

South Oxfordshire District Council's response to the Government's National Planning Policy Framework: Proposed Reforms and Other Changes to the Planning System Consultation

Submitted via online portal on 10 March 2026

Associated consultation material can be found [via this link](#)

1) Do you have any views on how statutory National Development Management Policies could be introduced in the most effective manner, should a future decision be made to progress these?

No views.

2) Do you agree with the new format and structure of the draft Framework which comprises separate plan-making policies and national decision-making policies? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly agree.

a) Please provide your reasons, particularly if you disagree.

This provides clarity on the two processes of plan making and decision making.

3) Do you agree with the proposed set of annexes to be incorporated into the draft Framework? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly agree.

a) Please provide your reasons, particularly if you disagree.

For usability of the document, it is helpful to have the most important content contained within the NPPF - therefore we welcome the inclusion of the proposed content in the annexes.

4) Do you agree with incorporating Planning Policy for Traveller Sites within the draft Framework? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly agree.

a) Please provide your reasons, particularly if you disagree.

The less duplication, the better - this ensures the needs of the travelling communities are considered alongside other planning issues, rather than being treated separately. This is a more holistic approach to addressing the travelling communities' needs.

5) Do you agree with the proposed approach to simplifying the terminology in the Framework where weight is intended to be applied? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree*

Neither agree nor disagree.

a) Please provide your reasons, particularly if you disagree.

We acknowledge the intent behind the simplification and consistent use of the terminology, and we understand the driver behind the changes. However, we are concerned that the removal of the distinction between 'great', 'significant' and 'substantial' may undermine the ability to appropriately assess the benefits of development against harm. There are 43 instances of 'substantial' now within the consultation NPPF. The blanket, frequent use of 'substantial' is less like simplification and more like homogenisation, treating each matter as a 'one size fits all' approach, that could overlook local context or the benefits of developments.

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*.

Strongly disagree.

a) Please provide your reasons, particularly if you disagree.

We have two fundamental concerns with the detail of Policy PM1 (Spatial Development Strategies) paragraph 2:

Policy PM1 paragraph 2(a) refers to 'objectively assessed need' but this adds subjective elements, as it requires judgement calls on local circumstances and future needs, potentially leading to inconsistent outcomes across authorities. In the context of strategic planning, it could undermine the consistency and predictability of housing supply calculations currently provided by the Standard Method. It complicates the preparation of spatial development strategies (SDSs). The wording should be changed to refer instead to 'local housing need, calculated using the standard method'.

Policy PM1 paragraph 2(b) refers to SDSs dealing with 'major' urban extensions, 'major' cross boundary development, 'key' locations, and 'large' allocations. 'Major', 'key' and 'large', are terms open to interpretation. There is a need for a consistent definition because, as written, they hinder a consistent interpretation across plan-making authorities. This undermines the strategic coordination role intended for SDSs. There is currently too much room for interpretation of what an SDS' role is for these types of development, and what should be a local plan matter. There should be a strategic and coordinated approach to these definitions, with a shared understanding of implementation.

7) Do you agree that alterations should be made to spatial development strategies at least every 5 years to reflect any changes to housing requirements for the local planning authorities in the strategy area? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree*.

Strongly disagree.

a) If not, do you think there should be a different approach, for example, that alterations should only be made to spatial development strategies every five years where there are significant changes to housing need in the strategy area?

We do not support the introduction of an automatic 5-year trigger point for altering spatial development strategies (SDSs).

The consultation question is confusing because it talks about need, but the draft policy refers to requirement.

Policy PM1 paragraph 3 says 'Alterations to spatial development strategies should be made at least every 5 years to reflect any changes to housing requirements for the local planning authorities in the strategy area'. This suggests SDSs should be constantly updated, based on changes to local housing requirements, rather than proactively guiding housing allocations. This approach undermines the strategic role of an SDS and the intention for a plan-led system, because SDSs should proactively guide long-term housing allocations across a wider geography, ensuring that they align with broader strategic goals and provide certainty for local plans. SDSs should not be responsive to minor housing need changes, instead they should be the driving factor. For this reason, we consider that a 5-year trigger is not appropriate. Instead, we suggest that updates to SDSs are triggered only when specific, measurable and significant events occur. These could include:

- Substantial differences in overall housing need, evidenced through national level Standard Method changes; or
- Significant individual LPA housing need changes which have a demonstrable impact at regional scale; or
- Where an LPA demonstrates substantially less delivery than predicted that cannot be addressed in the medium to long term.

8) If spatial development strategies are not altered every five years, should related policy on the requirements used in five year housing land supply and housing delivery test policies, set out in Annex D of the draft Framework, be updated to allow housing requirement figures from spatial development strategies to continue to be applied after 5 years, so long as there has not been a significant change in that area's local housing need? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly agree.

a) Please provide your reasons, particularly if you disagree.

We agree that continuing to use housing requirements from Spatial Development Strategies older than 5 years is helpful for consistency and certainty in local plan-making.

9) Do you agree with the role, purpose and content of local plans set out in policy PM2?

Strongly disagree

a) Please provide your reasons, particularly if you disagree.

We disagree. The policies in the NPPF have not been made statutory and the starting point for determining planning applications remains the development plan. As such, the local plan content should be permitted to include the range of policies necessary to determine an application, to achieve the vision and outputs it contains. The outputs selected for a local plan must be capable of being supported by the policies that will achieve them, otherwise the planning system will be ineffective in bringing about the necessary development in an area.

10) Do you think that local plans should cover a period of at least 15 years from the point of adoption of the plan? Yes/No

No.

a) If not, do you think they should cover a period of at least 10 years, or a different period of time. Please explain why.

Ideally, plans should cover a period of around 13 to 15 years. As stated in the consultation, a new local plan would need to be started 5 years after a plan is adopted and take 30 months (2.5 years) to be replaced. When this period of 7.5 years is considered alongside a need for a 5 year housing land supply, we consider a 10-year period to be too short, and 13 to 15 years to be a more appropriate timeframe. Should a period of at least 15 years be taken forward, it is important that examinations are not held up if a plan, once adopted, provided for a period slightly less than that, say 13 or 14 years.

11) Do you agree with the principles set out in policy PM6(1c), including its provisions for preventing duplication of national decision-making policies?

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

The principles would provide greater clarity and consistency in decision making but could result in local circumstances not being properly considered. However, we agree that the wording of national decision-making policies should not be merely repeated in development plans.

12) Do you agree with the approach to initiating plan-making in PM7? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please provide your reasons, particularly if you disagree

Whilst we do not consider that the 30-month timeframe for plan-making is feasible, we agree with the approach to initiating plan-making. However, we do question whether this content would be better addressed in the PPG.

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.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

Overall, the approach is reasonable, however, we question the wording 'Evidence related to development needs should be considered 'up to date' if it has been produced using appropriately up-to-date information and data'. This does not provide further clarity on what is meant by 'up to date' - further guidance in the PPG on this would be helpful.

14) Do you agree with the approach to identifying land for development in PM9? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

Overall, the approach is reasonable and justified. However, we have concerns with the wording of Policy PM9(2)(d) where it refers to 'the identification of the MOST appropriate sites for development'. The use of the word 'most' could lead to potential issues and delays, as competing interested parties seek to promote their site as the most appropriate, rather than consideration being given to whether the site is appropriate. We therefore suggest the word 'most' is removed from Part 2(d) of Policy PM9.

15) Do you agree with the policies on maintaining and demonstrating cross-boundary cooperation set out in policy PM10 and policy PM11? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

The strengthened focus on infrastructure delivery considerations is helpful. The inclusion of Policy PM10 in anticipation of the end of the Duty to Cooperate is also required. However, proposed paragraph 3 of PM10 needs to be strengthened. We suggest that, as drafted, it implicitly allows individual local plans to start redefining strategic growth patterns that should have been established by Strategic Development Strategies. This could cause tension, uncertainty and delay to neighbouring authorities within the SDS area. We suggest paragraph 3 is altered to say: *'Where matters are already addressed by an adopted spatial development strategy, plan-making authorities within the strategy area do not need to revisit them and should ensure their plans remain consistent with and do not extend beyond that strategic framework.'*

The consultation document suggests that PM10 is 'more explicit about how authorities should demonstrate effective cooperation through statements of common ground', but PM10 omits to mention Statements of Common Ground. As PM10 requires authorities to work together, it should state what evidence is required to demonstrate alignment to the satisfaction of an examining Inspector. It would be helpful to clarify if Statements of Common Ground remain a key tool in demonstrating effective cooperation.

16) Do you agree that policy PM12 increases certainty at plan-making stage regarding the contributions expected from development proposals? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

Due to the time lag between plan making, submission of an application and detailed preparation of a S106 agreement, costs can alter and priorities may change. There needs to be flexibility over cited infrastructure, and the ability to amend obligations at a later stage, should viability or a change in circumstances or priorities occur (for example, where the demand becomes cricket, rather than football). It is particularly important to ensure that viability has been considered at the plan making stage, to avoid viability being raised at the decision-making stage. Since the introduction of viability at the plan making stage, the development industry has not challenged the provision of affordable housing / infrastructure to the same degree as they did previously.

17) Do you agree that plans should set out the circumstances in which review mechanisms will be used, or should national policy set clearer expectations? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

In general, review mechanisms should not be used and only be by exception. Having a review mechanism in a S106 agreement will be resource intensive and potentially costly due to the monitoring and the scrutiny of evidence (usually by external advisors) that will be necessary. National policy should set out the criteria on how review mechanisms will operate, to avoid inconsistencies between LPAs.

18) Do you agree with policy PM13 on setting local standards, including the proposal to commence s.43 of the Deregulation Act 2015? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly disagree.

a) Please provide your reasons, particularly if you disagree.

