belt land, reinstating a requirement that had been dropped in the 2024 version of the framework.

27. Local plans should be informed by an assessment that identifies grey belt land, in accordance with a process that reflects the guidance on green belts issued in February 2025. “Green belt assessments should form a routine part of plan-making where green belt exists, including identifying any land that constitutes ‘grey belt’,” the consultation document says.

28. Policy GB3 says green belt boundaries should be altered through local plans where this would enable the development of land around stations, or where exceptional circumstances are fully evidenced and justified.

29. The definition of grey belt in the glossary of the document no longer excludes so-called “footnote seven” areas, in which sites such as wildlife habitats or assets such as heritage buildings are protected, from grey belt designation. The consultation document says the reference was “originally included to ensure that our grey belt policy reforms did not undermine the protection given to these areas”. However, it says the reference “could make it more difficult to accurately identify grey belt” sites and “apply additional layers of protection”, which it says is “unnecessary”.

30. Policy GB8 states that major housing developments in the green belt should be subject to the golden rules regarding affordable housing and infrastructure provision. It clarifies that where development complies with the golden rules, this should be given substantial weight.

31. Part 3 of this policy sets out the three circumstances in which a site-specific viability assessment may be justified to allow contributions expected by the golden rules policy to be

adjusted. These are where a proposal is on brownfield land, where it is for a multi-phase, strategic site, or for a development model “which is of a wholly different type to that assumed in the viability assessment that informed the development plan”. In these cases, it says, development should still “make the maximum possible contribution” to affordable housing and infrastructure.

2G HOUSING

32. Under proposed policy HO1, the housing requirements for individual local authorities should be taken from strategic-level SDSs, where those exist, and “should not be retested” during local plan formation unless there has been a “significant change in circumstances”. The new plan-making policy for housing also proposes changing existing policy to specifically reference the need to accommodate travellers.

33. Policy HO2 proposes that where SDSs are not in place, the housing requirement figure should be higher than the identified local housing needs assessment “where appropriate”. This would include situations where more homes are required to meet the needs of neighbouring authorities, or where authorities have “significant growth ambitions”.

34. Local authorities will be required, under proposed policy HO5, to set a minimum level of homes that should be built to accessible standards in their area, against a national baseline of 40 per cent. On sites of 150 homes or more, councils should use their local plan to set expectations for tenure mix in order to drive build.

35. The consultation proposes introducing a medium-size site category into the planning system, covering developments of 10-49 homes, with an area of up to 2.5 hectares in size. This definition, more generous than proposed in the government’s [earlier consultation](#), is to be linked in to various policy easements – for example, that medium-sized sites be allowed to pay cash-in-lieu contributions for affordable housing (see below).

36. Under policy HO6, the consultation proposes local plans should allocate at least ten per cent of the housing requirement to sites of between one and 2.5 hectares. The policy also retains the existing requirement for plans to allocate a further 10 per cent to sites of one hectare or smaller.

37. Under proposed decision-making policy HO8, proposals for military affordable housing should not be required to meet local plan targets to provide additional affordable housing contributions. This includes where military housing is delivered on its own or alongside other forms of affordable housing.

38. The ministry of housing, communities and local government is consulting on whether to allow developers of medium-sized sites [to be exempted] from the requirement to deliver on-site affordable housing. The consultation has requested views on whether it should insert text into policy HO8 on providing affordable homes, such that “a cash payment in lieu should be accepted” where developments meet the medium-site definition.

39. New proposed policy HO13 on the build-out of residential and mixed-use development encourages local authorities to impose planning conditions on applicants “requiring that

development begins within a timescale shorter than the relevant statutory default period". However, it says this should be done only where it would speed build-out "without threatening its implementation or viability".

2H URBAN AND SUBURBAN DENSIFICATION

40. A proposed decision-making policy L2 on making effective use of land calls for "substantial weight" to be given to various types of proposals that reuse existing sites. It specifically encourages schemes that remediate land; make better use of underutilised land; provide temporary uses; make use of airspace above existing development; or provide "sensitive redevelopment or additional development within existing plots", including mansard roof extensions.

41. While opening up the possibility of "additional development within existing plots", policy L2 also places limits on the scale of redevelopment within "residential curtilages". It says schemes should "not occupy more than twice the footprint of the existing building on the site, and retain at least 50 per cent of the non-developed area within the building curtilage".

42. Residential or mixed-use developments within settlements should increase the density in the area in which they are proposed, according to new decision-making policy L3. It says that while an area's character should be taken into account in decisions, this "should not preclude development which makes the most of an area's potential".

43. Policy L3 also proposes that plots around train stations should be built out at a density of at least 40 dwellings per hectare (dph), rising to 50dph where the station is "well-connected". The NPPF defines well-connected stations as those in the top 60 English "Travel to Work" areas by gross value added and are served by four trains or trams per hour overall (i.e. two trains per hour in any one direction).

2I CLIMATE CHANGE

44. Local authorities should consider the risk of wildfires when drawing up local plans, and should propose development patterns that "contribute to radical reductions in greenhouse gas emissions". The proposed plan-making policy CC1 on climate change says local plans "can" be informed by an assessment of baseline carbon emissions and the potential effect of development options on future emissions.

45. New proposed decision-making policy CC2 on the mitigation of climate change states that projects should, "where relevant", deliver a variety of sustainability benefits. These include being located close to sustainable transport and/or local facilities and amenities; conserving energy through design approaches; reusing existing materials; connecting to decentralised heat networks; and contributing to habitat restoration.

46. Under CC2, substantial weight would be given to improving the energy efficiency of existing buildings through a development proposal. Likewise, substantial weight would be given to the use of renewable or low-carbon sources or heat networks.

