

Appendix 1: Response to Proposed reforms to the National Planning Policy Framework and other changes to the planning system, July 2024

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

No. Without further clarification and consideration the proposed changes to the text will tie in local planning authorities to, in some cases, a potentially unrealistic and unachievable target which does not take account of local circumstances (see responses to Q15 and Q19). No analysis has been provided for example in relation to (1) those local authorities where stock increases were below the 0.89 % average and the 0.8% target; (2) the ability of those and other local authorities to achieve that target; and (3) the implications of not doing so.

Rather, the methodology is a broadbrush calculation-based approach which produces challenging local targets but has limited recourse to the variable geography of housing needs and market demand. Text should be retained which would allow for authorities to adopt an alternative target where robust evidence demonstrates that the standard methodology would not result in an achievable position. This would not unnecessarily limit housing delivery as it is extremely unlikely that unachievable housing targets would be reached.

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

No. Please see response to Q1.

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

Yes. When responding to previous consultations on the introduction of the uplift, the Local Planning Authority considered that the introduction of the urban uplift was not warranted on policy grounds for the following reasons:

- The urban uplift is based on a single statistical variable which has been applied evidently without due consideration of the capacity of those places to provide the required volume and range of additional housing. Recourse has not been had either to the relationship with, and the potential of adjacent districts within the same conurbation or local economic area and which may form part of the same local housing market.
- Most of the largest 20 places are in the north or the Midlands. Some of those have relatively low property values, housing costs and rates of population and household growth. Some are constrained by tight administrative boundaries or by green belt designation. All of these factors may present significant difficulties in justifying or delivering housing completions substantially in excess of assessed local needs which may, in turn, undermine the national objective of significantly increasing housing supply.

- Unmet housing needs are most acute in London and SE England where, allied to economic prosperity and population and household growth trends, affordability ratios are consistently high relative to the national average.
- Applying the burden to a select group of places ignores any potential capacity of other places, including those with high affordability ratios, market demand and housing costs, to absorb a reasonably higher level of sustainable (and achievable) residential development, including for example through major urban extensions or new settlements as advocated in the NPPF at existing para. 73. Cognisant of that policy, this could include the justifiable release of sites in sustainable green belt locations.

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

No. While making efficient use of land and focussing development upon urban areas with higher levels of supporting infrastructure is generally supported, it is considered that there are occasions where high density development could result in a harmful impact upon historic character or result in poorly designed development. Paragraph 130 allows for an appropriate balance to be achieved in instances where a conflict can be evidenced. This is in line with the need to provide well-designed, sustainable development that supports economic, social and environment objectives.

Question 5: Do you agree that the focus of design codes should move towards supporting spatial visions in local plans and areas that provide the greatest opportunities for change such as greater density, in particular the development of large new communities?

Yes. This measure will allow Councils to focus resources on to those areas that are most likely to be affected by change.

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

Not in the context of the proposals. Clarification that the presumption relates to policies for the supply of land is helpful. However, as the text acknowledges, the changes are likely to bring more local districts within the scope of para. 11, resulting in poorly planned development without sufficient supporting infrastructure. The text also states that this would be in the short term. This is a highly speculative assumption as it implies that by allocating sufficient land in a local plan that the higher figure will be both justifiable at examination and deliverable following adoption.

Question 7: Do you agree that all local planning authorities should be required to continually demonstrate 5 years of specific, deliverable sites for decision making purposes, regardless of plan status?

The five-year land supply position would be rigorously tested at the examination stage to confirm that a deliverable supply can be demonstrated; if it can't the plan is unlikely to be found sound. Therefore, in the early period following a plan adoption, authorities should be able to comfortably demonstrate a 5-year land supply and will not be significantly affected by this requirement. However, this depends upon the baseline annual requirement being realistically achievable.

When accompanied by unrealistic housing requirements, this measure will undermine the plan-led system and result in more planning by appeal.

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

No. The removal of the mechanism to deduct oversupply from the five-year supply requirement is not supported, for the following reasons:

1. The five-year requirement is plan based, so any completions which have contributed to meeting the plan requirement are relevant to the assessment.
2. Completions do not sit in isolation from potential supply. They are part of the same delivery pipeline, so completions in one year impact on what happens the following year and so on. They should not therefore be ignored as to do so would not reflect performance against the plan requirement.
3. If the accrued surplus balance is disregarded it effectively resets the overall minimum requirement over the plan period against which the supply position is being assessed and increases the risk of a 'planning by appeal' situation on account of not being able to evidence a five-year supply. This would be despite (and potentially due to) strong delivery performance in previous years, which could moreover arise when aggregated completions remained ahead of the cumulative average requirement. In that scenario local authorities would in effect be penalised for overdelivering against the requirement.

Question 9: Do you agree that all local planning authorities should be required to add a 5% buffer to their 5-year housing land supply calculations?

Yes, providing the baseline annual requirement is realistically achievable.