We strongly disagree with proposed Policy PM13, notably how it proposes to limit local standards for energy efficiency and consequently amend the Planning and Energy Act 2008. We firmly believe that local authorities, where they have robust evidence to demonstrate that it is feasible and viable to implement in their area, should be able to set energy efficiency standards that go beyond existing and future building regulations (including the Future Homes Standard).

At present, building regulations fall short of what is required to meet our district's net zero ambitions. Building Regulations Part L uses the carbon metric Target Emissions Rate (TER), which only relates to carbon emissions associated with all 'regulated' energy uses, particularly permanent energy uses in the building (space heating, space cooling, hot water, fixed lighting, ventilation, fans and pumps). TER does not cover 'unregulated' energy uses, which includes plug-in appliances, lifts, escalators, external lighting, and any other use not covered by Part L. Additionally, the Building Regulations Part L methodology, Standard Assessment Procedure (SAP), is poor at estimating the actual energy performance of a building. This means that once buildings are constructed, they typically use two or three times the amount of energy predicted by SAP. Therefore, building regulations are flawed and inadequate, as they deliver new buildings with substantially higher energy use than predicted, and do not account for unregulated emissions. Crucially, this means that building regulations will not deliver net zero carbon buildings. This is why we have chosen to include a policy (Policy CE2: Net Zero Carbon Buildings) in our emerging Joint Local Plan, that utilises energy use metrics, as they are effective for delivering energy efficiency and measuring whether a building is 'net zero'. Once adopted, this policy will allow us to deliver truly net zero carbon buildings in our districts, which we cannot achieve using the approach set out in building regulations.

PM13 is a clear regression in climate policy, leading to arguably the biggest step away from fulfilling our duties under the Climate Change Act 2008 in the last ten years of national planning policy. Policy PM13 will make it much harder to fulfil a local authority's legal duty to mitigate climate change (Planning and Compulsory Purchase Act 2004) and the expectation laid on them to support the ambitions of the draft NPPF to 'help contribute to radical reductions in greenhouse gas emissions' and take 'a proactive approach to mitigating climate change and supporting the transition to net zero...in line with the objectives and provisions of the Climate Change Act 2008'. Restricting authorities from going beyond minimum standards contradicts these aims. This restrictive policy will not only mean that we will not achieve our national commitment to reach net zero by 2050, but that we will not meet our local district target of meeting net zero by 2040. The Climate Change Committee has already warned that government progress towards net zero is 'worryingly slow', and Policy PM13 will significantly hinder this progress. It will also come at a great economic cost, as the economic impacts of the consequences of climate change are not accounted for, such as higher energy bills and higher food prices due to extreme weather impacting harvests, and later retrofit costs locked in for decades. It also stalls investment in the net zero economy, which would almost certainly deliver greater returns in the long term than its early costs.

Proposed Policy PM13 is an unnecessary blocker to innovative planning policies (such as our Policy CE2) and net zero construction industries that will enable the transition to net zero. The consultation document makes the assertion that there are 'varying standards across local plans', but this is false. Local authorities are implementing policies that share the same energy based metric approach. Additionally, there is no evidence to support the statement that local standards will 'make it difficult for the construction sector to adapt and deploy energy efficiency technologies at scale'. In practice, local standards have achieved the opposite and have helped to accelerate supply chains and support the growth of the construction sector in delivering energy efficiency technologies on a wider scale.

The 2023 Written Ministerial Statement (WMS) on Local Energy Efficiency Standards set out that planning policies could go beyond building regulations where 'the additional requirement is expressed as a percentage uplift of a dwelling's Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP)'. This will negatively impact existing plans, like our own, that have already adopted this policy approach and are currently applying it to applications. In our

South Oxfordshire Local Plan 2035, Policy DES10 requires a percentage reduction in carbon emissions compared to 2013 Building Regulations Part L. It will eventually require a 100% reduction in carbon emissions (zero carbon), which is beyond what either existing building regulations or the Future Homes Standard will achieve in terms of carbon reduction. Paragraph 10 of Annex A of the draft NPPF proposes to supersede the WMS, which will remove the wording that allows local authorities to set additional requirements expressed as percentage uplifts. Paragraph 2 of Annex A also clearly states that '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'. Together, this appears to be changing the goalposts for local authorities, who at the very least thought they could, and have, adopted policies that go beyond building regulations by requiring percentage uplifts, such as our Policy DES10.

We also propose that part (c) of Policy PM13 should be removed in its entirety. The 'construction' element of the clause would potentially limit local authorities from setting policy on embodied carbon and circular economy principles, which are currently not addressed in national policy or building regulations, leaving a significant proportion of emissions unaddressed. This again will make it impossible for us to fulfil our legal climate obligations. The 'internal layout of buildings' element of the clause would limit the capacity for local authorities to promote good design for internal cycle parking. For example, this clause would prevent local authorities from being able to stipulate the number and width of doorways required to access a cycle store within a building.

As currently drafted, the NPPF would put an end to net zero carbon buildings in England. Building regulations should be an opportunity to build on standards, not act as a ceiling. We therefore strongly urge you to reconsider the approach set out in Policy PM13 and allow local authorities to go beyond building regulations where they can provide robust evidence that it would be feasible and viable to do so. Without this change to Policy PM13, we will fail to achieve net zero.

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.*

Partly 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?

The new soundness tests for SDSs appear proportionate. However, in our response to Q6 we raised the following concerns with the detail of Policy PM1 (Spatial Development Strategies) paragraph 2:

Policy PM1(2)(a) refers to 'objectively assessed need' but this adds subjective elements, as it requires judgement calls on local circumstances and future needs, potentially leading to inconsistent outcomes across authorities. In the context of strategic planning, it could undermine the consistency and predictability of housing supply calculations currently provided by the Standard Method. It complicates the preparation of spatial development strategies (SDSs). The wording should be changed to refer instead to 'local housing need, calculated using the standard method'.

Policy PM1(2)(b) refers to SDSs dealing with 'major' urban extensions, 'major' cross boundary development, 'key' locations, and 'large' allocations. 'Major', 'key' and 'large', are terms that are open to interpretation. There is a need for a consistent definition because, as written, it hinders a consistent interpretation across plan-making authorities. This undermines the strategic coordination role intended for SDSs. There is currently too much room for interpretation of what an SDSs' role is for these types of development, and what should be a local plan matter. There should be a strategic and coordinated approach to these definitions, with a shared understanding of implementation.

These concerns should be considered when finalising the tests of soundness for SDSs, to ensure they remain fit for purpose.

Whilst we appreciate the reasons given for the changes to the tests of soundness wording for local plans – from our experience, the current tests appear to work well and therefore we question if these changes are strictly necessary. We appreciate the robustness of the current wording of the tests. We have raised concerns about the scope of content allowed for local plans in our response to Q9. Here we state that local plans should be allowed to include the necessary range of policies to determine applications that will achieve plans' outcomes and this concern should be considered when finalising the tests of soundness for local plans, to ensure they remain fit for purpose.

PM8 is helpful in setting out what proportionate evidence looks like, which in turn will support compliance with the tests of soundness. We look forward to release of the tools, methods and templates to be published by the Secretary of State. These will be needed urgently by authorities who are required to start new plan preparation this year.

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?

Yes. The council is very concerned about the removal of Supplementary Planning Documents (SPDs) from the hierarchy of plans and policy framework tools that are available to support sustainable development in local areas. SPDs play an important role in helping to 'embellish' delivery of policies and helping to demonstrate what 'good' looks like. It is unclear why SPDs can't continue to be prepared under the new plan making system - as there are existing very clear rules for what SPDs can and cannot do. If these parameters are no longer set in the new regulations, they could be set out in the PPG.

21) Do you agree with the principles set out in policy DM1? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

We agree with the requirements for major development, however, would question the phrase 'minimum necessary information requirements' in relation to other developments. This could be open to interpretation and may imply that less information is required than is actually the case.

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.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

Whilst we generally agree, we are concerned about the lack of detail required in the validation list. The requirement for a planning statement to demonstrate 'How the development proposals are consistent with the relevant development plan and national decision-making policies' does not indicate that associated evidence bases, to see how a development is consistent, have to be applied (for example, Landscape and Visual appraisal work or Design Codes). The list covers SuDS and Heritage but not Landscape or Design.

23) Do you have any views on whether such a policy could be better implemented through regulations?

We would welcome the alternative, to take a regulatory approach, where information requirements related to national decision-making policies are required through development management regulations.

24) Do you agree with the principles set out in DM3? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

This policy includes some sensible requirements, but we have concerns over the second sentence of DM3(d). We understand that delays due to consultees not responding in a timely manner are a frustration for councils as well as applicants. However, many consultee bodies or teams within councils are not resourced to enable them to respond to planning applications within their statutory timescale, and the concern is that important considerations may be overlooked and wrong decisions made in the pursuit of speed. A proportionate approach should be taken here, too.

Furthermore, Policy DM3(e), regarding use of conditions, runs contrary to DM6, which is seeking to restrict the use of conditions, particularly pre-commencement conditions.

25) Do you agree that policy DM5 would prevent unnecessary negotiation of developer contributions, whilst also providing sufficient flexibility for development to proceed? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

Whilst the intention behind Policy DM5 is recognised and supported, there is concern regarding its implementation.

Policy DM5 cites four circumstances where it would not be possible for development to proceed on a policy compliant basis and where a viability assessment might therefore be justified. However, the wording of Parts 2 (b) and (d) of this policy are likely to be sufficiently open to interpretation to lead to a significant number of development proposals making a viability argument.