47. Proposed policy CC3 addressing adaptation to climate change requires decision-makers to consider the "potential impacts of climate change over the lifetime of the

scheme". Existing policy does not specify whether it has to go further than considering existing impacts.

2J ECONOMY AND TOWN CENTRES

48. Substantial weight should be given to the economic benefits of proposals for commercial development, according to policy E2. When assessing whether there is an unmet need for such development, considerations should include whether market signals indicate an undersupply of specific types of land or premises, and whether a proposal's specific locational requirements are met by existing allocations in the development plan.

49. The draft framework retains the town centre-first principle, including the sequential and impact tests for retail developments. It retains the core principle that "main town centre uses" should be located in centres but seeks views on the retention of the sequential test.

2K HERITAGE

50. Development proposals involving heritage assets should specifically consider the potential positive effects on the heritage asset of the scheme when assessing impact. The revised policy, HE5, on assessing effects on heritage assets proposes stating that it is the effect on an asset's significance rather than the scale of the development that should be considered by decision-makers.

51. The new draft proposes revising the weight given to the consideration of the potential effect of a development proposal on a designated heritage asset from "great" to "substantial". A footnote to the draft NPPF states that this is to bring the document in line with statutory tests that require considerable importance and weight to be given to harm to the relevant designated assets.

2L VISION-LED TRANSPORT APPROACH

52. Sustainable transport considerations should form part of early engagement with local communities when drawing up local plans, under proposed plan-making policy TR1. The policy also suggests that councils set thresholds for what constitutes a significant amount of movement arising from new development, against which to make planning decisions.

53. Policy TR2 states that local plans should set local parking standards. Currently the NPPF suggests this as an option.

2M NATURAL ENVIRONMENT

54. Local authorities should not attempt to levy higher biodiversity net gain requirements than the statutory level, except for on specific site allocations where fully justified. The stipulation comes in draft plan-making policy N1 on identifying environmental opportunities and safeguards.

This is a disappointing proposal as it means that our proposed policy on 20% BNG, which we have justified and checked in viability terms, would not be valid if this stance is taken forward in the final NPPF.

55. Decision-takers should consider landscape character and “existing natural features” when considering the impact of development proposals. Under decision-making policy N2, development proposals should consider these factors and minimise biodiversity impact, which, where it cannot be avoided or mitigated, should result in permission being refused.

56. Development proposals should incorporate integrated nest boxes for birds, known as “swift bricks”, into their construction “unless there are compelling technical reasons which prevent their use”. Decision-making policy N2 proposes that developments should also include features to support other threatened species including bats and hedgehogs.

57. Substantial weight should be given to the preservation of the natural beauty of protected landscapes, replacing “great weight” in the current framework. The proposed policy N4 for protected landscapes adds that major development should only be supported in “exceptional circumstances”.

It is noted that reference to the National Parks Circular is removed and the loss of the clear wording around National Parks and the Broads having the ‘highest status of protection in relation to landscape and scenic beauty’. No reason is given for these changes.

2N MINERAL EXTRACTION

58. Local authorities’ development plans should not identify new oil and gas sites outside licensed areas and should not identify any sites at all for coal or peat extraction. The draft policy M1, relating to planning for a sufficient supply of minerals, says plans should distinguish between the exploration, appraisal and production phases of oil and gas developments.

The issue of peat excavated as a by-product of development is still not addressed at a national level.

59. “Substantial weight” should be given to the benefits of mineral extraction in decision-making, including works that facilitate the exploration and extraction of a new category of “critical and growth minerals”. These are defined in policy M3 as minerals that support either the green energy transition, net zero, national security or the government’s industrial strategy.

60. In decision-making, applications for peat extraction should be refused, and proposals for coal workings should only be approved in very limited circumstances. Decision-making policy M5 says proposals must facilitate the exploration or production of licenced oil and gas reserves; be necessary for public safety; or target the capture and use of methane from coal mines.

3. Other changes to BNG

3.1. While not in the NPPF consultation, MHCLG has set out that it will exempt smaller developments up to 0.2 hectares from biodiversity net gain and simplify requirements on small and medium sites that are not exempted. They also will make it ‘easier, quicker, and cheaper to deliver BNG offsite’. Also set out is that Defra will consult on an

additional targeted exemption for brownfield residential development on sites up to 2.5 hectares.

- 3.2. More information can be found here: [Planning reforms: delivering homes, supporting farmers, and protecting nature – Environment](#).
- 3.3. The article/announcement says: ‘A full consultation response and implementation timeline is expected to be published in the new year, alongside a consultation response on implementing BNG for nationally significant infrastructure projects (NSIPs), which will go live in May 2026. Until changes are officially implemented which will require secondary legislation in some cases, BNG continues to apply in its current form and developers should continue to follow existing guidance and legislation when delivering BNG’.
- 3.4. We await the specific details, but it is fair to say that most developments that come forward in the Broads are small and so the new size threshold may mean that fewer schemes will need to address BNG. That coupled with the proposal to reduce opportunities to require more than 10% BNG (explained in section 2 at number 54) means that the impact that BNG could have is going to be much reduced. There are of course still requirements to assess impact on biodiversity. And the Authority has a long track record of securing biodiversity enhancements which we would still be able to require.

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Appendix 1 – NPPF consultation response

Appendix 1 – Proposed response to NPPF consultation

Document: The consultation version of the NPPF is here: [National Planning Policy Framework: draft text for consultation](#). The accompanying document is here: [National Planning Policy Framework: proposed reforms and other changes to the planning system](#).