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

Yes, a 5% buffer is an appropriate level.

Question 11: Do you agree with the removal of policy on Annual Position Statements?

Yes. It is agreed that the Annual Position Statement process gives little benefit to local planning authorities and that any authority with sufficient evidence to confirm its forward supply through this process should in any case be able to demonstrate a 5-year housing land supply.

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

Yes. Support to achieve effective co-operation in relation to strategic matters such as the delivery of strategic infrastructure or development that meets identified needs is welcomed.

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

Strategic scale proposals should be subject to tests of soundness that are appropriate for long-term projects and it is recognised that deliverability and viability can be difficult to demonstrate for such projects.

Question 14: Do you have any other suggestions relating to the proposals in this chapter?

N/A

Question 15: Do you agree that Planning Practice Guidance should be amended to specify that the appropriate baseline for the standard method is housing stock rather than the latest household projections?

No. Whilst the Local Planning Authority understands and supports the Government's ambition to deliver 1.5m new homes over the next five years, it is vitally important that this housing supports the most up-to-date projected population/household growth in local authority areas. The proposed movement towards a model based on a proportion of existing stock is both arbitrary in nature and unresponsive to the actual needs of different areas.

Breaking the link between assessed housing need and household projections risks the Government failing to meet its housing ambitions, as there will be a geographical mismatch between planned housing and the population needed to live in it. There also appears to be no consideration of the local jobs growth that would be required, almost instantly, to support the additional population that would be required.

Within Redcar and Cleveland, the revised methodology would increase assessed need from 45 units per annum to 642 per annum, which is a 1,338% increase. This is, by far, the largest percentage increase of any local authority in the country and against a backdrop of four decades of working-age population loss in the borough. There is no evidence that this population loss was driven by a lack of housing supply.

Whilst, at 234 new additional dwellings per annum, the Council's housing requirement in our Local Plan is higher than the current baseline calculation, this is already based on a population growth strategy for the borough. We calculate that, in order to deliver the revised target of 642 dwellings per annum, the borough would need to more than reverse four decades of working-age population loss within one Local Plan period. This is simply not credible.

If the Government wishes to pursue the proposed changes to the methodology, then it is vital that there is some form of transitional arrangement, or cap, for local authorities such as ours which would see such significant increases. A similar arrangement, or floor, could be considered for authorities who would see a significant fall in numbers against current household projections.

Alternatively, revisions to the household projection approach could be made as it is not apparent whether any consideration has been given to the merits of modifying the household projections approach to reduce the effects of variable forecasts for example by taking into account at least two consecutive datasets.

Otherwise, not only would this Council be unable to achieve its housing targets, but neither would the Government be able to deliver its national housing ambitions.

Question 16: Do you agree that using the workplace-based median house price to median earnings ratio, averaged over the most recent 3 year period for which data is available to adjust the standard method's baseline, is appropriate?

No. While the use of average affordability is preferable to using data from a single year, it is considered that increasing supply is no guarantee of improving affordability. That is due in part to the significant differences between the average sales values of comparable new build and second-hand properties and between new build detached dwellings and all other property types, and because the proportion of new build sales might be expected to rise under the reforms, thereby potentially perpetuating affordability issues.

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

No. There are 12 local authority areas which had an affordability ratio in excess of 16:1 in 2023. These are clearly the areas experiencing the biggest mismatch between housing demand and supply.

Of those 12 local authorities, 4 will actually see a decrease in housing numbers under the revised methodology, with another experiencing an increase of less than 5%. The average increase in housing target for these 12 most unaffordable local authorities in the country is 47.5%, whilst the average increase for local authorities nationally is 71.74%.

This is a clear demonstration that there is too much weight given in the revised methodology to the arbitrary figure of existing housing stock and too little weight given to affordability.

Question 18: Do you consider the standard method should factor in evidence on rental affordability? If so, do you have any suggestions for how this could be incorporated into the model?

No. Rental affordability is important but it would be more appropriately dealt with through assessments of housing need and by identifying appropriate tenure splits and other measures to increase delivery of Social and Affordable Rent properties, rather than through impacting the overall housing requirement figure.

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

It is considered that the proposed methodology is flawed and requires further investigation and consideration. Also, by increasing the burden of delivery in those local authority districts where, overall, levels of market demand or housing needs are comparatively low, the equitable distribution of the baseline supply requirement could undermine the achievement of growth ambitions.

Determining the requirement on the basis of a proportionate increase in housing stock by local authority district and an increase in the affordability ratio multiple aligns numerically with the target of providing 1.5m additional homes within 5 years.

However the approach does not amount to an assessment of need as it largely reflects the distribution of stock across administrative areas and, in applying a uniform baseline (i.e. in line with the 0.8 % reported national increase), consideration of the ability to deliver the ensuing requirement at the local level is overlooked.