Part 2 (b) relates to the site characteristics of a development proposal being ‘substantially’ different to the typologies that were assessed to support the development plan. As the viability assessment undertaken to support the development plan will be using generic typologies, based on local information and data, it is foreseeable that applicants will make arguments on the interpretation of what a ‘substantially’ different characteristic is, that justifies a non-policy compliant level of developer contributions. In our view, point c would already sufficiently cater for these scenarios, as the characteristics that would justify a diversion from a policy compliant development on viability grounds will either be on cost or value assumptions. Either way, the level of cost to development value would be substantially different, on which a viability argument could be made without encouraging hopeful but meritless attempts to reduce developer contributions.

Part 2 (d) provides for changes in the circumstances of the site or the economic environment. Regarding the site circumstances, these are already covered by Part 2 (c), as it would be an unforeseeable cost, as set out above. A change of circumstances in the economic environment would be a very broad consideration. The economy works in cycles, and our concern is that a short-term downturn in the economy will lead to the justification of reductions in developer contributions. By the time the development is being built, it may be that development values have recovered - leading to an unjustifiable loss in developer contributions. In any case, given that the viability assessment process bakes in levels of profit for developers and reasonable land sales values for landowners, it is not clear why it should be local communities that shoulder the burden. Profit levels are baked into the viability assessment process to account for risk. If risk is reduced, then so should the expected profit levels reduce.

Considering the above, Parts 2 (b) and (d) should be removed from Policy DM5, to prevent unnecessary negotiation of developer contributions.

26) Do you have any further comments on the likely impact of policy DM5: Development viability?

We support the intention of paragraph 3 of Policy DM5, though it could be made more robust. Site promoters and developers are often reluctant to provide information on the price agreed or paid for land. Paragraph 3 of Policy DM5 should be strengthened to include a requirement for this information to be provided as part of any argument to reduce developer contributions.

27) Do you have any views on how the process of modifying planning obligations under S106A, where needed once a section 106 agreement has been entered into, could be improved?

a) Please explain. If so, please provide views on specific changes that may improve the efficacy of S106A and the main obstacles that result in delay when seeking modification of planning obligations.

Yes. Eight weeks is not a long enough period to allow for negotiation and Deed of Variation, for example, where viability assessment is required. This should be brought in line with determination of major applications within a 13-week timeframe, unless otherwise agreed in writing.

Such application types usually require a significant amount of work from LPA officers, particularly when having to review viability cases and enter negotiations. A fee should be charged for developers submitting a Section 106A application to recover these costs, which would enable better resourcing, to speed up decision making.

28) Do you have any views on how the process of modifying planning obligations could be improved in advance of any legislative change, noting the government's commitment to boosting the supply of affordable housing.

a) Please explain. If so, please provide views on the current use of s73 and, if any, the impact on affordable housing obligations.

Yes. Section 73 applications create a lot of work for LPA officers, for very little fee. The fee should be increased to recover the cost, which would enable better resourcing, to speed up decision making.

29) Do you agree with the approach for planning conditions and obligations set out in policy DM6, especially the use of model conditions and obligations? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly agree.

a) Please provide your reasons, particularly if you disagree.

No response.

30) Do you agree that policy DM7 clarifies the relationship between planning decisions and other regulatory regimes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly disagree.

a) Please provide your reasons, particularly if you disagree.

It is disappointing that the relationship between planning and other regulatory regimes is only proposed to be set out for development management processes, whereas the current NPPF (at paragraph 201) addresses this matter in relation to plan-making as well. Clarity for plan-making is important. Many LPAs, including ours, rely on the current paragraph 201 at examination. Removing this clarity for plan-making increases the risk of inconsistency and delay.

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.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

The council does not consider this a 'new' policy, as it was introduced by Ministerial Statement in 2015. The only change is to give greater weight to it.

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?

The council's experience in applying this approach has mainly related to gypsy and traveller incursions. These, by their very nature, give human rights and equalities considerations a lot of weight. This, together with most authorities not being able to demonstrate a 5-year land supply of sites, renders the approach somewhat mute.

DM8 needs to be expanded, with greater clarity. The language and approach remain broad and interpretive. For example, reference is made to local enforcement plans. There should be clarity on what these should contain and whether they should be the subject of public consultation. If a consistent approach was taken in relation to enforcement plans, then national benchmarking for enforcement could be established in a more consistent way.

The enforcement approach creates tensions, with the public expecting and demanding timely and decisive enforcement. However, the system and the approach set out in this draft relies heavily on voluntary compliance. This current draft stops short of a more decisive, proactive and preventative role which places councils in a difficult position in relation to resourcing this area of planning. This policy needs more detail and clarity in relation to the points raised above.

33) Do you agree with the new Article 4 direction policy in policy DM10? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

The policy is an improvement on the current approach set out under paragraph 54 of the NPPF, in that the use of Article 4 directions by local planning authorities is no longer limited to situations where a direction is necessary to avoid 'wholly unacceptable' adverse impacts. However, it is still retrospective in nature, as adverse impacts will need to have occurred to justify the use of an Article 4 direction.

34) Do you agree with the proposed approach to setting a spatial strategy in development plans? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

We agree with the principle that development plans should set out a clear spatial strategy, including an approach to identifying the extent of settlements. Given the wider proposed changes to the Framework, including the government's intention to support development in settlements, it is necessary for plans to provide clarity on what constitutes a settlement and how this is to be applied in practice.

We welcome the flexibility within the proposed approach that allows local planning authorities either to define settlement boundaries or to set clear criteria to identify the extent of a settlement. This flexibility is important in enabling authorities to respond to differing settlement patterns and local circumstances, particularly in rural or more dispersed areas.

However, the policy would benefit from clearer guidance on how this flexibility is intended to operate. In particular, it would be helpful to clarify when it may be more appropriate to use criteria-based approaches, rather than mapped boundaries. For example, local plans could set out the criteria for identifying settlement extent, with neighbourhood plans then defining settlement boundaries in accordance with those criteria. Greater clarity on the relationship between local plans and neighbourhood plans would therefore be welcome.

Defining settlement boundaries can be resource-intensive in some contexts, particularly for authorities with a large number of settlements. Criteria-based policies offer a proportionate and less burdensome alternative and should be clearly recognised as an equally valid means of defining settlement extent, and as a potential first step which neighbourhood plans could then build on, taking account of local character, needs and opportunities.

Overall, we support the objective of providing greater clarity and consistency in spatial strategies but consider that the final policy should more explicitly emphasise flexibility and provide clearer guidance on the range of acceptable approaches to identifying settlement extent.

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.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

The proposed definition of 'settlements' in the glossary is broadly clear and provides a helpful basis for defining settlement boundaries or establishing criteria for identifying settlement extents in development plans, including neighbourhood plans.

However, the definition would benefit from further clarification to reflect that settlements are more than simply predominantly built-up areas. In practice, settlements are places where people live and which typically function as communities, supported by access to services and facilities. Explicitly recognising this would help to distinguish settlements from other built-up areas such as employment campuses or institutional sites, which may be physically developed but do not perform a residential or community role.

We also consider it important to take care when including allocated land or land with planning permission. Until development is completed, such land remains greenfield and does not yet function as part of a settlement. Excluding allocated or permitted sites from settlement boundaries until they are built would better reflect on-the-ground reality and avoid anomalies, particularly where larger sites incorporate green infrastructure or landscaped areas that would not normally be assessed as part of the built-up area once development is complete.

Finally, we support the exclusion of hamlets and scattered groups of houses from the definition of settlements, and suggest this could be strengthened by acknowledging that such areas often lack access to services and facilities, unless they are explicitly defined as settlements in 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.*

Strongly disagree.

a) Please provide your reasons, particularly if you disagree.

Development proposals should be delivered in accordance with the development plan. With the revisions to the plan making process there should be universal coverage of local plans, with them being regularly revised. Consequently, if identified needs are not being met, this should be addressed through revisions to local plans.

The presumption in favour creates a challenging situation in which sites that are allocated through local plans can be held onto by site promoters, with the knowledge that the principle of development is acceptable here. The delay in progressing strategic allocations creates a situation where LPAs then struggle to demonstrate a housing land supply, and speculative development proposals then come forward. This is a situation that both South Oxfordshire and Vale of White Horse District Councils have experienced over recent years. South Oxfordshire in particular is currently experiencing this. The South Oxfordshire Local Plan 2035, adopted in December 2020, allocates approximately 14,000 new homes on six strategic allocations. So far, only one of these sites has submitted a planning application and because of this, it has been difficult to demonstrate a housing land supply. Considerable time and resources have been spent dealing with speculative applications and the increased number of planning appeals on these applications.

Removing the presumption in favour would remove the incentive for site promoters and developers to not progress site allocations in local plans.

37) Do you agree to the proposed approach to development within settlements? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly disagree.

a) Please provide your reasons, particularly if you disagree.

The policy provides no consideration of the size or sustainability of settlements, being too broad in its application.

Local communities should have a greater say in how change in their area is managed. This can be achieved through neighbourhood plans, with targets provided to settlements through the local plan process. If a neighbourhood plan is not progressed in an appropriate timescale, it should then fall to the local planning authority to allocate land for development to meet local needs.

38) Do you agree to the proposed approach to development outside settlements? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

We support the principle of distinguishing between development that may be acceptable in principle outside settlements and development that should normally be directed to settlements, in order to promote sustainable patterns of growth and conserve rural character. The structured approach in Policy S5 provides a clearer framework than the current position and broadly reflects established categories of development that may be appropriate in countryside locations.

However, we have concerns about the breadth of the categories listed and the precision of some of the associated criteria, which risk undermining plan-led development and creating uncertainty in application.

While several categories reflect long-established principles (including agriculture, rural businesses requiring a countryside location, the reuse of existing buildings, exception sites, and development allocated in the development plan), taken together the list is extensive. There is a risk that, in practice, a wide range of proposals could be regarded as acceptable in principle outside settlements, reducing the effectiveness of the policy in restraining unsustainable development and weakening the role of settlement-based spatial strategies.