Due date: 10 March 2026

Status: Draft

Proposed level: Planning Committee endorsed

Proposed response:

6) Do you agree with the role, purpose and content of spatial development strategies set out in policy PM1? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

Partly agree with the introduction of Spatial Development Strategies (SDSs) as this has been a significant gap in Policy making since the abolition of Regional Spatial Strategies in England in 2010 which had existed in different forms since the 1960s. It is particularly important to National Parks & the Broads where development may be limited within them, but the impact of development will be felt on the both the wider setting of the protected landscape, the environment/nationally designated sites and the economy.

Under the December 2024 NPPF and PPG (2a-014-20241212) there is the ability for National Park and the Broads Authority to use a ‘method determined locally’ rather than the standard method to assess housing need. This is essential because these protected landscapes do not operate like normal housing market areas. They often have high rates of second homes and short-term lets due to a strong visitor economy, and there is no potential to address affordability through significant increases in supply because this would conflict with their statutory purposes. This facility does not appear to be given in the draft PM1, S1 or HO1. Strategic Authorities with a high proportion of protected landscapes will struggle to meet the combined standard method figures for all the local authority areas within the SDS without such a locally determined housing need figure being applied to the protected landscapes.

The NPPF must therefore specifically refer to SDSs that include a protected landscape within them and their elevated status in terms of protection. Perhaps most areas that are to produce a SDS have either a National Park/the Broads or National Landscapes in. Maybe more than one (for example, for the Norfolk and Suffolk SDS, there will be the Broads as well as two National Landscapes). There should be a criterion relating to continuing the protection and enhancement of the protected landscape and its setting, having regard to the management plan as well as the Levelling Up and Regeneration Act 2023 (LURA) which introduced a strengthened statutory duty for local authorities to conserve protected landscapes. Section 245 of the LURA (Protected Landscapes) amended the duty on relevant authorities in respect of their functions which affect land within National Parks and The Broads to ‘seek to further’ the statutory purposes of Protected Landscapes when reaching decisions and undertaking

activities that impact these areas¹. Relevant authorities need to apply the duty when undertaking any function in relation to, or so as to affect, land in a Protected Landscape; this includes decision making in respect of development management and planning applications.

There is no mention of climate change adaptation, mitigation or resilience in the list of issues a strategic development strategy should address. There is no issue more 'genuinely strategic, cross-boundary' as climate change. Climate change needs to be included.

11) Do you agree with the principles set out in policy PM6(1c), including its provisions for preventing duplication of national decision-making policies? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

Partly agree but the main issue is whether or not the NDMPs are statutory or non-statutory – it is currently proposed that they are not. You will be aware of the contradictions this introduces in that Section 38 (6) of the 2004 Act relates to the primacy of the Development Plan and yet the NPPF is proposing national decision-making policies. This will create confusion and introduce uncertainty and inconsistency of approach across LPAs and PINS.

In addition, national decision-making policies are going to try to make a one size fits all approach to the entire country of England. Cities are different to towns and villages which are different to rural areas which are different to protected landscapes and coastal communities. The new NPPF needs to ensure there is potential for Local Plans to include policies that elaborate on certain parts of national decision-making policies or take a particular stance forward, if it is fully justified. What if the one size fits all national decision-making policies just don't work for a particular area because of the local circumstances? Is there scope to address this through Local Plans?

13) Do you agree with the approach to the preparation of plan evidence set out in policy PM8? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

It is not clear what evidence the Government thinks has been produced that is not needed. It is not clear why a LPA would spend precious funding and time on work that is not required.

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? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. 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?

PM14 part 1 – says examiner, then Inspector, then examiner – it needs to be consistent. Or is there a difference? What is that difference?

¹ [Levelling-up and Regeneration Act 2023](#) – Section 245, part 11 onwards.

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?

In terms of examining Supplementary Plans and Neighbourhood Plans, do they need to consider/be in conformity with SDSs?

21) Do you agree with the principles set out in policy DM1? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

The glossary defines Medium development: 'For housing, development where 10-49 homes (inclusive) will be provided, and the site has an area of up to 2.5 hectares'.

Development that size can have an impact on the area and still need infrastructure to support them. DM1 seems to imply that schemes for medium and minor development don't need to engage early with locals and stakeholders. DM1 goes into say that minor and medium sized schemes don't need to produce a planning statement. The planning statement would be proportionate and not an overly burdensome task.

22) Do you agree with the policy DM2 on information requirements for planning applications? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

It is not clear what information to accompany planning applications the Government thinks that LPAs are requesting that is not needed. It is not clear why LPAs would do that. The DM Officer then needs to spend time assessing the information that is not needed.

If there are requirements as per national development management policies, why are they on the local validation checklist?

31) Do you agree with the new intentional unauthorised development policy in policy DM8? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. 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?

Give weight in what way? Need guidance on this and the various scenarios. Not clear how the intention test would be applied.

35) Do you agree with the proposed definition of settlements in the glossary? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

It is not clear why 'Broads Authority' is in brackets. Please remove the brackets. We ask this every time the NPPF is published – footnote 23, page 22.

In the glossary you would need to define what is a hamlet as this would be a matter of interpretation.

There is a concern that relying on the glossary to define what a settlement is, is a stage removed from Policy S4, because S4 just says 'settlements' it does not refer to settlement/development boundaries or point to the development plan.

36) Do you agree with the revised approach to the presumption in favour of sustainable development? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

The proposed NPPF is confusing and lacks clarity. The current wording of the current NPPF is clear.

The presumption in favour of sustainable development is mentioned twice in the emerging NPPF, whereas in current NPPF, it is referred to 9 times.

S5 1 J i is very permissive with no cross reference to footnote 23. This is a concern as footnote 23 protects protected landscapes from inappropriate development. The equivalent footnote in the current NPPF is footnote 7 and that is referred to in both plan making and decision making in terms of Paragraph 11. This needs to be addressed.