This is a particularly significant issue in those local authorities where the housing stock increase was below the stated 0.89% ten-year average and the proposed baseline of 0.8%. This would include Redcar & Cleveland which also has a comparatively low (and falling) affordability ratio of 4.7. Despite sustaining an historically high level of net completions between 2014 and 2024 equivalent to 416 per annum, the corresponding increase in housing stock was only equivalent to 0.62% and 64% of the annual figure generated by the methodology (642), which would equate to an increase of 0.97% against the 2023 stock estimate. It is difficult to envisage how this gap could be bridged.

To provide further context, housing completion records in the borough going back from 2023/24 to 1992/93 show that annual gross and net completions averaged approximately 360 and 240 respectively. The level of development required by the methodology would not have been met in any single year, including in terms of gross figures. There were higher than average levels of completions in the early 2000s, and in the current plan period from 2015. In both cases the increases were founded on the release of greenfield extension sites in more affluent parts of the Borough. Boosted by low levels of housing clearance, Help to Buy and more latterly an increase in the amount and proportion of social and affordable market housing on sites across the borough, the current plan period from 2015 represents a high watermark in terms of net completions. Nonetheless, the annual net average (411) falls well short of the methodology figure.

It is also difficult to see how the increased five-year land supply requirement could be evidenced imminently or in the future, which would undermine the effectiveness of any replacement plan. The implications of establishing an annual net baseline requirement of 642 plus a 5% buffer produces a five-year requirement of 3,370 dwellings, which would be far in excess of the latest PPG-compliant five-year housing supply estimate (1,459) or actual net delivery over the last five years to 2023/24 (2,059). As the authority would also fail the annual Housing Delivery Test, the five-year requirement would at some point further increase to 3,852 as a consequence of applying a 20% buffer.

The level and rate of housing delivery in Redcar & Cleveland are constrained by the comparatively limited development undertaken by volume housebuilders in locations with lower land and property values. This includes the main rural settlements in East Cleveland, and the Greater Eston north sub-area (as defined in the Council's SHMA). There are examples in both of those areas of major developers cancelling later phases of greenfield developments due to lower than desired returns on investment, and there is no interest from them in redeveloping cleared former housing land or other brownfield sites. Consequently, in maintaining or increasing delivery greater pressure is placed on other, more attractive market areas to absorb new housing, which could be potentially disproportionate to the size of the host settlement. At the same time, demand in those areas is clearly finite, as

demonstrated by housebuilders selling off a higher proportion of stock to registered providers than originally proposed at the application stage.

In East Cleveland the scope for mass housebuilding is restricted by particularly localised housing markets and the ensuing slower pace of development. In Greater Eston north, which contains extensive areas of multiple deprivation and a disproportionately high supply of social rented accommodation, major developments are heavily dependent on incentives such as the provision of affordable market (shared ownership) housing or more social rented properties. To put these issues into perspective, the nine electoral wards covering the two areas contain over one third of the borough housing stock, which in turn illustrates the limitations of the blanket approach advanced by the methodology.

In other areas of the borough where sales values are higher and delivery is stronger, the scope for further physical expansion may also be limited. This would include Guisborough due to its proximity to the North York Moors National Park which moreover falls outside the jurisdiction of the local planning authority. In any case, in meeting the scale of development implied by the methodology it is conceivable that the development of a new, separate settlement might also be required over the course of a 10-15+ year plan period. The disadvantage here is that the development may entail a considerably longer lead-in period before achieving first completions.

More broadly, and as evidenced through previous local housing assessments, the need for additional housing in the borough is stifled by the older population structure regardless of any variability between different sets of household projections (In the 2021 Census the median age was 46 (increasing from 43 in 2011) and the 65+ population was 23.3% and well above local, regional and national averages). Having an older population results, critically, in relatively low household formation rates which are a main driver of demand for additional dwellings. Despite achieving an upturn in housing completions over the decade (the stock increased by a reported 5.3% or 350 per annum), the 2021 census showed modest increases in population (1%) and household growth (3.3% or 200 per annum) with the latter largely attributable to a fall in average household size from 2.27 to 2.21 persons per dwelling. Almost all of the population growth was in the 65+ cohort with falls in younger age groups, thereby perpetuating the low household growth scenario.

It is stated that where local authorities may seek to pursue a lower requirement this must be supported by evidenced 'hard constraints', to be presented to the Planning Inspectorate, but it seems apparent from the text that significantly lower levels of locally assessed housing need or evidence of housing delivery capacity are unlikely to be included as allowable specific circumstances in the revised PPG.

If that assumption is correct, and the pre-determined methodology figure was pursued through a replacement plan, including (subject to the availability of suitable and developable sites) sufficient allocations to meet a target of at least 6,420-9,630 net additional dwellings over 10-15 years, there appear to be two possible outcome scenarios.