Regarding point (g), encouraging traveller sites in isolated locations in the countryside may resolve a short-term problem of a lack of sites. However, if they are not located in sustainable locations and do not have due regard to other relevant planning considerations, then this will lead to poorer outcomes compared to a plan led approach.

Regarding point (h) of paragraph 1, it would be helpful to provide clarity on what railway stations qualify against the identified criteria (criteria being: served by 4 x weekday trains per hour, or 2 x weekday trains per hour in one direction, and in the top 60 Gross Value-Added Travel to Work Areas). Identifying what the top 60 GVA Travel to Work Areas considered to be 'partly or fully in England' with associated mapping should be provided as a minimum. We do not feel that the commitment to implementing dense (40/50dph) residential development by train stations, irrespective of the housing need in the local area or wider assessment of characteristics, is conducive to good plan making. Furthermore, this broad-brush measure does not address 'reducing the need to travel', which is a fundamental thread through the draft NPPF (draft NPPF December 2025 refers to limiting or reducing the 'need to travel' in policies CC2 (1)(b); L1 (1)(b)(ii); and TR3 (1)(a)). Greater clarity should also be provided on what is a 'reasonable walking distance'.

We also have concerns about the amount and types of development permissible outside of settlements. Some of these developments could have considerable landscape and visual impacts. The list of acceptable development is very broad, so there wouldn't be many applications left that point S5(4) would apply to. This policy should include this statement for Policy S4(2)(c): 'Failure to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances', such as National Landscapes.

Considering our previous response on the 'presumption in favour', we disagree with point j. This allows for gaming of the system and undermines plan-led development, whilst not actually increasing housing supply, as it leads to a substitution of which sites come forward, with allocated sites being left stagnant. It also focuses on bringing forward speculative development and undermines the delivery of strategic infrastructure identified as required through local plans, because strategic sites usually contribute to its delivery through developer contributions. In addition, where it refers to development that is 'well related to an existing settlement', we believe there are often environmental reasons why development may not be suitable in such locations.

The new plan-making system should ensure that all areas have an up-to-date local plan that addresses the identified needs of the area. The requirement to regularly review these plans ensures that, if a strategy is not delivering as expected, it will be reviewed within a reasonable timeframe.

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.

Partly disagree.

a) Please provide your reasons.

We support the principle of distinguishing between development that may be acceptable outside settlements and development that should normally be directed to settlements, in order to promote sustainable growth and protect rural character. However, we have concerns about the breadth of the

categories listed and the precision of some of the associated criteria, which risk undermining plan-led development and creating uncertainty in application.

In relation to criterion e (limited infilling within groups of houses), this provision risks undermining efforts to direct development to the most sustainable locations. Without clearer limits, it could facilitate the incremental consolidation of isolated or loosely connected dwellings in the countryside, weakening the distinction between settlements and the wider countryside.

With regard to criterion g (gypsy, traveller and travelling show people accommodation), and without repeating the detailed points made in our response to Policy HO12, we are concerned about the interaction between Policies S5 and HO12, particularly where a local planning authority cannot demonstrate a five-year housing supply. As drafted, it risks enabling development outside settlements without sufficient safeguards against isolated or poorly located development.

In respect of criterion h (development around highly connected railway stations), while we support the objective of promoting development in sustainable locations, greater clarity is needed on the identification of qualifying stations and on how this criterion should relate to local housing need, settlement hierarchy and wider place-based considerations. A uniform expectation for high-density development around stations, irrespective of local context, risks cutting across plan-making and does not necessarily align with the objective of reducing the need to travel.

Regarding criterion j (development to address an evidenced unmet need), the requirement for development to be 'well related to an existing settlement' is insufficiently clear and may enable speculative development outside settlements that conflicts with the spatial strategy, diverts delivery away from allocated sites, and undermines coordinated infrastructure provision.

Overall, while we partly support the intent of Policy S5, the categories and criteria would benefit from clearer definitions and stronger alignment with plan-led spatial strategies, to ensure development outside settlements remains genuinely exceptional, well located and well justified.

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.*

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.

In principle, the proposed approach to make use of sustainable hubs to deliver housing to set density requirements is one which we could support. However, the one size fits all approach cannot be supported. It cannot be assumed that every active railway station is a sustainable hub. For example, train stations outside settlements, by their very nature of being 'outside of settlement' are likely to be rural. Many rural railway stations can often be isolated, have infrequent services, and sometimes the area will have no other supporting infrastructure - like schools, bus stops, shops or even safe walking routes that would be needed for new homes. In rural areas, this could lead to pressure for high-density housing in places with no services, no active travel connections, and no realistic prospect of infrastructure upgrades. The proposed impact of the scale of development associated with these locations, together with the high densities required under Policy L3, are both of concern.

41) Do you agree that neighbourhood plans should contain allocations to meet their identified housing requirement in order to qualify for this policy? *Strongly agree, partly agree, neither agree or disagree, partly disagree, strongly disagree.*

Partly agree.

a) If not, please provide your reasons

We welcome the government's objective of providing greater clarity on the role of neighbourhood plans in meeting housing needs, and we support the clearer framework introduced through Policy HO2(5), which confirms that housing requirement figures should normally be set for neighbourhood planning areas whilst recognising legitimate circumstances where this may be impractical, and where a nil requirement may be justified.

We agree that where a neighbourhood plan has an identified housing requirement and includes allocations to meet that requirement, it is reasonable for this to be recognised positively in the operation of Policy S6.

However, as drafted, Policy S6(1)(b) appears to introduce a mandatory test by requiring that a neighbourhood plan must contain allocations in order to qualify for the policy. We do not consider this approach sufficiently reflects the diversity of neighbourhood areas or the role of neighbourhood plans within a plan-led system, nor does it sufficiently reflect the range of circumstances envisaged by Policy HO2(5).

Neighbourhood areas vary significantly in their function within the settlement hierarchy, the availability of suitable and deliverable sites, and the extent to which their housing needs are already being met through strategic allocations in the local plan. In many cases, the local plan deliberately directs growth to the most sustainable locations, with neighbourhood plans adding value by shaping how that development comes forward, rather than by allocating additional sites. A blanket requirement for allocations risks eroding this spatial approach and encouraging development away from the locations identified as most sustainable through the local plan process.

In addition, Policy HO2(5) explicitly allows for a neighbourhood planning area to have a nil housing requirement where this is justified by existing supply or significant constraints. In such circumstances, the expectation under Policy S6 that a neighbourhood plan must contain allocations in order to qualify for protection becomes internally inconsistent, as it would imply allocating housing to meet a nil requirement.

We therefore consider that Policy S6 would benefit from clearer alignment with Policy HO2, so that neighbourhood plans are able to qualify for the policy where they either contain allocations to meet an identified housing requirement, or are consistent with the most recent spatial development strategy in circumstances where a nil housing requirement has been robustly justified in accordance with Policy HO2. This would retain a clear expectation for allocations where a requirement exists, while avoiding an illogical or inappropriate outcome in nil-requirement areas.

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.*

Strongly disagree.

a) Please provide your reasons, particularly if you disagree.

Although we welcome policies that aim to address climate change through planning and help to aid the transition to net zero, we do not consider Policy CC1 sets out the right approach to achieving this aim. Part 1(a) limits the aim of achieving 'radical reductions' in greenhouse gas emissions to only the spatial strategy and allocations. This ignores the influence of other parts of a local plan where local authorities can, and should, tackle emissions. Many of the most impactful ways a local plan can help reduce emissions sit outside of the spatial strategy and allocations. For example, policies that set requirements around sustainable design, whole-life carbon assessments, the circular economy,

transport and active travel, retrofit, and renewable energy, all play a critical role. It is, therefore, essential that a golden thread of climate action weaves throughout a local plan, and that a holistic approach is taken to climate mitigation.

Policy CC1 also restricts the scope of carbon assessments to the spatial strategy and allocations. Although we recognise the influence these decisions have towards emissions, this approach leaves key sources of carbon emissions unassessed and unaccounted for. Factors such as design choices, construction materials, embodied carbon, operational energy performance, and retrofitting decisions, all sit outside the distribution of development and the selection of sites.

For these reasons, we consider CC1 to be inconsistent with the NPPF's aim to ensure the planning system plays a vital role in reducing emissions and supporting national climate objectives. It also risks limiting the necessary action local authorities must take in their local plans to fulfil their legal duties under the Climate Change Act 2008, as well as meet our own district net zero target of 2040 and the national net zero target of 2050.

Importantly, these gaps are not addressed elsewhere in the draft NPPF. Consequently, to address these limitations, we strongly recommend that CC1 is broadened so that both carbon assessments and the requirement to achieve a radical reduction in greenhouse gas emissions apply to the whole plan, not only to the spatial strategy and allocations. This will ensure that local plans take a comprehensive, evidence-based approach to tackling emissions, in line with the aims of the NPPF as well as national climate legislation.

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.

Strongly disagree.

a) If not, what additional measures could be taken to ensure climate change mitigation is given appropriate consideration?

As currently drafted, we consider Policy CC2 to be too limited in its scope to drive meaningful carbon mitigation through local plans. CC2 provides a list of mitigation measures but importantly misses the key measures required to ensure a transition to net zero can be achieved. For example, part 1 c) of the policy explains that proposals should use design approaches to conserve energy and other resources. However, this is vague and does not set out how this should be explicitly achieved. The policy provides no requirements, thresholds or assessment mechanisms, that enable decision makers to evaluate the carbon impact of development proposals. We assume this is because the proposed approach of the NPPF is to rely solely on building regulations, however as we explain further in our response to question 18, this is a regressive approach that will restrict the delivery of net zero carbon buildings, and is unfairly restrictive for local authorities who can evidence that higher energy efficiency standards are feasible and viable to implement in their area. Instead, Policy CC2 should set threshold limits on energy use, to ensure that measurable reductions in emissions are consistently achieved in developments across the country. Local authorities should also be permitted to exceed these thresholds and set their own more ambitious energy efficiency standards that go beyond building regulations, where supported by robust evidence.