S3 is the presumption in favour of sustainable development. It defers to policy S5 for development outside of settlements.

- *S5 2 could defer to N4, but that is not clear if it is the case. The NPPF needs to be clear about what S5 2 refers to.*
- *S5 5 talks about green space. But there is no mention in S5 or S3 about the areas referred to in footnote 23 which is the current NPPF footnote 7.*

Not all settlements have a settlement or development boundary. These boundaries are set out in Local Plans and tend to reflect the services and facilities within them. Local Plans direct development to areas with these boundaries. The proposals in the NPPF seems to treat all settlements the same, regardless of if they have services and facilities within them. This could lead to dwellings being built in unsustainable locations in settlements without services and facilities and therefore increased reliance on single occupancy car use to access services and facilities like schools and shops, rather than being able to walk, cycle or use public transport to access them. Also, such settlements without such facilities are more rural in nature and may not have satisfactory broadband. And promoting development in settlements without services and facilities could lead to increase in social isolation and the negative health and wellbeing impacts associated with that. It is not clear from this if LPAs can set settlement boundaries/development boundaries or if this approach is a thing of the past as all settlements are now treated as equal.

37) Do you agree to the proposed approach to development within settlements? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

Agree with the approach – this is a well-established principle in planning policy

S4 part 1 – needs to also refer to the development plan like is proposed elsewhere. There is no explanation as to why the development plan is being ignored in this instance. Part 2ai then refers to the development plan.

38) Do you agree to the proposed approach to development outside settlements? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree. 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? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons.

S5 part 1 – needs to refer also to the development plan like is proposed elsewhere. There is no explanation as to why the development plan is being ignored in this instance.

S5 part 1a – people need to access sports facilities, allotments and burial grounds. They need to access the others in the list, but they tend to need to be or are located outside of settlements anyway. The location of sports facilities, allotments and burial grounds need to be accessed by walking, cycling and public transport otherwise there will be reliance on single occupancy car use, with the associated car parking needed. As written, this will not ‘prevent unsustainable patterns of growth and conserve rural character’ as is set out in the consultation document accompanying the draft NPPF.

S5, part 1b – what is a rural business? Is it a business that is located or wants to be located in a rural area, as that can be any business. What are the tests that determine if something is a rural business and has a genuine need to be in a rural area?

S5, part 1d – this could result in a dwelling in an isolated location resulting in reliance on single occupancy car use – this would result in ‘badly located development’.

S5, part 1e – these groups of houses would not be classed as settlements and would not have access to services and facilities and would result in reliance on single occupancy car use and could lead to social isolation and again ‘badly located development’. It would also lead to differing opinions about what infilling is; how big can the gap be, does it have to be on both sides/front & back of the site etc.

S5, part 1h and part 1j – what is ‘well related’?

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 agree, partly agree, neither agree nor disagree, partly disagree, 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.

S5, part 1h is written oddly. 'within reasonable walking distance of a railway station which provides a high level of connectivity to jobs and services'²⁶; physically well-related to a railway station or a settlement within which the station is located' – should it be an 'or' and then go on to list the other things in the paragraph? As is these two locational criteria are 'or' and then a proposal needs to meet all of the remain criteria? This needs clarifying.

S5, part 1h – what is a 'reasonable walking distance'? Do there need to be footways that can be used, or is walking on the road ok? What about use throughout all seasons and times – as in it is a safe route that has streetlights?

42) Do you agree with the approach to planning for climate change in policy CC1? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

Page 27 Paragraph 1d – "Green & Blue" Infrastructure would be preferred.

43) Do you agree with the approach to mitigating climate change through planning decisions in policy CC2? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) If not, what additional measures could be taken to ensure climate change mitigation is given appropriate consideration?

CC2 part 1f – these talks about creation or restoration of habitats which can act as carbon stores, but it does not talk about protecting them from development in the first place. This needs to be addressed.

CC2 part 1f – Support reference to peatland. But you need to check if peatland is a habitat or a soil. If it is a soil type, then you need to amend part 1f to refer to peat soils and/or carbon rich soils.

Paragraph 2 of policy CC2 refers to giving weight to heat networks. This language seems inconsistent with the current proposal to create Heat Network Zones that will mandate the use of heat networks in certain areas. The wording should be strengthened to reflect that heat networks are non-optional for certain developments, and that there should be weight given to siting developments within those zones to maximise their effectiveness."

44) Do you agree with the approach to climate change adaptation through planning decisions in policy CC3? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) What additional measures could be taken to ensure climate change adaptation is given appropriate consideration?

CC3 1a – this seems to be contrary to the flood risk policies in the NPPF. The use of ‘or’ implies that development does not need to be located where risk of flooding is minimised – it seems to say that can be ignored if development can be made safe. This is saying that development can go in flood risk areas. This is in total contrast to the flood risk section of the NPPF. Para 170 of the current NPPF says ‘Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere’. The emphasis being on ‘necessary’. That is not included in CC3 1a.

CC3 1 a: ‘Be located where the risk of flooding is minimised, or can be managed and the development made safe without increasing risk elsewhere, in accordance with policies F4, F5, F6, F7 and F8’

48) Do you agree the requirements for spatial development strategies and local plans in policy HO1 and policy HO2 are appropriate? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree

HO1 part 2 – residential moorings and residential caravans (non gypsy and traveller) are not included in the list, but the Housing and Planning Act 2016 requires Housing Authorities to assess the need.