Firstly, that the plan is found unsound due to insufficiently robust evidence to show that it would comply with NPPF paragraph 16, for example on the basis that the

housing requirement would not be realistically deliverable. In that case, the adoption of a replacement plan would be delayed.

Secondly, that the plan is found sound and adopted but a five-year deliverable supply cannot be evidenced or maintained, and actual delivery underachieves against the annual target irrespective of how much land is permitted or allocated for development. One probable outcome of that is the submission of speculative applications for unplanned development on less suitable or sustainable sites and which are in conflict with or undermine the effectiveness of the new plan in 'contributing to the achievement of sustainable development' as sought in paragraph 16.

In conclusion, the proposed target for Redcar & Cleveland is considered unrealistic because there appears to be insufficient market capacity and connected with that, evidence of local housing need, which would justify, achieve and maintain the required step change in the level of completions, both now and into the future. It is therefore also considered that if a proportionate housing stock increase is to be pursued as the means of determining local plan housing requirements, then it should allow for some flexibility to reflect local circumstances to better enable local plans to support housing growth and sustainable development.

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

No views either for or against this. The amended paragraph retains the word 'suitable' which is important in terms of achieving development at an appropriate site and location. As ever, the key issue with redevelopment on brownfield land is achieving up front scheme viability, whether through the market or funding incentives.

Question 21: Do you agree with the proposed change to paragraph 154g of the current NPPF to better support the development of PDL in the Green Belt?

There is no designated Green Belt within the Tees Valley. The Planning Authority, therefore, has no comment to make on changes relating the Green Belt within the NPPF.

Question 22: Do you have any views on expanding the definition of PDL, while ensuring that the development and maintenance of glasshouses for horticultural production is maintained?

Hardstanding and glasshouses associated with horticultural production often have a rural character or are located in rural locations with limited access to public transport or other community infrastructure. It should be ensured that expanding the definition of PDL does not result in unsustainable development that is inappropriate in rural locations.

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

The Planning Authority has no comments to make on changes that relate to Green Belt.

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

The Planning Authority has no comments to make on changes that relate to Green Belt.

Question 25: Do you agree that additional guidance to assist in identifying land which makes a limited contribution of Green Belt purposes would be helpful? If so, is this best contained in the NPPF itself or in planning practice guidance?

The Planning Authority has no comments to make on changes that relate to Green Belt.

Question 26: Do you have any views on whether our proposed guidance sets out appropriate considerations for determining whether land makes a limited contribution to Green Belt purposes?

The Planning Authority has no comments to make on changes that relate to Green Belt.

Question 27: Do you have any views on the role that Local Nature Recovery Strategies could play in identifying areas of Green Belt which can be enhanced?

The Planning Authority has no comments to make on proposals that relate to Green Belt.

Question 28: Do you agree that our proposals support the release of land in the right places, with previously developed and grey belt land identified first, while allowing local planning authorities to prioritise the most sustainable development locations?

The Planning Authority has no comments to make on proposals that relate to Green Belt.

Question 29: Do you agree with our proposal to make clear that the release of land should not fundamentally undermine the function of the Green Belt across the area of the plan as a whole?

The Planning Authority has no comments to make on changes that relate to Green Belt.

Question 30: Do you agree with our approach to allowing development on Green Belt land through decision making? If not, what changes would you recommend?

The Planning Authority has no comments to make on changes that relate to Green Belt.

Question 31: Do you have any comments on our proposals to allow the release of grey belt land to meet commercial and other development needs through plan-making and decision-making, including the triggers for release?

The Planning Authority has no comments to make on changes that relate to Green Belt.

Question 32: Do you have views on whether the approach to the release of Green Belt through plan and decision-making should apply to traveller sites, including the sequential test for land release and the definition of PDL?

The Planning Authority has no comments to make on changes that relate to Green Belt.

Question 33: Do you have views on how the assessment of need for traveller sites should be approached, in order to determine whether a local planning authority should undertake a Green Belt review?

The Planning Authority has no comments to make on changes that relate to Green Belt.

Question 34: Do you agree with our proposed approach to the affordable housing tenure mix?

The Planning Authority has no comments to make on changes that relate to Green Belt.

Question 35: Should the 50 per cent target apply to all Green Belt areas (including previously developed land in the Green Belt), or should the Government or local planning authorities be able to set lower targets in low land value areas?

The Planning Authority has no comments to make on changes that relate to Green Belt.

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

The Planning Authority has no comments to make on changes that relate to Green Belt.

Question 37: Do you agree that Government should set indicative benchmark land values for land released from or developed in the Green Belt, to inform local planning authority policy development?

The Planning Authority has no comments to make on changes that relate to Green Belt.

Question 38: How and at what level should Government set benchmark land values?

The Planning Authority has no comments to make on changes that relate to Green Belt.

Question 39: To support the delivery of the golden rules, the Government is exploring a reduction in the scope of viability negotiation by setting out that such negotiation should not occur when land will transact above the benchmark land value. Do you have any views on this approach?

