

# REPORT TO PLANNING AND LICENSING COMMITTEE

## NATIONAL PLANNING POLICY FRAMEWORK

### CONSULTATION



**Report Reference** PL-24-03  
**Meeting Date** 2<sup>nd</sup> September 2024  
**Agenda Item** 9  
**Prepared by** Planning and Facilities Officer

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## 1.0 BACKGROUND

The Ministry of Housing, Communities and Local Government is seeking views on how it might revise national planning policy to support wider objectives. The approach to improving the prosperity of the country and living standards includes delivering sustainable economic growth which will focus on three pillars: stability, investment and reform.

The Government has highlighted the need to reform the planning system; the consultation document states that the December 2023 changes to the National Planning Policy Framework (NPPF) are considered disruptive to the sector and detrimental to housing supply. As a result, a consultation on reforms to the NPPF opened at the end of July and closes on 24 September 2024.

## 2.0 CONSULTATION

The government have included details on their website, which can be viewed here: [Gov.uk NPPF page](#)

Following the consultation the proposed changes to the NPPF include:

1. Make the standard method for assessing housing needs mandatory, requiring local authorities to plan for the resulting housing need figure, planning for a lower figure only when they can demonstrate hard constraints and that they have exhausted all other options;
2. Reverse other changes to the NPPF made in December 2023 which were detrimental to housing supply;
3. Implement a new standard method and calculation to ensure local plans are ambitious enough to support the Government's manifesto commitment of 1.5 million new homes in this Parliament;
4. Broaden the existing definition of brownfield land, set a strengthened expectation that applications on brownfield land will be approved and that plans should promote an uplift in density in urban areas;
5. Identify grey belt land within the Green Belt, to be brought forward into the planning system through both plan and decision-making to meet development needs;
6. Improve the operation of 'the presumption' in favour of sustainable development, to ensure it acts an effective failsafe to support housing supply, by clarifying the circumstances in which it applies; and, introducing new safeguards, to make clear that its application cannot justify poor quality development;
7. Deliver affordable, well-designed homes, with new "golden rules" for land released in the Green Belt to ensure it delivers in the public interest;

8. Make wider changes to ensure that local planning authorities are able to prioritise the types of affordable homes their communities need on all housing development and that the planning system supports a more diverse housebuilding sector;
9. Support economic growth in key sectors, aligned with the Government's industrial strategy and future local growth plans, including laboratories, gigafactories, datacentres, digital economies and freight and logistics – given their importance to our economic future;
10. Deliver community needs to support society and the creation of healthy places;
11. Support clean energy and the environment, including through support for onshore wind and renewables.
12. Whether to reform the way that the Nationally Significant Infrastructure Projects (NSIP) regime applies to onshore wind, solar, data centres, laboratories, gigafactories and water projects, as the first step of the Government's NSIP reform plans;
13. Whether the local plan intervention policy criteria should be updated or removed, so the Government can intervene where necessary to ensure housing delivery; and
14. Proposals to increase some planning fees, including for householder applications, so that local planning authorities are properly resourced to support a sustained increase in development and improve performance.

### 3.0 DRAFT RESPONSE

Planning Committee members were provided with the tracked changes document and the link to the government website for consideration. The Planning and Facilities Officer received no comments from members so the below draft response has been prepared based on the council's response to the Cheshire East Local Plan consultation response.

Q1 Do you agree that we should reverse the December 2023 changes made to paragraph 61?

No, the changes introduced in December 2023 should remain, furthermore the local economy and ability of infrastructure to cope with increased demand should be key factors for determining housing numbers. Where development will not yield sufficient planning contributions to address infrastructure deficiencies / concerns this would warrant a different (lower) approach.

Q2 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, see above.

Q3 Do you agree that we should reverse the December 2023 changes made on the urban uplift by deleting paragraph 62?

No, an uplift in larger urban areas is necessary as the current infrastructure can usually accommodate the increase compared to smaller less urbanised areas.

Q4 Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130?

A density range should be assessed by the Local Authority and be more prescribed in Neighbourhood Plans or Design Codes to reflect the characteristics of a settlement or character areas within a settlement.

Q5 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?

Design Codes and Neighbourhood Plans should *determine* the spatial visions and required elements of development.

Q6 Do you agree that the presumption in favour of sustainable development should be amended as proposed?

Yes, however greater weight should be placed on plan making determining appropriate housing mixes for sites and decision making in delivering required housing mixes. Where there is no prescribed housing mix the presumption should require applicants to demonstrate the proposed mix is that which is required. The presumption should also refer to compliance with Design Codes and Neighbourhood Plans.

Q7 Do you agree that all local planning authorities should be required to continually demonstrate 5 years of specific, deliverable sites for decision making purposes, regardless of plan status?

No, the focus should remain on plan making.

Q8 Do you agree with our proposal to remove wording on national planning guidance in paragraph 77 of the current NPPF?

No

Q9 Do you agree that all local planning authorities should be required to add a 5% buffer to their 5-year housing land supply calculations?

No, the existing buffers are sufficient.

Q12 Do you agree that the NPPF should be amended to further support effective co-operation on cross boundary and strategic planning matters?

Yes, Local Authorities should engage in effective co-operation to provide sustainable growth.

Q13 Should the tests of soundness be amended to better assess the soundness of strategic scale plans or proposals?

In principle. Plan making should be able to make provision for long-term strategic infrastructure delivery. Soundness tests should include assessing how this infrastructure will be delivered in parallel or before the delivery of housing.

Q14 Do you have any other suggestions relating to the proposals in this chapter?

The primary concern in our community is that required infrastructure investment does not align with the delivery of new housing schemes i.e. improvements to community infrastructure, local roads and medical services lag behind or are not delivered whilst additional housing increases the strain on these services.