The groups listed basically describes everybody apart from working aged people without children who own their own home. It is therefore not helpful – it would be better to simply say ‘take account of everybody’s needs and leave the a-j list out or put it in the glossary, adding ‘working aged people without children who own their own home’ and describe it as a definition of different groups.

49) Is further guidance required on assessing the needs of different groups, including older people, disabled people, and those who require social and affordable housing? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) If so, what elements should this guidance cover?

Yes – an agreed methodology for residential moorings and residential caravans (non gypsy and traveller).

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? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

This section needs to refer to the impact on and setting of protected landscapes.

56) Do you agree our proposed changes to the definition of designated rural areas will better support rural social and affordable housing? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Calling a parish that has a population of 3,000 or less a 'Designated Rural Area' and then still having Section 157 of the Housing Act 1985 which says 'an area designated by order of the Secretary of State as a rural area' is going to cause confusion as they use the same words but apply to different places. We suggest using different phrases/words.

In addition, the glossary refers to National Parks but DOES NOT include The Broads. This means that this policy does not apply to the Broads as written, although it does apply to National Parks and National Landscapes. This was a serious omission in the last NPPF which needs to be rectified now by adding The Broads, so the policy in the NPPF applies to National Parks, The Broads and National Landscapes.

HO5 1 a i – last sentence – what about medium development? The accompanying document on page 43 says '...to allow affordable housing contributions to be sought on minor development in parishes...' – but HO5 1 a I does not say minor development (or medium development); it only says 'major development'. What happens with medium development?

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? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

The previous Government consulted on a change to Building Regulations that would apply nationwide. This document implies something is coming from this Government – what is going to happen regarding the accessible homes standard at a national level?

64) Do you agree flexibility relating to the size of market homes provided will better enable developments providing affordable housing? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

There is an issue here regarding creating 'mixed and balanced communities'? Too much of one housing type in an area would not result in mixed and balanced communities.

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?

There is no definition as to what 'stepping stone housing' is in order to make an informed response. The consultation document implies this is a type of housing rather than an organisation.

73) Do you agree with the criteria set out regarding the locations of community1based specialist accommodation, including changes to the glossary? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. 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? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

HO9 1 a i says 'being located where residents will be able to access frequently-used services easily and safely by walking, wheeling (including mobility scooters) and public transport' which is supported, but HO9 b ii does not say the same thing; HO9 b ii says 'being located where residents will be able to access frequently-used services (such as education facilities) easily and safely'- no mention of walking, wheeling and public transport. HO9 1 c i says the same as HO9 1 a i.

How does a LPA define 'easily and safely'?

HO9 1 a i and HO9 1 c i need to refer to cycling when referring to accessing services easily and safely.

75) Do you agree the proposals provide adequate additional support for rural exception sites? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, including what other changes may be needed to increase their uptake?

HO10 2 a – what does 'physically well-related to settlements' mean?

80) Do you agree the proposals in policy HO13 will help to ensure development proposals are built out in a reasonable period? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

HO13 1 – what about medium sized development? Is it not important that is developed without unnecessary delay? Isn't the point of introducing medium sized development and that sized development not having the same requirements as major, for it to be built out quickly?

HO13 1 – as written, this is an introduction. It is not requiring anything. Is that the intention? Or should it be requiring information, as part of an application, showing how the scheme will be built out without delay?

HO13 2 – beginning development in a shorter time period will not mean the scheme is completed any quicker. There are often some pre-commencement conditions that can be completed making the permission extant. The issue that is trying to be addressed is completing schemes and this will not affect that.

82) Are any more specific approaches or definitions needed to support the delivery of very large (super strategic) sites, including new towns? Yes, no a) Please provide your reasons.

HO13 3 – what is ‘large scale’ in this instance?

87) Do you agree with the approach to rural business development in policy E4? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

There is some duplication with S5 1.b. Presumably that deals with new development, what does E4 deal with under ‘sustainable growth of businesses. This should be made clear.

E4 2 a - what does ‘physically well-related to settlements’ mean?

91) Do you believe the sequential test in policy TC3 should be retained? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

The use of the sequential test has been problematic since the concept was first introduced in PPG 6 Planning for Town Centres in 1996. The aim being a town centre first hierarchy to prevent out of town retail development. This has clearly not worked – evidenced by the numerous out of town retail parks around every town and city in the country. You need to consider if this is still a viable way of assessing retail development and protecting town centres.

TC3 5 – what does ‘small scale’ mean?

93) Do you agree that the updated policies provide clearer and stronger support for the rollout of 5G and gigabit broadband? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

First of all, the policy in the NPPF is ‘CO’ whereas in the supporting document it is ‘TI’. It is presumed this is a mistake and TI should be CO.

CO1 2 – it is noted that this part of the draft NPPF says ‘local planning authorities should not require minimum distances to be maintained between telecommunications infrastructure and other development’. The fans on masts are louder in the summer on hot days which is when those living in houses are wanting to open windows, including at night. The noise from masts is not mentioned as a consideration.

95) Do you agree the supporting information requirements are proportionate and sufficient without creating unnecessary burdens? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

CO2 1 a – local residents need to be consulted. This is easy to do by a leaflet or letter drop. It is strange that the community is not included.

CO2 1 – *There needs to be a requirement for proposals to justify why they need to be where proposed. That is not questioning the need for expansion or upgrading; it is requiring justification for the proposed location.*

[Cabinet Siting and Pole Siting Code of Practice, Issue 2, 2016 - GOV.UK](#) does not seem to be mentioned in this section and it seems logical to do so.

98) Do you agree with the proposed approach to supporting development for renewable and low carbon development and electricity network infrastructure in policy W3? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree, and any changes you would make to improve the policy.

Taking away the ability for local plans to set local considerations relating to renewable energy is not supported.