The Planning Authority has no comments to make on changes that relate to Green Belt.

Question 40: It is proposed that where development is policy compliant, additional contributions for affordable housing should not be sought. Do you have any views on this approach?

The Planning Authority has no comments to make on changes that relate to Green Belt.

Question 41: Do you agree that where viability negotiations do occur, and contributions below the level set in policy are agreed, development should be subject to late-stage viability reviews, to assess whether further contributions are required? What support would local planning authorities require to use these effectively?

The Planning Authority has no comments to make on changes that relate to Green Belt.

Question 42: Do you have a view on how golden rules might apply to non-residential development, including commercial development, travellers sites and types of development already considered 'not inappropriate' in the Green Belt?

The Planning Authority has no comments to make on changes that relate to Green Belt.

Question 43: Do you have a view on whether the golden rules should apply only to 'new' Green Belt release, which occurs following these changes to the NPPF? Are there other transitional arrangements we should consider, including, for example, draft plans at the regulation 19 stage?

The Planning Authority has no comments to make on changes that relate to Green Belt.

Question 44: Do you have any comments on the proposed wording for the NPPF (Annex 4)?

The Planning Authority has no comments to make on changes that relate to Green Belt.

Question 45: Do you have any comments on the proposed approach set out in paragraphs 31 and 32?

The Planning Authority has no comments to make on changes that relate to Green Belt.

Question 46: Do you have any other suggestions relating to the proposals in this chapter?

The Planning Authority has no comments to make on changes that relate to Green Belt.

Question 47: Do you agree with setting the expectation that local planning authorities should consider the particular needs of those who require Social Rent when undertaking needs assessments and setting policies on affordable housing requirements?

Yes. When Affordable Rent was introduced as an affordable product, there was little difference between Affordable and Social Rents within the borough. However, as

market rents have increased, Affordable Rents will have become increasingly unaffordable. That said, assuming that Affordable Rent will remain as a product, further stratifying needs assessments to separate Social Rent need from other affordable rented need will have clear cost implications, increasing the burden on local authorities for both the preparation of a Local Plan and development of local housing strategies.

Question 48: Do you agree with removing the requirement to deliver 10% of housing on major sites as affordable home ownership?

Yes. Our local evidence base indicates that the greatest unmet affordable need is for rented accommodation. The imposition of an arbitrary target for affordable home ownership units, therefore, undermines efforts to meet identified local housing needs through planning policy.

Question 49: Do you agree with removing the minimum 25% First Homes requirement?

Yes. Whilst First Homes is a popular product it is, in essence, little different from other intermediate housing products such as Discounted Market Value units. However, First Homes are much more burdensome upon the local authority to administer, with local authority approval needed at several stages of the conveyancing process.

In addition, as stated previously, by far the largest unmet affordable need in the borough is for rented accommodation. The imposition of an arbitrary target for First Homes, therefore, undermines efforts to meet identified local housing needs through planning policy.

Question 50: Do you have any other comments on retaining the option to deliver First Homes, including through exception sites?

As stated previously, whilst First Homes is a popular product it is, in essence, little different from other intermediate housing products such as Discounted Market Value units. However, First Homes are much more burdensome upon the local authority to administer.

The First Homes pilot schemes included a small payment per unit to the local authority, in order to reflect the additional burdens placed upon them, with local authority approval needed at several stages of the conveyancing process. If the Government wishes to continue to promote First Homes, it needs to similarly financially incentivise local authorities, otherwise we are much more likely to prioritise products such as Discounted Market Value units, which are much simpler to administer.

Question 51: Do you agree with introducing a policy to promote developments that have a mix of tenures and types?

Yes. The Planning Authority has long advocated for mixed tenure developments as a basis for the creation of sustainable, balanced communities. It is also much simpler to secure the delivery of affordable housing (both rented and affordable home ownership) on-site within a development, rather than off-site through the collection and expenditure of commuted sums.

Question 52: What would be the most appropriate way to promote high percentage Social Rent/affordable housing developments?

It depends upon what is meant by 'high percentage'? Local planning policy should be determined by locally evidenced needs.

In areas with relatively low identified affordable needs and/or low land values, it would be a perverse intervention in the market to promote high percentages of Social Rent/affordable housing. Simply imposing higher affordable requirements would stifle overall development.

That said, the promotion of higher levels of affordable housing generally comes down to derisking sites and available funding. In addition to the delivery of S106 units, developers have also been willing to sell additional units 'off the shelf' at a discount to Registered Providers, as a reflection of reduced sales risk to themselves. Whilst this relies on grant and is not, therefore, delivery of affordable housing through planning policy, it reflects the current operation of development economics which requires sufficient developer profit to actually incentivise housing delivery.

Question 53: What safeguards would be required to ensure that there are not unintended consequences? For example, is there a maximum site size where development of this nature is appropriate?