Policy CC2 also misses a key opportunity to require applicants to take a design approach that follows the energy hierarchy, where lower cost passive design measures are prioritised, i.e. fabric performance, over higher cost active systems such as renewable energy technologies. By minimising energy demand first, this reduces not only the burden that new buildings place on our limited energy resources, but also the amount of new equipment needed to generate and distribute energy to meet that demand. This reduces the materials, carbon and cost involved in producing and installing that equipment, and it lowers energy bills. This economic cost cannot be ignored. The current approach

set out in CC2 will not achieve net zero carbon buildings, resulting in costly retrofits being required in future and the higher energy costs being transferred over to the customer.

Policy CC2 also importantly does not address embodied carbon emissions, even though these can be as much as 50% of total emissions over a building's lifetime. This is a significant policy omission, and it is crucial that the NPPF requires new developments to address embodied carbon emissions, as with no consideration given to embodied carbon, the transition to net zero cannot be achieved.

We welcome the requirement to take advantage of opportunities to re-use existing structures and materials. However, this does not go far enough to prioritise a retrofit-first approach. It should require applicants to avoid substantial demolition unless necessary and fully justified. The wording used 'to take advantage of opportunities' also reads as an optional requirement and should be amended to 'prioritise the re-use of existing structures and materials...', to ensure that it provides a clear and mandatory requirement, rather than simply encouraging best practice.

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.

Strongly disagree.

a) What additional measures could be taken to ensure climate change adaptation is given appropriate consideration?

As currently drafted, Policy CC3 is too broad and not strong enough to ensure that new developments are resilient to the current and potential impacts of climate change. CC3 does not require applicants to demonstrate how the development will incorporate the criteria set out in (a) to (e) of the policy. This lack of clarity will lead to an inconsistency in decision making, as there is no clear measure of what is acceptable or unacceptable in terms of a development's approach to climate change adaptation. Wording such as that set out in 1(d), which states 'use design approaches which minimise risks from overheating in accordance with DP3(1)(c)' is not clear enough regarding how successful approaches to climate adaptation should be achieved. When you refer to DP3, it does give a little more indication on what these design approaches could include, but lacks clear design principles that will secure meaningful, measurable and enforceable climate adaptation outcomes.

The National Design Code and National Model Design Guide are also not adequate in terms of providing thorough and detailed advice on sustainable design. We are lucky as a district to have adopted our own design guide and to have knowledgeable urban design officers who can guide our development management team on climate adaptation, but other local authorities do not have these resources. We acknowledge the recently published draft Design and Placemaking Planning Practice Guidance, but it is still very high level, and should include more detailed sustainable design principles, considering the most up to date approaches to energy efficient and climate resilient design and construction. Without this, national guidance risks remaining too generic to support consistent decision-making across authorities with varying resources.

Part 1(d) of CC3 does not go far enough to address overheating risks, which only become greater as global warming continues. CC3 should explicitly require developments to follow a nationally defined cooling hierarchy, which prioritises passive measures to reduce overheating risk and only permits active cooling measures if they are still required once passive measures have been optimised. This will ensure that the most effective and efficient overheating methods are considered first in the design of buildings, and that a consistent approach to addressing overheating is achieved. The cooling hierarchy is not currently referenced in existing national design guidance, nor in the draft Design and Placemaking Planning Practice Guidance, which is a significant omission. Overheating assessments should also be required for all new development, including residential and non-residential development. Part O of the Building Regulations currently only requires new homes to undertake overheating assessments. CIBSE TM59 is one way to demonstrate compliance with Part O, however

it is not mandatory in all cases, and we strongly believe that it should apply to all new development. Additionally, Part O does not require an overheating assessment to be undertaken for non-residential buildings. This policy should require a CIBSE TM52 assessment to be submitted for non-residential buildings to ensure a comprehensive approach to overheating risk is undertaken. Overheating assessments are essential because of the considerable and increasing threat heatwaves pose to our districts and across the country. Their mandatory use will help to ensure that new developments can mitigate overheating effectively to protect the health and welfare of occupants.

CC3 should also require climate adaptation statements or checklists to be submitted that demonstrate how each of the policy criteria has been met. This should be a standard national template to ensure applicants provide clear and consistent information on how they are delivering climate resilience, as well as to support consistent decision making.

CC3 is also silent on water scarcity and water efficiency, which are critical aspects of climate resilience. Whilst we acknowledge these issues are referenced elsewhere in the NPPF, there is no cross referencing to these in CC3, as there is in other parts of the framework where related policies are clearly signposted. This risks water scarcity and water efficiency being overlooked at the design stage. Policy CC3 should explicitly address these matters or provide clear cross referencing to relevant policies elsewhere in the framework, to ensure this is appropriately considered in climate adaptation design and decision making.

45) Does the policy on wildfire adaptation clearly explain when such risks should be considered and how these risks should be mitigated? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree

We welcome this new proposed policy wording on wildfires, given their increasing risk because of climate change. However, there are still parts of the policy that lack clarity. For example, what development would fall under the definition of 'heightened risk'; and what development would be regarded as 'adjacent'? We welcome the examples provided in the policy, but this still leaves some ambiguity where developments do not fall closely into those definitions.

There is also a lack of clarity around what measures would qualify as 'suitable mitigation methods'. Again, the examples provided are positive additions, but they may not be suitable mitigation methods for all developments. Further guidance would therefore be helpful to clarify which developments this policy would apply to, and how to address the risk appropriately and on a consistent basis.

Additionally, the policy does not mention whether any engagement should be undertaken with local fire and rescue services. We feel this engagement would be beneficial, as their early involvement could be very useful in providing practical advice on wildfire adaptation design choices.

46) How should wildfire adaptation measures be integrated with wider principles for good design, and what additional guidance would be helpful?

For further clarity, clear guidance is required which sets out a variety of mitigation methods and how to successfully incorporate these into the design of a scheme. This should include guidance on how to integrate these wildfire design measures with other policy areas, such as landscape, green infrastructure and biodiversity, to ensure a holistic approach. It should also provide guidance on the long-term management and maintenance of these mitigation measures, and when to engage with fire and rescue services to help to shape design decisions.

47) Do you have any other comments on actions that could be taken through national planning policy to address climate change?

Yes, we consider that national planning policy should address embodied carbon. Embodied carbon emissions can be as much as 50% of total emissions over a building's lifetime, but at present national planning policy primarily focuses on operational emissions. There are also no existing plans for building regulations or the Future Homes Standard to address these emissions, which leaves a significant policy gap to ensure the delivery of net zero carbon buildings. A national planning policy on embodied carbon should require applicants to carefully consider what building materials to use in developments, favouring those with lower embodied carbon and carbon negative emissions. It should also require applications for major development to assess and report on embodied carbon, including actions taken to reduce these emissions, through a whole life carbon assessment. Additionally, it should also include requirements for larger developments to limit embodied carbon, setting clear targets that residential and non-residential developments should meet, but crucially allowing local authorities to require more ambitious targets where they can demonstrate these are feasible to achieve and viable in their areas. Included in an embodied carbon policy should be a requirement for applicants to adopt a range of circular economy principles to help minimise waste, increase the recycling and reuse of materials, and conserve resources, including retaining and re-using buildings where possible. Please see our emerging Joint Local Plan Policy CE3: Embodied Carbon, which is a good example of a strong embodied carbon policy.

We also consider that national policy could go further to support a retrofit first approach. A significant amount of carbon emissions produced by the built environment come from existing buildings. It is therefore crucial that we not only focus on reducing emissions from new development but also tackle the emissions from existing buildings where possible, despite planning powers being limited in this area. A national retrofit planning policy should strongly encourage sustainable and sensitive retrofitting measures to existing buildings to improve their energy efficiency and adaptability to climate change. Significant weight should be attributed to development proposals which result in considerable improvements to the energy efficiency, carbon emissions and/or general suitability, condition and longevity of existing buildings. Significant weight should also be attributed to a whole building approach to retrofit. The whole-house or whole building approach recognises that no single part of the building operates alone, and that the best outcomes will come from considering and balancing all the interactions between different elements of the building. In the case of extensions to buildings, national policy should encourage and attribute significant weight to opportunities to upgrade the energy efficiency and energy generation of the existing building as well as the extension.

Please also see our responses to questions 41, 42 and 43 where we provide further recommendations on what should be included in Policies CC1, CC2 and CC3. We also refer you to our response to question 18 that relates to Policy PM13. It is crucial that local authorities are permitted to set energy efficiency standards that go beyond building regulations where they can demonstrate it is feasible and viable to do so. The draft NPPF proposes to unnecessarily restrict local authorities in this way, and we strongly urge you to reconsider the proposed policy approach so that net zero carbon buildings can be achieved, and our national and local net zero carbon aims can be realised.

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.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

We have experienced numerous appeals and challenges to up-to-date local plans in our area based on the needs of a certain group not being met. This has had the effect of Section 78 Inspectors and appellants arguing that our housing need is compartmentalised, and that we essentially need to demonstrate a 5-year supply of each type of housing. HO1 should be crystal clear that LPAs do not have to maintain a rolling supply for each group listed. The policy should also be clear whether the needs of such groups are a consideration when exporting unmet need from one area to another.

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.*

Strongly agree.

a) If so, what elements should this guidance cover?