We note for example that these issues are not addressed in the proposed NPPF, but are important to consider and address when planning and determining schemes:

- *Impact on safeguarded MOD sites and assets.*
- *Impact on air traffic safety, radar, reflected light and telecommunication, water quality and water resources.*
- *For solar farms within 300 m of a water body, that they will not reflect polarised light that may attract aquatic insects or deceive them into laying eggs on the solar panels.*
- *Avoiding best and most versatile agricultural land.*
- *For turbines: The potential for impacts on birds and bats must be fully assessed and avoided and mitigated. This assessment needs to address the potential effect the colour of turbines can have on biodiversity;*
- *No unacceptable adverse impact on local amenity as a result of noise, shadow flicker and visual intrusion or conflict with public safety. To protect visual amenity, there will be a presumption against development within a distance of six times the turbine blade tip height of residential properties unless it can be demonstrated that the presence of turbines would not have an unacceptable impact on living conditions;*
- *Potential interference to television and/or radio reception and information and telecommunications systems will be avoided and/or mitigated;*
- *The proposed wind turbines shall be located appropriate distances from highways, and railway lines to provide a safe topple distance. A minimum topple distance of the turbine height plus 10% is recommended;*
- *No unacceptable adverse effects on sensitive or well used viewpoints;*

Furthermore, what about local evidence informing such decisions? For example, as a protected landscape, we have a Landscape Sensitivity Study that relates to solar farms and wind turbines. Are you saying that we cannot use that to inform our decisions as it is a locally produced consideration?

W3 2 - *There needs to be a requirement for proposals to justify why they need to be where proposed. That is not questioning the need for renewable energy; it is requiring justification for the proposed location.*

99) Do you agree with the proposed approach to supporting development for water infrastructure in policy W4? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

W4 2 - There needs to be a requirement for proposals to justify why they need to be where proposed. That is not questioning the need for water infrastructure; it is requiring justification for the proposed location.

We recommend including a reference to water needs of nature restoration and agriculture, not just infrastructure and energy.

105) Do you agree with the exclusion of development involving onshore oil and gas extraction from policy M3? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Footnote 41 needs to cross refer to policy M5. As written, it does not say where in the NPPF proposals for involving peat, coal or onshore oil and gas extraction will be considered.

107) Do you agree policy M4 sufficiently addresses the impacts of mineral development, noting that other national decision-making policies will also apply? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. 108) Please provide your reasons, particularly if you disagree.

M4 1 a – this needs to refer to protected landscapes and landscape character. It refers to the natural and historic environment, but this needs to go further to include landscape impact.

109) Do you agree with approach to coal, oil and gas in policy M5? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree. 110) Are there any other exceptional circumstances in which coal extraction should be permitted? Yes/No 111) If yes, please outline the exceptional circumstances in which you think coal extraction should be permitted.

There is no question about the peat part of M5.

M5 1 – there is no mention of peat excavated as a by-product of other development. That is development that involves excavation of peat, but the development itself is not about peat extraction. For example, mooring basins whereby peat is excavated to make space for boats. The NPPF seems to want to protect peat, but this particular way of peat being excavated is not considered.

118) Do you agree the high-level design principles provided in policy L2(d) appropriate for national policy? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

L2 d – what about ensuring that buildings can withstand additional floors placed above them? Or indeed proving, as part of planning applications, that such development can be safely

accommodated on existing buildings. You need to consider those who own the flats (for example) on which other rooms, in one form or another, are going to be developed and any impact on the structural integrity of their building.

L2 d – what about the issue of cycle and car parking provision? There is no mention of fully understanding and addressing the demand for parking from such intensification.

L2 d ii – this list is quite minimal. It needs to refer to

- a) Overlooking of windows of habitable rooms and private amenity space;*
- b) Loss of privacy;*
- c) Overshadowing of private amenity space;*
- d) Loss of daylight and/or sunlight to existing windows of habitable rooms;*
- e) Overbearing impact/visual dominance;*

120) Do you agree with the proposed safeguards in policy L2 that allow development in residential curtilages? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

L2 1 b says ‘such as by bringing back into residential use empty homes and other suitable buildings’ – it could be that there are buildings that could be made suitable, but these are located away from settlements. This is a throw away sentence with the implications not adequately considered. Care needs to be taken here – what is the intention? Should other parts of the NPPF be cross referenced?

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 we’re using for the number of Travel to Work Areas and service frequency appropriate for defining a ‘well1connected’ station? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons and preferred alternatives.

Footnote 26 and 45 says ‘a top 60 Travel to Work Area located partially or fully within England by Gross Value Added (GVA)’ – what are these and where do you find out where they are? Is there a website that could be referred to?

128) Do you agree policy L4 provides clear high-level guidance on good design for residential extensions? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. 129) Please provide your reasons, particularly if you disagree

L4 is a nation decision making policy. As stated previously, it is not clear if Local Plans can supplement these.

L4 does not cover all considerations relating to a residential extension. The important considerations are:

- a) Incorporate a good quality design which maintains or enhances the character and appearance of the building, its setting, heritage impact, and the streetscape/landscape.*

Schemes shall not create an adverse effect on, or lead to undesirable changes to, the landscape or any other valued characteristic;

b) Are subservient and sympathetic to the existing property. Proposals shall not detract from the character, appearance, or amenity of the original building, its setting or neighbouring buildings and shall not amount to the creation of a separate independent dwelling;

c) Do not have an unacceptable impact on the amenities of neighbouring occupiers; and

d) Will not result in over-development of the plot and will retain suitable amenity space for the dwelling. The cumulative effects of extensions within the plot will be considered.