As stated previously, the appropriate proportion of affordable housing to be delivered on any particular site should be determined by the local authority, based upon locally evidenced needs. Clearly, the larger a development site is, the more appropriate it becomes to seek a mix of tenure, type and property sizes, in order to promote the creation of sustainable, balanced communities.

Question 54: What measures should we consider to better support and increase rural affordable housing?

Rural housing needs are often very localised and relatively small-scale in nature. This can have consequences for the viability of development, regardless of the operation of planning policy.

If the Government wishes to promote greater delivery of rural affordable housing, it should increase the proportion of grant funding available, together with a review of the definition of rural areas. The current Homes England definition is too narrow in scope, meaning that many of our rural communities are not classed as such for the funding for affordable housing. Consideration should be given to moving to the ONS classification, which is more reflective of the actual nature of rural settlements.

Question 55: Do you agree with the changes proposed to paragraph 63 of the existing NPPF?

Yes. The Council would acknowledge that the issue of looked after children has grown in both number and cost in recent years. One of the main issues we face is being able to secure suitable accommodation for these individuals as they transition into adulthood.

That said, the Government must recognise the increasing financial burdens that this will place on local authorities. We have already discussed the additional costs

involved in the preparation of Local Plans and housing strategies in our response to Question 47, which apply equally here.

In addition, though, the mere development of physical housing will not be sufficient to meet the accommodation needs of the various groups identified in Para 63, including looked after children.

Many of these individuals will require housing support services to successfully maintain themselves in accommodation, placing increasing revenue costs on already stretched local authority budgets. This is an issue which needs to be addressed as part of a longer-term sustainable solution to the local government funding crisis.

Question 56: Do you agree with these changes?

Yes. However, it is not the experience locally that the operation of planning policy acts as a significant barrier to the delivery of community-led developments. Instead, issues around awareness, capacity, skills, experience and, crucially, funding act as the greatest obstacles to the successful delivery of such initiatives.

Question 57: Do you have views on whether the definition of ‘affordable housing for rent’ in the Framework glossary should be amended? If so, what changes would you recommend?

No. The changes introduced in 2018, which restricted the definition to rented housing owned and managed by registered providers with rents set in accordance with the national regime, are sufficient and remain appropriate.

Question 58: Do you have views on why insufficient small sites are being allocated, and on ways in which the small site policy in the NPPF should be strengthened?

Permissions and completions on small windfall sites, some of which might otherwise be included as allocations, are not mentioned in the text. If they were taken into account it seems likely that in at least some local authorities a quite different picture would emerge of the contribution of smaller sites to housing supply.

As an aside, the point in the text about small sites being built out quickly is misleading. In practice, the time frame for development may understandably be shorter than on larger development but the build-out rate, particularly on new build schemes, may also be slower than that for less cost-sensitive larger developers with greater access to resources, including finance.

Question 59: Do you agree with the proposals to retain references to well-designed buildings and places, but remove references to ‘beauty’ and ‘beautiful’ and to amend paragraph 138 of the existing Framework?

Yes, the Planning Authority supports these changes. The importance of good design and placemaking in planning is recognised but it is considered that the use of the term ‘beauty’ could be problematic because it is a highly subjective concept and needed the provision of clear guidance to assist local authorities in the interpretation of the term.

It is considered that the retention of references to high quality and well-designed development and the recognition that good design is a key aspect of sustainable development will continue to ensure that design quality is a key consideration in planning decisions.

Question 60: Do you agree with proposed changes to policy for upwards extensions?

No comments to make.

Question 61: Do you have any other suggestions relating to the proposals in this chapter?

No comments to make.

Question 62: Do you agree with the changes proposed to paragraphs 86 b) and 87 of the existing NPPF?

The Planning Authority has no objections to changes to identify suitable locations and make provision for infrastructure to support the needs of modern industries.

Question 63: Are there other sectors you think need particular support via these changes? What are they and why?

No comment.

Question 64: Would you support the prescription of data centres, gigafactories, and/or laboratories as types of business and commercial development which could be capable (on request) of being directed into the NSIP consenting regime?

The Local Planning Authority would have no objections to the inclusion of data centres, gigafactories, and/or laboratories as types of business and commercial development been directed to the NSIP consenting regime.

Question 65: If the direction power is extended to these developments, should it be limited by scale, and what would be an appropriate scale if so?

The Local Planning Authority considers that the threshold could be linked to the EIA regulations and potentially limited to EIA developments rather than smaller scale developments.

Question 66: Do you have any other suggestions relating to the proposals in this chapter?

No comment.

Question 67: Do you agree with the changes proposed to paragraph 100 of the existing NPPF?

Yes. Increased recognition of the importance of public service infrastructure is supported.

Question 68: Do you agree with the changes proposed to paragraph 99 of the existing NPPF?

Yes. The Planning Authority recognises the need to plan for early years and post-16 education places when identifying education needs and planning for school places.