The government needs to be clear that there is no requirement to demonstrate rolling supply / requirement for specialist groups. Additional guidance on assessing the needs of older people would be welcome where it results in a realistic and justified level of need. This would provide both local authorities and the development industry with certainty on the level of need to be planned for. This guidance should reflect national ambitions to allow people to stay in their homes for longer, and therefore we would strongly caution against using 'prevalence rates' for people in care in a local area. Not only are these not representative of the local area's demand for such homes, but they would also only reinforce existing rates of older people moving into care. The policy and guidance should reflect how different housing products would meet the needs of older people (including co-living, intergenerational living and accessible open market homes in good locations).

50) Do you agree with the approach to incorporating relevant policies of Planning Policy for Traveller Sites within this chapter? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly agree.

a) Please provide your reasons, particularly if you disagree.

The less duplication, the better - this ensures the needs of travellers are taken into account alongside other planning issues, rather than being seen as separate issue. This is a more holistic approach to addressing their needs.

51) Is further guidance needed on how authorities should assess the need for traveller sites and set requirement figures? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly agree.

a) If so, what are the key principles this guidance should establish?

We would welcome additional guidance to ensure the needs of travellers are considered in a consistent and fair way across the country. Our current evidence base identifies that there is an absence in guidance on preparing GTAAs. It states that the methodology used in our GTAA builds on established DLUHC modelling methodology, as advocated in the Gypsy and Traveller Accommodation Needs Assessment Guidance (DCLG, 2007), whilst acknowledging this guidance was formally withdrawn in December 2016. The reliance on outdated and withdrawn guidance as a base for developing a methodology inevitably leads to different assumptions being used and outputs that can vary significantly across the country. Key principles that additional guidance could establish include:

- Assumptions around in and out migration, and how this is established;
- Household formation rates as a percentage growth rate, or household demographic information;
- The point at which new households form; and
- How non-responses should be taken into account when establishing overall likely need.

52) Do you agree the new Annex D to the draft Framework is sufficiently clear on how local planning authorities should set the appropriate buffer for their local plan 5-year housing land supply? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

The housing delivery test annual measurements are currently 3 years out of date, with the latest annual measurement published in December 2024, for the 2023 year. It is therefore unclear as to which previous three years the buffer, when using the HDT, should be applied. We would also welcome clarity on criterion c) - 20% buffer for old plans. At the moment, one could read this as applying to LPAs who have undertaken a review of their plan, concluded their housing requirement needs updating, and therefore assessed their 5YHLS against the new Standard Method. A clarifying sentence could state: 'For the avoidance of doubt, this only applies where a local authority is assessing their housing supply against a requirement that is more than 5 years old'.

53) Do you agree the new Annex D to the draft Framework is sufficiently clear on the wider procedural elements of 5-year housing land supply, the Housing Delivery Test and how they relate to decision-making? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

It is unclear how paragraphs 9 and 12 relate to one another. 12(b) identifies that if delivery falls below 85%, a 20% buffer should be added. Is this separate to the buffer requirement at 9(b)? As identified in our response to question 52, the housing delivery test annual measurements are currently 3 years out of date, with the latest annual measurement published in December 2024, for the 2023 year. Paragraph 13 identifies that the consequences will apply the day following the annual publication of the HDT, however, this still does not resolve the issue that the HDT is three years old.

54) Do you agree the requirements to establish a 5 year supply of deliverable traveller sites and monitor delivery are sufficiently clear? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Strongly disagree.

a) Please provide your reasons, particularly if you disagree.

We have concerns with this approach and how it could undermine plan-led development and the principles of sustainable development, as well as its potential for creating considerable landscape and visual impacts.

The implications of not being able to demonstrate a 5-year supply are significant, particularly in relation to development outside settlements and within the Green Belt. Policy S5(1)(g) states that where an authority is unable to demonstrate a sufficient supply of deliverable sites, proposals for new pitches outside settlements should be approved where they meet the criteria in Policy HO12. As currently worded, the provisions of Policy S5(3) in relation to avoiding isolated homes in the countryside does not apply to traveller sites.

We are concerned about the permissive nature of Policy HO12. It fails to direct proposals to more sustainable locations. The only locational criteria states, 'enable access to' and then goes on to list a number of services and facilities. This is insufficient and would potentially open up large parts of the countryside for development of traveller sites. Additionally, no reference in the policy is made to mitigating or avoiding negative impacts from this form of development. This includes ensuring the scale and type of development is appropriate to its location and is avoiding adverse impacts on the amenity of existing or future neighbouring uses.

We are concerned with the way that this policy is solely focused on the delivery of additional sites. It does not have due regard to the impacts of development or the interests of the settled community.

This policy could result in a dispersal of traveller sites in isolated locations in the countryside, which may resolve a short-term problem of a lack of site, however, if they are not located in sustainable locations or have due regard to other relevant planning considerations, it may lead to poorer outcomes compared to a plan led approach.

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.*

Strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No, we do not agree that the requirements in HO4 are clear or necessary. As there are already requirements in Policy S2 (Spatial Strategy) to set out where development should be (locationally, and spatially), it seems unclear and unnecessary for HO4 to set criteria for locations. Further, it may not be necessary or appropriate for all development plans to contain locations for large scale development, and there may be alternatives to the three types of locations mentioned.

The criteria of Part 1 of HO4 could therefore be moved into either Policy PM1 or Policy S2, if this wording is needed in the Framework. HO4 could then be more clearly focused on the need to allocate specific sites to support the spatial strategy, with the addition of the reference to ensuring allocations are consistent with the spatial strategy.

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.*

Strongly agree.

a) Please provide your reasons, particularly if you disagree.

The change in definition provides clarity and allows for future change in the population size of parishes.

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.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

We disagree with the proposals to ask authorities to set out the proportion of new housing that should be delivered to M4(2) standards, and we suggest that the M4(2) requirement should be mandated as a minimum standard for all new homes. Please see our response to Q58. We agree that authorities should set out the proportion of homes to be built to M4(3) standards where they have identified a local need.

58) Do you agree 40% of new housing delivered to M4(2) standards over the plan period is the right minimum proportion? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly disagree.

a) Please provide your reasons, and would you support an alternative minimum percentage requirement?

In light of the UK's ageing population and in order to better accommodate those with a limiting long-

term illness or disability, we suggest that all new homes must be built to at least M4(2) standards, unless it can be robustly justified, using evidence, that site-specific factors, such as site topography or heritage impact, make a site unsuitable. If the government introduces a minimum national standard of 40%, this will become the target for the development industry, regardless of whether higher land value areas can justify achieving greater standards.

59) Do you agree the proposals to support the needs of different groups, through requiring authorities to identify sites or set requirements for parts of allocated sites are proportionate? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Neither agree nor disagree.

a) Please provide your reasons, particularly if you disagree.

Please see our response to questions on HO1 and HO2, where we set out our concerns about compartmentalising the housing requirement into a dozen or so groups. We are not supportive of such an approach and worry that it would lead to a requirement to demonstrate a 5-year supply for each of them. This is not practical and would place an undue burden on local authorities.

However, if this is the government's intention, then local authorities will need to be empowered to specify different housing products on different sites, and such requirements should be clearly evidence-led. Policies and guidance would need to recognise that we currently operate in a market dominated by volume housebuilders, who at times are resistant to developing non-typical products. Policy or guidance will need to require these volume builders to sell off parcels of sites / start adopting different business models to deliver such products.

60) Do you agree with our proposals to ask authorities to set out requirements for a broader mix of tenures to be provided on sites of 150 homes or more? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Neither agree nor disagree.

a) Please provide your reasons and indicate if an alternative site size threshold would be preferable?

The NPPF should encourage local authorities to develop policies that set out the tenure mix requirements for C3 homes, based on local evidence to meet the needs of new and future households. Further clarification is required on what is meant by a 'broader mix of tenures'. Tenure mix on major development sites is already relatively broad, typically including multiple rented tenures, affordable routes to home ownership, and First Homes, based on robust evidence of local need.

Any requirement to further broaden tenure mix should not undermine this evidence-led approach or compromise the delivery of affordable housing. Care is needed to ensure that additional tenure requirements do not reduce opportunities for Registered Providers to acquire S106 affordable housing stock.

61) Do you agree with proposals for authorities to allocate land to accommodate 10% of the housing requirement on sites of between 1 and 2.5 hectares? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly disagree.

a) Please provide your reasons

Whilst we support the rationale behind the approach, in practice we observe there is an overreliance on, and even a creeping monopolisation of, the market. This has resulted in a few organisations being responsible for addressing our housing targets, with the financial incentives to housebuilders not

necessarily aligning with government and local authority goals of boosting the supply of housing in the short term.

However, the proposed approach is using the planning system as a blunt tool to rectify the slow consolidation of the housebuilding and landownership markets into the hands of a few companies. Our experience is that most, if not all the sites in our districts that would be best suited to achieving sustainable development, are controlled by volume builders, or controlled by strategic site promoters (greater than 2.5ha). This means that we cannot simply allocate our way out of this over-dependence.

If one was to use planning as a key tool (not the only tool), we would suggest that local plans can require sites over a certain size to be partially sold to SMEs, and that phasing / masterplans should enable the easy compartmentalisation of the site.

The proposed policy, in combination with the need to have 10% of our requirement on sites of 1ha or less, would result in 25% of our housing requirement being covered by small sites. This is far too constricting on spatial strategies and would not allow councils to take account of local circumstances and opportunities for sustainable development.

62) Are any changes to policy HO7 needed in order to ensure that substantial weight is given to meeting relevant needs?

Yes – the NPPF should specify that housing needs assessments are only those prepared by local authorities, not prepared by a developer in support of a planning application. It would also be useful if ‘meeting relevant needs’ could be defined, such as explanations regarding what evidence bases are expected (such as housing needs surveys), and what geographical detail they should cover (i.e. ‘local’ meaning parish, or district wide, etc.)