146) Do you agree that policy DP1 provides sufficient clarity on how development plans should deliver high quality design and placemaking outcomes? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

Partly agree. In DP1: 1b would it be worth including protected landscapes in the list of circumstances where it may be necessary to have a design guide and / or design code in order to ensure a particularly high quality of design appropriate to its sensitive context?

147) Do you agree with the approach to design tools set out in policy DP2? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

Partly agree. Does there need to be further clarity about the status of existing adopted Design Guides / Codes that have been completed in the last few years since the requirement for a Design Code was made mandatory in the NPPF?

148) Do you agree policy DP3 clearly set out principles for development proposals to respond to their context and create well-designed places? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

Strongly agree.

149) Do you agree with the proposed approach to using design review and other design processes in policy DP4? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) If not, what else would help secure better design and placemaking outcomes?

Partly agree. It will be important to ensure that tools such as Building for a Healthy Life are referred to in the forthcoming Design Guidance. Building for a Healthy Life provides a succinct and clear baseline for developments that is useful to both developers and LPAs.

148) Do you agree policy DP3 clearly set out principles for development proposals to respond to their context and create well-designed places? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

DP3 1 c – what about resilience to climate change? This needs to be mentioned.

DP3 2 – should the last sentence become the first sentence? As written, the order seems odd.

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? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

TR3 1 a – what does this mean ‘unless the nature of the use makes this impractical’? And to what does ‘this’ refer to?

153) Do you agree that proposed policy TR4 provides a sufficient basis for the effective integration of transport considerations in creating well-designed places? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

TR4 1 a – is the use of the word ‘with’ correct here: ‘and with neighbouring areas’ – should that be ‘within’? It does not make sense as written.

TR4 1 b – is facilities the right word? To me that means cycle storage. ‘...such as continuous footways and segregated cycle facilities which are adequately lit...’. Do you mean cycle lanes or cycle routes perhaps?

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? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

In addition to local green spaces, consideration should be given as to how communities access wider protected landscapes and National Parks for recreation outside of their own community, and as part of the sustainable transport considerations in Chapter 5.

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?

*HC5 1 needs to end with ‘Development proposals for hot food takeaways or fast-food outlets should be refused **if they are:**’*

162) Do you agree with the proposed approach to retaining key community facilities and public service infrastructure in policy HC6? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

We are concerned by the proposed change. When preparing our current Local Plan, we had similar criteria to HC6 1 b but the Inspector told us to remove it. Their [report](#) at para 97 says 'Criterion d in Policy PUBDM43 allows the loss of community facilities where an equivalent facility is available. This could lead to the loss of valuable facilities in villages and fail to protect rural communities. The criterion should therefore be deleted, in order to ensure the policy is effective and consistent with national policy relating to the rural economy and healthy communities (M63)'. This meant the policy says 'Applications for the change of use or redevelopment of an existing community, visitor or recreational facility or service that meets a local need or contributes to the network of facilities through the Broads will only be permitted where: a) It can be proven that there is no community need for the service/facility; or b) It can be demonstrated through a viability assessment that the current use is economically unviable'.

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? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

The accompanying consultation document says 'In doing so, it recognises that an improvement in the quality of recreational land can sometimes offset a reduction in overall quantity, although we welcome views on the effect of this change'. The change could allow the converse to happen; the provision of a larger area of poor-quality recreational land. So to stick with the original wording that says 'of both quantity and quality' would ensure the provision meets both criteria.

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? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

Agreed – this wording does not change the current situation which appears to work well.

165) Do you agree with policy P1 as a basis for identifying and addressing relevant risks when preparing plans? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

P1 c – this needs to mention light pollution as well. Light pollution is referred to in P3 1 c and P3 2 a and P3 2 d. So including in P1 c would be consistent.

P1 c is more for decision making than local plans.

178) Do you agree with the proposed new additions to Table 2: Flood Risk Vulnerability Classifications? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. 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.

Annex F says this under more vulnerable: 'Buildings used for dwelling houses (including floating/rising designs), student halls of residence, drinking establishments, nightclubs and hotels'. What does 'including floating/rising designs' mean? Is this can float or do float houses? Or does this mean buildings on pontoons? This term needs to be defined as it could cause unwanted issues.

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?

N1 2 and footnote 69 – it is not clear why only certain allocated sites can have greater than 10% BNG rather than a local plan policy that covers the entire LPA area. If BNG of more than 10% can be justified and is viable, then that is a good thing and therefore policies to reflect this need to be allowed.

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? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

N2 1 f – integrated nest bricks could also be bat bricks or bee bricks. So perhaps this should say 'Development proposals should incorporate integrated nest boxes (~~commonly known~~ such as swift bricks and bat bricks)

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 agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, including how policy can be improved to ensure compliance.

N4 1 – says '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'. 'Protected Landscapes' is the Broads, National Parks and National Landscapes. So does N4 1 mean that the wildlife and cultural heritage in national landscapes should not have significant weight as the wording focuses in on National Parks and the Broads and does not include National Landscapes?

N4 – need to be consistent with capitalisation: Protected Landscapes or protected landscapes?

N4(1) The substitution of 'natural beauty' for 'landscape and scenic beauty' is supported as this reflects the legislation for protected landscapes. However, the removal of the phrase

‘which have the highest status of protection’ is very concerning, especially when coupled with the weakening of protections in N4(2).

National Parks, National Landscapes and the Broads have been accepted as having the highest level of landscape designation in the country over many iterations of the NPPF. Nothing has changed in the legislation to merit the removal of this phrase, indeed the amendments to primary legislation introduced under Section 245 of the Levelling Up and Regeneration Act were supposed to strengthen protections.