Question 69: Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?

While more clarity on the detail of what a vision led approach involves would be useful, it is expected that this measure would contribute to active place-making and design led delivery of sustainable transport modes.

Question 70: How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity?

Additional requirements for the creation of active travel routes to schools and other key infrastructure to encourage increased walking and cycling.

Question 71: Do you have any other suggestions relating to the proposals in this chapter?

No comment.

Question 72: Do you agree that large onshore wind projects should be reintegrated into the s NSIP regime?

Yes.

Question 73: Do you agree with the proposed changes to the NPPF to give greater support to renewable and low carbon energy?

Yes. The Planning Authority supports the increase in support for renewable and low carbon energy and consideration of the benefits of such schemes to net zero.

Question 74: Some habitats, such as those containing peat soils, might be considered unsuitable for renewable energy development due to their role in carbon sequestration. Should there be additional protections for such habitats and/or compensatory mechanisms put in place?

Yes, protection should be given to such habitats. Sensitive habitats can support high levels of biodiversity or perform important roles in carbon sequestration and it is vital that the value of these habitats is not overlooking in the drive for development that contributes to a 'net zero' future.

Question 75: Do you agree that the threshold at which onshore wind projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50 megawatts (MW) to 100MW?

There is some concern that by raising the threshold some development could get caught up by local politics and objections to the scheme. If the thresholds are raised there should be clear policy guidance on what is acceptable form of development and policies included in National Development Management Policies.

Question 76: Do you agree that the threshold at which solar projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50MW to 150MW?

There is some concern that by raising the threshold some development could get caught up by local politics and objections to the scheme. If the thresholds are raised there should be clear policy guidance on what is acceptable form of development and policies included in National Development Management Policies.

Question 77: If you think that alternative thresholds should apply to onshore wind and/or solar, what would these be?

N/A

Question 78: In what specific, deliverable ways could national planning policy do more to address climate change mitigation and adaptation?

National policy could identify a standard basis/data source for mitigation and adaptation. Additional clarity the role of planning to increase effectiveness and avoid duplication would also be beneficial.

Question 79: What is your view of the current state of technological readiness and availability of tools for accurate carbon accounting in plan-making and planning decisions, and what are the challenges to increasing its use?

There appears to be a lack of standardisation and a lack of training and awareness of the tools. Similar issues have recently been the case with Nutrient Neutrality and BNG calculators and matrix which require assessment by the Local Planning Authority. Additional training and capacity within planning teams to understand carbon accounting would be beneficial to increasing use.

Question 80: Are any changes needed to policy for managing flood risk to improve its effectiveness?

No comments.

Question 81: Do you have any other comments on actions that can be taken through planning to address climate change?

Measures and standards should be brought through Building Regulations Legislation rather than planning legislation as it is then prescribed standards rather than judgements and weight given to different elements when assessing applications.

Question 82: Do you agree with removal of this text from the footnote?

The Planning Authority supported the introduction of the footnote requiring specific consideration of the availability of land for agriculture and recognised the need to consider the food production value of agricultural land when deciding which sites are appropriate for development. However, it is considered that the footnote currently leads to some uncertainty as there is no guidance on the weight to be given to such availability in the decision-making process and the maintenance of agricultural land is appropriately covered elsewhere within the NPPF. Its removal is, therefore, supported.

Question 83: Are there other ways in which we can ensure that development supports and does not compromise food production?

In influencing the site selection and decision-making processes, further reference should be also made to the Agricultural Land Classification, which is only specifically mentioned in the Glossary, in order to aid in meeting the requirements of the

retained text within footnote 63. More practically, the ALC database should be updated and expanded where appropriate.

Question 84: Do you agree that we should improve the current water infrastructure provisions in the Planning Act 2008, and do you have specific suggestions for how best to do this?

No Comments

Question 85: Are there other areas of the water infrastructure provisions that could be improved? If so, can you explain what those are, including your proposed changes?

No Comments

Question 86: Do you have any other suggestions relating to the proposals in this chapter?

No Comments

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

No comment on proposed criteria.

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

No. The use of intervention criteria is supported as it is considered that this would provide some clarity on when intervention powers may be used.

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

It is considered that the fees for householder applications should be reviewed to assist with cost recovery. However, the Council considered that the most appropriate and fair way to deal with householder planning applications fees would be as a sliding scale. There would be two options for how this could be achieved. It could either be similar to the fee schedule for non-residential building works and be based on the floor space created or it could be similar to Building Control and the fee based on the scale / costs of the works. It often appears unfair that the same fee is required for a minor householder works (i.e. small porch, boundary fence) as is required for larger scale householder redevelopments of two storey extensions or larger extensions.

As each application is different it is not always possible to achieve cost recovery as it is not known what amendments / negotiations would be required on an application. Some householder applications also generate large local interest and ultimately end up at committees therefore adding to time and resource pressures. Although it is acknowledged that a national scheme of delegation might assist with this.