63) Do you agree that proposals to add military affordable housing to the definition of affordable housing, and allow military housing to be delivered as part of affordable housing requirements, will successfully enable the provision of military homes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

The need for affordable military housing is not currently assessed as part of our housing needs assessment. Any need for affordable military housing would be additional to our assessed need. It is unclear how the need for affordable military housing will be evidenced for a particular area. The government currently considers military personnel as being part of the institutional population (C2), and so any policy would need to consider how that interacts with the overall housing need set through the Standard Method. Furthermore, the consultation material isn’t clear as to whether councils would need to allocate this type of accommodation in specific locations (e.g. adjacent to, or within military bases).

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.*

Neither agree nor disagree.

a) Please provide your reasons, particularly if you disagree.

We partly agree if it is to make a scheme more financially viable and helps bring forward policy compliant levels of affordable housing. However, this would need to be balanced against ensuring that homes are tenure blind - and there is not a clear distinguishability between market and affordable housing.

65) Would requiring a minimum proportion of social rent, unless otherwise specified in development plans, support the delivery of greater number of social rent homes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Neither agree nor disagree.

a) If so, what would be an appropriate minimum proportion and development size threshold taking into account development viability?

Local plans remain the most appropriate way of setting local targets for affordable housing. Local plans are supported by robust evidence regarding housing need and viability, which take account of the cumulative policy requirements of the plan and local circumstances. National benchmarks are unlikely to sufficiently consider locally-specific policy and viability considerations.

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?

National planning policy could better recognise affordable temporary accommodation as a distinct form of provision, particularly in areas of homelessness pressure.

Emphasising the importance of appropriate locations, management arrangements and access to services.

Adding clear policies or language would help identify expectations around the allocation of a site specifically for temporary accommodation, setting out how and where such provision could be supported.

Any flexibility should ensure that temporary accommodation remains a pathway to settled housing and does not undermine national standards for permanent homes.

Design guidance / building regulations on minimum space standards for such properties should recognise that these properties may be converted back to standard housing.

67) Do you agree that applicants should have discretion to deliver social and affordable housing requirements via cash payments in lieu of on-site delivery on medium sites? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly disagree.

a) If so, would it be desirable to limit the circumstances in which cash contributions in lieu of on-site delivery can be provided – for example, should it not be permitted on land released from the Green Belt where the Golden Rules apply? Please explain your answer.

No, it should not be down to the applicant's discretion as to whether they provide affordable housing. Private developers will be motivated by financial incentives, and placing this decision in their hands would not deliver more affordable housing. The policy should guide local authorities on circumstances where cash contributions may be appropriate. There should be no time limits / claw back clauses on spending this money for local authorities; to reflect that in some areas it can take years / decades to secure an appropriate site for affordable housing delivery. However, it is our view that cash contributions should not be permitted:

- where on-site delivery is policy-compliant and viable;

- on land released from the Green Belt where the Golden Rules apply, as on-site affordable housing is fundamental to the planning justification; or

- where there is no realistic prospect of the cash contribution delivering any affordable housing.

b) If you do not believe applicants should have blanket discretion to discharge social and affordable housing requirements through commuted sums, do you think cash contributions in lieu of on-site delivery should be permitted in certain circumstances – for example where it could be evidenced that onsite delivery would prevent a scheme from being delivered? Please explain your answer.

Only in exceptional and clearly evidenced cases, such as where on-site provision would demonstrably prevent delivery or where site constraints make meaningful on-site provision impractical. Local authorities should retain discretion, and off-site delivery should achieve equivalent outcomes.

68) What risks and benefits would you expect this policy to have? Please explain your answer. The government is particularly interested in views on the potential impact on SME housing delivery, overall housing delivery, land values, build out rates, overall social and affordable housing delivery, and Registered Providers (including SME providers).

Potential benefits:

- Flexibility on constrained sites; and
- Possible support for SME developers in specific circumstances, although this is severely outweighed by the risks set out below. As we have set out in other responses, the planning system alone cannot fix our broken housing / land market.

Risks:

- Reduced certainty of on-site affordable housing;
- Delays in delivery where commuted sums are not spent promptly;
- Fewer opportunities for small and medium-sized Registered Providers;
- Slower affordable housing delivery if decoupled from market build-out;
- Mixed tenure sites build out more quickly on average; and
- Reduced certainty of affordable housing delivery if cash contributions are compartmentalised against specific projects / sub areas in a district and have clawback clauses for developers if the money isn't spent within a certain time.

69) What guidance or wider changes would be needed to enable Local Planning Authorities to spend commuted sums more effectively and more quickly? Please explain your answer.

Guidance would need to define a process for how all local authorities should spend their money - for instance, by setting golden rules on what is eligible, or whether sums can be made available as grants to Registered Provider partners, etc.

Other considerations:

- Changing / aligning Compulsory Purchase regulations to enable local authorities to compulsory purchase land for delivery;
- Removing timescales for spend and reporting expectations;
- Explicitly supporting the pooling of commuted sums, including across boundaries where appropriate;
- Encouraging early engagement with Registered Providers and Homes England;

- Allowing the use of commuted sums for land acquisition and enabling works where this accelerates delivery; and
- Under no circumstances should developers be allowed to clawback these funds.

70) Would further guidance be helpful in supporting authorities to calculate the appropriate value of cash contributions in lieu?

Yes.

a) If so, what elements and principles should this guidance set out? Please explain your answer. For example, guidance could make clear that contributions in lieu should be an amount which is the equivalent value of providing affordable housing on site, based on a comparison of the Gross Development Value of the proposed scheme with the Gross Development Value of the scheme assuming affordable housing was provided onsite.

- Confirm that commuted sums must reflect the full equivalent value of on-site provision;
- Set out a clear, consistent valuation methodology;
- Address assumptions on tenure mix, grant, costs and profit;
- Allow flexibility for local market conditions while improving transparency; and
- There should also be an obligation on the applicant to provide honest appraisals so that Gross Development Value (GDV) is known and any fluctuation to GDV throughout delivery should vary the commuted sum proportionately.

71) Do you support proposals to enable off site delivery where affordable housing delivery can be optimised to produce better outcomes in terms of quality or quantity? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

Off-site delivery can, in limited circumstances, achieve better outcomes. However, on-site delivery should remain the default, with safeguards to ensure that off-site provision:

- Delivers equivalent or improved outcomes;
- Is delivered in a timely manner and conditioned to ensure it is completed prior to the completion of the main site; and
- Does not undermine tenure integration or overall affordable housing delivery.

Our main concern is how off-site delivery would be integrated to make affordable housing indistinguishable from market housing.

72) Do you agree the with the criteria set out regarding the locations of specialist housing for older people? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

We support the requirement that services/facilities are accessible by sustainable and active means of travel or provided on-site. However, what is meant by 'frequently used services' for older people should be defined/clarified to avoid confusion and ensure consistency.

73) Do you agree with the criteria set out regarding the locations of community-based specialist accommodation, including changes to the glossary? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Neither agree nor disagree.

a) Please provide your reasons, particularly if you disagree.

Requirements could be more clearly defined. Is the intention that, 'to be accessible' means by sustainable transport modes or active travel, similar to the other development types within this policy?

It would also be useful if the list of frequently used services was expanded.

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.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

We support the requirement that services/facilities are accessible by sustainable and active means of travel. However, what is meant by 'frequently used services' should be defined/clarified to avoid site promoters exploiting loopholes, and to ensure consistency.

The NPPF should also encourage models of older person's accommodation that are not financially predatory. It is common knowledge that many people who move into care homes often have to take on an expensive lease, linked with care provision. When the person in care passes away, their relatives inherit this lease, leaving them responsible for an expensive product they cannot use (normally due to age / medical occupation constraints). Notwithstanding the immense personal harm such models cause, they also lead to empty rooms, and an inefficient use of space and resources. The NPPF should encourage above these models, in order to provide adaptable homes (e.g. 100% at M4(2) or M4(3) standards) in accessible locations (as set out in the first two bullets of HO9 (ai) and (ii)).

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.*

Strongly disagree.

a) Please provide your reasons, including what other changes may be needed to increase their uptake?

We disagree with the approach to including affordable traveller sites within the wider exception site policy. It is unclear what is meant by 'affordable traveller sites', as this does not appear within the definition of affordable housing or elsewhere within the consultation material. The site size limit within section 2(b) of this policy may not be appropriate for traveller sites and may lead to sites over-dominating the nearest settled community. Previous advice (regarding upper limits of sites to secure good management arrangements) used a benchmark limit of 10 pitches. This was also the proposed upper limit for the Traveller Site Fund 2022/23 prospectus, which states: 'The preferred site size for transit sites, permanent sites and temporary stopping places would be 10 pitches/plots or less'. The '1 hectare in size or exceed 5% of settlement' referred to here may exceed these previous recommendations on the upper size limits of sites.

Regarding criterion 1(a), it is unclear who is responsible for preparing a local housing need survey, and what secondary data would be acceptable. The terminology is confusing here between local housing needs assessment (district / authority wide) and local housing needs survey (settlement specific) – the word 'local' is covering a lot of ground. These surveys should either be prepared by the local authority or be conducted using a methodology agreed with the local authority.

Policy criterion 1(b) should be clear that community-led development should also be supported by evidence of local housing need.

76) Do you agree with proposals to remove First Homes exception sites as a discrete form of exception site? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Neither agree nor disagree.

a) Please provide your reasons, particularly if you disagree.

In our area, there is a locally evidenced need for this type of discounted market sales housing, which can be secured at a bigger discount than the minimum 20% set out in the glossary definition of Discounted Market Sales Housing. First Homes should be defined within the Annex B Glossary, rather than simply referenced as a footnote. This would ensure it is considered alongside other tenure types in a holistic way.