It is also noted that the current NPPF paragraph 189 references in footnote 66 the extant National Parks Circular, which provides reassurance that this Circular still constitutes Government policy. As this Circular has not been included in the Annex A list of Government statements that this NPPF would supersede, it is recommended that reference to it be reinstated within or as a footnote to N4(1).

N4(2) The main difference between this policy and the existing NPPF is that paragraph 190 says ‘permission should be refused for major development other than in exceptional circumstances...’ whereas N4(2) says such proposals ‘should only be supported in exceptional circumstances’. This change is significant because it turns a presumption for refusal into a caveated support. This shift in language is particularly crucial when viewed alongside S5(2), which establishes where development can be resisted, including on sites outside settlements justified on the basis of unmet needs (S5(1j)). This places special significance on those policies in the NPPF that use the word ‘refused’. N4(2) is one of only two instances where the word ‘refused’ has been removed from a policy, the other being TR6 on highway impacts, which is addressed under Question 155. This appears to be a deliberate attempt to weaken the protection afforded to these landscapes and allow development that would otherwise be considered unacceptable. National Parks and the Broads Authorities strongly object to this change and requests that the language revert to the paragraph 190 wording.

N4(3) This is an additional provision that allows for mitigation of any adverse impacts of major development, with footnote 71 also allowing compensation. The consultation paper says this “reflects the changes we think are needed following the amended legal duty in the Levelling Up and Regeneration Act 2023 that relevant authorities should ‘seek to further’ the purposes of these areas in exercising their functions”. While mitigation and compensation are supported where harm is caused to protected landscapes, the first part of the hierarchy should be to avoid harm. By weakening N4(2), it has been made more likely that major development will be allowed to cause harm to protected landscapes which then needs mitigating and compensating for. This is contrary to the intention of the legislation to strengthen the level of protection given to National Parks, National Landscapes and the Broads.

185) Do you agree the government should implement the additional regard duties under Section 102 of the Levelling-Up and Regeneration Act? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons.

We agree that the government should implement the additional regard duties under S102 of the LURA. Our built heritage is a finite resource that contributes greatly to society in many ways (economically, socially, culturally and educationally). However, it has the potential to be adversely affected by ill-considered development within its setting and so this additional duty

would be welcomed to ensure that consideration is given to how successful development can be achieved within the historic environment. Although the 1990 Act has a similar requirement as regards listed buildings, the same consideration should be given to all designated heritage assets which in terms of the NPPF policies are of equal significance and where setting is already a consideration. This would ensure it is given additional weight.

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? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

HE1 – although beneficial, this will place additional requirements on LPAs (e.g. creating a strategy for HAR; a heritage assessment to consider the social, cultural, economic and environmental benefits the conservation of the historic environment can bring, production of a design code if they have not already done so and production of a local list) and resources may be an issue for LPAs who are typically understaffed in terms of heritage. In terms of the ‘proportionate heritage assessment’ (HE1. 1b), it is not clear exactly what is meant by this and it should be specified. I would question whether it is necessary for this to be carried out at a local level as HE produce regular ‘[Heritage Counts](#)’ research that does just this. Could this not be referred to?

HE5: I partly agree with the approach to assessing heritage assets in HE5. It is positive that emphasis is being placed on heritage assessments and that greater clarity is being provided on the assessments that should be made, as well as extending this requirement and assessment of the impact of proposals on non-designated heritage assets. However, in terms of HE5.4, could it be made clear what decision makers should do if they are not satisfied that heritage assessments submitted accurately reflect the effects of the proposal on the heritage asset. Should applications be refused or invalidated? Clarity should be provided.

190) Do you agree with the new policies in relation to world heritage, conservation areas and archaeological assets in policies HE8 – HE10? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

Strongly agree although I would suggest that in policy HE9: 1b) where it states, ‘Consider the area’s special architectural or historic interest (as identified as part of the designation of the conservation area)’, this should be amended to state, ‘as set out in the conservation area appraisal’. This is because in many instances conservation areas were designated many years ago and the documents relating to their original designation may not be available. However in most instances a conservation area appraisal is available and should set this out clearly.

General comments/queries

- How can LPAs not duplicate National Development Management Policies in their plans when they are non-statutory? To have weight they will surely need to be replicated in adopted policies. If they are non-statutory, they are not enforceable in any way and just 'guidance. Furthermore, if NPPF "policies" have not undergone rigorous SA or SEA, how

can they have more weight than local plan policies which have undergone this process and been examined?

- Transition arrangements are very disappointing and frustrating. As soon as a Local Plan is adopted (2024 NPPF and 'old' plan making system), they could be out of date. Even if the policy approaches reflect truly local issues, which the NPPF does not address. Even if the policy approach reflects truly local circumstances. The transition arrangements need to be amended as follows:

Development plan policies which are ~~in any way~~ inconsistent with the national decision-making policies in this Framework should be given very limited weight, except where ~~they have been examined and adopted against this Framework~~ **there is a clear and justified reason for addressing particular local issues.**

- It is not clear and needs to be explained what is going on with the Future Homes standard.
- It is not clear and needs to be explained what is going on with the M4(2) and M4(3) and changes to building regulations.
- Can local plan policies supplement national development management policies? For example, amenity and wind NPPF policies do not include all considerations.
- If only one aspect of an existing Local Plan policy conflicts with the new 2026 NPPF, is the entire policy given "limited weight"?
- Should settlement boundaries be defined in the Local Plan and shown on the policies map?
- The current NPPF is strong on protection of existing trees, yet the new NPPF only refers to new trees. This is a big oversight. The emerging NPPF needs to roll forward the current NPPF's stance on existing trees. See current NPPF paragraph 136, 187 b.