Q20 Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?

This paragraph should be amended to state that whilst substantial weight shall be applied to the use of brownfield land, this should not override other constraints e.g. conservation areas and development plan policies.

Q21 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?

Yes, this change retains the objective of not causing substantial harm to the openness of the Green Belt.

Q23 Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend?

Recognising that this is a key objective of the new NPPF, the caveat that it is only land which makes a limited contribution to the Green Belt objectives is supported.

Q24 Are any additional measures needed to ensure that high performing Green Belt land is not degraded to meet grey belt criteria?

The government should consider tighter restrictions on permitted development rights within the Green Belt.

Q25 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?

Yes, there should be clear guidance provided to assist in identifying Grey Belt and ensuring that this is clearly understood by communities.

Q27 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?

Nature Recovery Strategies should highlight enhancements which can be made to the Green Belt. These strategies should be given considerable weight when assessing if the Green Belt land could be allocated as Grey Belt.

Q28 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?

Yes, these measures should support the preservation of the Green Belt.

Q29 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?

Yes.

Q30 Do you agree with our approach to allowing development on Green Belt land through decision making? If not, what changes would you recommend?

No. The focus should be on sound plan making and introducing a mechanism where approval could be given for sites which would not contribute to a strategic delivery of housing is unwise and will result in homes being built in the wrong places.

Q31 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?

Land for commercial and other development should follow the current route, unless it is for renewable energy sources such as solar or wind farms.

Q34 Do you agree with our proposed approach to the affordable housing tenure mix?

Yes, greater emphasis on delivering affordable housing is supported. Increasing the amount of social rent properties is supported as the present system fails to do this.

Q35 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 50% target should apply to all developments.

Q36 Do you agree with the proposed approach to securing benefits for nature and public access to green space where Green Belt release occurs?

Yes, characteristic green spaces should be created on all development. All developments should meet the BNG metric and prioritise on-site improvements.

Q47 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, not enough stock for social housing is provided.

Q48 Do you agree with removing the requirement to deliver 10% of housing on major sites as affordable home ownership?

Not entirely. Whilst shared ownership models should not be required, First Homes, which remain First Homes in perpetuity, are a good way of providing an affordable route into home ownership without eroding housing stock.

Q49 Do you agree with removing the minimum 25% First Homes requirement?

No. These are a good way of providing an affordable route into home ownership without eroding housing stock.

Q51 Do you agree with introducing a policy to promote developments that have a mix of tenures and types?

Yes. Providing a varied range of options would ensure development meets the demands of local areas.

Q56 Do you agree with these changes?

Yes, where a scheme is truly community-led it should be supported.

Q57 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?

A rent at 80% of the market value may still be unaffordable in many areas. Our town's rental market is an example of this: a new built 3-bed mews property currently listed for rent at £1,750 pcm. At 80% (£1,400 pcm), this is not affordable to many.

Q59 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?

Whilst beauty/beautiful may be subjective, this is no different to many of the other judgments made in planning and sets a clear objective of what the system is trying to achieve when promoting development, it should remain unchanged.

We do not support mandating a national design code. The existing para 138, which supports the creation of local design codes, should remain unchanged.

Q67 Do you agree with the changes proposed to paragraph 100 of the existing NPPF?

It is agreed that significant weight should be placed on the importance of new, expanded or upgraded public service infrastructure when considering proposals for development.

Q68 Do you agree with the changes proposed to paragraph 99 of the existing NPPF?

Yes, providing sufficient early years and post 16 places is an important factor in providing education and skills for the future generations.

Q69 Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?

Yes, we support a shift to vision-led transport planning.

Q70 How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity?

This objective can be achieved by:

- a) Promoting/requiring the creation of active travel routes to schools and key infrastructure to enable families to feel safe walking/cycling
- b) Delivering investment in existing publicly available sports facilities and delivery of new sporting facilities including informal sporting pitches and courts
- c) Delivering a network of green spaces

Q72 Do you agree that large onshore wind projects should be reintegrated into the NSIP regime?

Only if there is a strong mechanism for ensuring the affected communities' voice is heard.

Q73 Do you agree with the proposed changes to the NPPF to give greater support to renewable and low carbon energy?

Yes, local authorities should be supported in sustainable energy production and allocation sites for solar or wind farms. It is unclear what para 161 is proposed for deletion and this should be reinstated.

Q74 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, habitats that sequester carbon should be afforded additional protections.

Q78 In what specific, deliverable ways could national planning policy do more to address climate change mitigation and adaptation?

Apply greater weight to the loss of habitats and vegetation and increase the replacement metric.

Q87 Do you agree that we should we replace the existing intervention policy criteria with the revised criteria set out in this consultation?

No matter how a plan is prepared, it must be developed in consultation with local people and stakeholders. If the government intervenes to make a plan, this should be considered especially important.

Q89 Do you agree with the proposal to increase householder application fees to meet cost recovery?

It is not unreasonable to have the objective that planning fees should generate enough income to cover the cost of dealing with the planning application.

Q94 Do you consider that each local planning authority should be able to set its own (non-profit making) planning application fee?

Yes.

Q95 What would be your preferred model for localisation of planning fees?

Model 2, which allows local variation from a default national fee would be a sensible approach as it enables planning authorities to determine fees should they consider it necessary.

Q96 Do you consider that planning fees should be increased, beyond cost recovery, for planning applications services, to fund wider planning services?

A modest increase to support the costs of ancillary planning services (particularly planning

enforcement) could support planning authorities' ability to manage the system effectively.

#### **4.0 DECISION REQUIRED**

The committee should agree a response to the National Planning Policy Framework consultation.