Question 90: If no, do you support increasing the fee by a smaller amount (at a level less than full cost recovery) and if so, what should the fee increase be? For example, a 50% increase to the householder fee would increase the application fee from £258 to £387. If Yes, please explain in the text box what you consider an appropriate fee increase would be.

See comments above in relation to proposed fees.

Question 91: If we proceed to increase householder fees to meet cost recovery, we have estimated that to meet cost-recovery, the householder application fee should be increased to £528. Do you agree with this estimate?

Yes

No – it should be higher than £528

No – it should be lower than £528

no - there should be no fee increase

Don't know

If No, please explain in the text box below and provide evidence to demonstrate what you consider the correct fee should be.

See comments above in relation to Q89.

Question 92: Are there any applications for which the current fee is inadequate? Please explain your reasons and provide evidence on what you consider the correct fee should be.

The prior notification fee for larger homes residential extension is considered sufficient should no objections be received. However, if objections are received then officers have to make the assessment of the application as they would with a standard householder application and the initial fee is therefore inadequate for the work required.

The level of assessment required and the work involved for prior notifications is often the same as with standard planning applications although the fee can be significantly less and therefore inadequate for the work required.

Question 93: Are there any application types for which fees are not currently charged but which should require a fee? Please explain your reasons and provide evidence on what you consider the correct fee should be.

The main planning applications which are exempt from planning fees are listed buildings and tree works although this application still require processing, consultation and consideration. Listed Building applications often require a lot of work in terms of discussions and negotiations. Fees should be considered for these applications.

The Council continues to receive a large number of application for retrospective works which have arisen from enforcement complaints. Should cases take time and

resources in their investigations and there should be consideration of this in terms of a higher fee for retrospective applications.

Question 94: Do you consider that each local planning authority should be able to set its own (non-profit making) planning application fee?

Yes.

Question 95: What would be your preferred model for localisation of planning fees?

Full Localisation – Placing a mandatory duty on all local planning authorities to set their own fee.

Local Variation – Maintain a nationally-set default fee and giving local planning authorities the option to set all or some fees locally.

Neither

Don't Know

Please give your reasons in the text box below.

As the Local Planning Authority remain the only consenting body for planning applications there should be a nationally set fee with the ability for authorities to set some fees locally where there are different variations in considerations / development costs / staffing cost etc.

Question 96: Do you consider that planning fees should be increased, beyond cost recovery, for planning applications services, to fund wider planning services?

Yes – the processing and assessment of a planning application relies on a number of wider services for which partial funding could be provided from the planning application fee. A number of internal consultations feed into the assessment of a planning application and the fee should cover some of the costs associated with this work.

There is also the element of enforcement that comes with some application, particular enforcement applications, for which there is no cost recovery. This could be address through higher fees for retrospective works.

Increased funding would also help support wider planning functionality such as monitoring of sites and planning strategy and local plan preparation and reviews which are all required as part of planning application assessments.

If yes, please explain what you consider an appropriate increase would be and whether this should apply to all applications or, for example, just applications for major development?

It would be more appropriate to have a large increase on major application which attract more involvement from other departments in terms of consultations and assessments.

Question 97: What wider planning services, if any, other than planning applications (development management) services, do you consider could be paid for by planning fees?

Departments consulted on plannings application on a regular basis such as highways, drainage, ecology, heritage.

Question 98: Do you consider that cost recovery for relevant services provided by local authorities in relation to applications for development consent orders under the Planning Act 2008, payable by applicants, should be introduced?

Yes.

Question 99: If yes, please explain any particular issues that the Government may want to consider, in particular which local planning authorities should be able to recover costs and the relevant services which they should be able to recover costs for, and whether host authorities should be able to waive fees where planning performance agreements are made.

The involvement with NSIPs can be time and resource intensive. The LPAs should be able to recover their costs for the work involved although thresholds and national levels should be set for the work involved and the fee payable.

Question 100: What limitations, if any, should be set in regulations or through guidance in relation to local authorities' ability to recover costs?

N/A

Question 101: Please provide any further information on the impacts of full or partial cost recovery are likely to be for local planning authorities and applicants. We would particularly welcome evidence of the costs associated with work undertaken by local authorities in relation to applications for development consent.

N/A

Question 102: Do you have any other suggestions relating to the proposals in this chapter?

No.

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

The proposed transitional arrangements for finalising local plans are noted but no further comment is made.

Question 104: Do you agree with the proposed transitional arrangements?

The proposed transitional arrangements for finalising local plans are noted but no further comment is made.

Question 105: Do you have any other suggestions relating to the proposals in this chapter?

No comment.

Question 106: Do you have any views on the impacts of the above proposals for you, or the group or business you represent and on anyone with a relevant protected characteristic? If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how. Is there anything that could be done to mitigate any impact identified?

No comment