77) Do you agree proposals for a benchmark land value for rural exception sites will help to bring forward more rural affordable homes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Neither agree nor disagree.

a) If so, which approach and value as set out in the narrative for policy HO10 of the consultation document is the most beneficial for government to set out?

No response.

78) Do you agree the proposals to set out requirements for traveller sites at policy HO12 adequately capture relevant aspects from Planning Policy for Traveller Sites, whilst ensuring fair treatment for traveller sites in the planning system? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly disagree.

79) Please provide your reasons to Question 78, particularly if you do not agree.

We have concerns with this approach and how it could undermine plan-led development and the principles of sustainable development, as well as its potential for creating considerable landscape and visual impacts.

The implications of not being able to demonstrate a 5-year supply are significant, particularly in relation to development outside settlements and within the Green Belt. Policy S5(1)(g) states that where an authority is unable to demonstrate a sufficient supply of deliverable sites, proposals for new pitches outside settlements should be approved where they meet the criteria in Policy HO12. As currently worded, the provisions of Policy S5(3) in relation to avoiding isolated homes in the countryside do not apply to traveller sites.

We are concerned about the permissive nature of Policy HO12. It fails to direct proposals to more sustainable locations. The only locational criteria states, 'enable access to' and goes on to list a number of services and facilities. This is insufficient and would potentially open up large parts of the countryside for development of traveller sites. Additionally, the policy makes no reference to mitigating or avoiding negative impacts from this form of development. This includes ensuring the scale and type of development is appropriate to its location and avoiding adverse impacts on the amenity of existing or future neighbouring uses.

We are concerned that this policy's sole focus is on the delivery of additional sites. It does not have due regard to the impacts of development or the interests of the settled community and fails to

promote peaceful and integrated co-existence between travellers and the local community. A dispersal of traveller sites in isolated locations in the countryside may resolve a short-term problem of a lack of sites, but if they are not located in sustainable locations, or have due regard to other relevant planning considerations, they may lead to poorer outcomes, when compared with a plan-led approach.

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.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

The development industry will decide how quickly to bring forward development. Permissions that are secured by land promoters without a developer on board will lead to a longer implementation period. Applying a shorter time frame for commencement may be difficult for some developers with extensive infrastructure delivery requirements.

81) Do you agree the requirements to take a flexible approach to the consenting framework for large scale residential and mixed-use development is sufficient to ensure the opportunities of large scale development are supported? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly agree.

a) Please provide your reasons, particularly if you disagree.

No response.

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

No.

a) Please provide your reasons.

No response.

83) Do you agree with the proposed changes to the Housing Delivery Test rule book? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly disagree.

a) Please provide your reasons, particularly if you disagree.

The current system incentivises local authorities to pursue housing requirements above their own local housing needs. If a local authority is held to higher housing targets for both its Housing Delivery Test and 5YHLS assessment, it will discourage any deviation from the Standard Method and not boost housing supply. The Housing Delivery Test should still be assessed against the 'lower' figure.

84) Do you agree that more emphasis should be placed on relevant national strategies and the need for flexibility in planning for economic growth, as drafted in policy E1? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

We broadly support the increased emphasis on relevant national strategies in Policy E1. Part 1(a) strikes an appropriate balance between aligning with national priorities and responding to local business needs. However, the policy would benefit from explicitly recognising the role of Enterprise Zones, as these do not always coincide with Industrial Strategy Zones but are nonetheless significant drivers of growth and investment.

Regarding flexibility, the planning system already provides considerable scope through the broad definitions and permitted changes within the E, B2 and B8 use classes. It is therefore important that development plans retain the ability to specify appropriate uses for sites within these established parameters. Linking the need for flexibility solely to changes in commercial property requirements feels too narrow; flexibility should also allow local authorities to respond rapidly to wider shifts in economic circumstances, consistent with the direction previously set out in paragraph 86(e) of the NPPF (2024).

We also have concerns regarding wording. The term 'realistic', in reference to supporting sustainable economic growth, is subjective and risks inconsistencies in interpretation. 'Proportionate' would better reflect the need to balance ambition with deliverability across both urban and rural contexts.

Finally, the phrase 'most appropriate level' as applied to the subsections of part 1 is ambiguous. It risks overlapping responsibilities between SDSs and local plans, particularly in relation to economic strategies. As drafted, Policy PM1 (notably subsections 2(a) and 2(c)) indicates that SDSs are the most suitable tier for setting an overarching economic vision and addressing strategic barriers to investment. Accordingly, this should be made explicit in Policy E1 for subsections 1(a) and 1(b), with subsection 1(c) more appropriately placed at local plan level.

85) Do you agree with the approach to meeting the need for business land and premises in policy E2? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

We support the overall intention of draft Policy E2 to ensure sufficient business land and premises. However, we consider that the policy requires strengthening to support truly sustainable and inclusive economic growth.

In particular, the policy should explicitly recognise the importance of the foundational economy, which provides essential everyday goods and services and depends on access to affordable and appropriately sized workspace. Without national policy support, there is a risk that strong market pressure from higher value modern economy sectors may increase land and rental values and limit the availability of suitable premises. This could lead to the displacement of foundational economy businesses, which would undermine the balance and resilience of the local economy.

To ensure sustainable growth, Policy E2 should be amended to make clear that planning for business land and premises must also protect and support the foundational economy through the provision of affordable and flexible workspace (where it is justified by local evidence), and measures to reduce the risk of displacement by more competitive sectors.

These additions would help maintain a balanced and resilient economic ecosystem that supports both innovation-led growth and the foundational services on which communities depend.

The draft policy's new references to responding to market signals introduce potential challenges for development management decision making.

Assessing 'market signals' at an application stage may be difficult, subjective and inconsistent, as it is unclear what evidence applicants or LPAs would be expected to provide. Market signals fluctuate

rapidly and may reflect short term commercial behaviour rather than long term strategic needs. Without clearer guidance, this risks creating uncertainty for applicants, inconsistent decisions between authorities, and the possibility of economic arguments overriding spatial strategy or sustainable development principles.

We recommend that the policy or accompanying PPG sets out what constitutes a relevant and proportionate 'market signal', what evidential sources are acceptable, how LPAs should weigh market signals against plan led allocations and strategic objectives, and whether market signals should be considered differently in plan making vs decision making contexts.

86) Do you agree with the proposed new decision-making policy supporting freight and logistics development in policy E3? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Partly agree.

a) Please provide your reasons, particularly if you disagree.

We partly agree with the proposed decision-making policy for freight and logistics development in Policy E3. While we support the overall intention to ensure efficient movement of goods and appropriately designed facilities, the policy would benefit from additional clarity in several areas:

Firstly, the policy does not provide sufficient spatial direction for where freight and logistics uses should be located. This could be achieved by directly referencing the role of Local Plans and Spatial Development Strategies in identifying the most appropriate locations for this form of development. Without a clear link to the wider spatial strategy, there is a risk that proposals could come forward in unsuitable or ad hoc locations, creating cumulative impacts that are difficult to manage. Clearer expectations would help ensure that development is steered towards the most sustainable and strategically appropriate locations.

Secondly, the requirement for 'good access to transport networks' is helpful, but broad. The policy could better articulate the types of access that should be prioritised, for example, including opportunities for multimodal connections where feasible, rather than relying predominantly on road-based freight movements. Stronger wording here would support more sustainable freight patterns.

Building on this, we consider that the draft policy should more explicitly encourage the use of rail for freight and logistics. Rail freight offers significant benefits, including reduced carbon emissions, decreased road congestion and more efficient long-distance goods movement. Policy E3 should therefore promote opportunities for logistics development that can connect to the rail network, safeguard sites with potential rail access, and support integrated models where rail distribution is paired with road-based last mile solutions. Recognising the role of rail explicitly within the policy would help deliver a genuinely multi-modal, lower carbon logistics system aligned with wider national sustainability goals.

Thirdly, the policy does not reference 'last mile' logistics or urban freight solutions, which are becoming increasingly important components of the freight network. Without recognition of these needs, local authorities may have limited policy support for smaller scale, low emission logistics infrastructure that can help reduce congestion and support modern delivery models.

Finally, we are concerned that the draft policy does not adequately address the risk of displacement of SME logistics operators. As larger 'big-shed' logistics schemes come forward, small logistics firms (which play a vital role in local supply chains, last-mile delivery and the foundational economy) are at risk of being priced out of the market. These businesses often require modest-sized, affordable

premises with yard space for freight vehicles. Without explicit policy safeguards, the cumulative effect of redevelopment and rising land values could significantly reduce the availability of such space.

To ensure that the logistics sector remains diverse, resilient and reflective of local economic needs, the draft NPPF should be amended to require plan-makers and decision-makers to ensure that logistics land supply includes premises accessible to smaller operators rather than solely large format, higher value developments. Incorporating this into Policy E3, or the accompanying PPG, would help support a balanced freight and logistics ecosystem that recognises the importance of SMEs alongside major operators. This approach aligns with the broader objectives of supporting economic diversity, ensuring local resilience, and preventing the loss of essential business functions that underpin effective supply chains. Strengthening these aspects would support a more coherent, inclusive and sustainable freight and logistics strategy and improve the effectiveness of Policy E3 in practice.

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.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

We partly agree with the approach to rural business development in Policy E4. We welcome part 2 of the policy, which provides a clearer, more concise articulation of when rural business development may appropriately occur outside settlements and how such proposals should be approached. This is a pragmatic and helpful clarification that avoids some of the repetition and ambiguity previously found in paragraph 89 of the NPPF (2024) and supports appropriate rural economic growth.

However, we consider that part 1(d) of the policy overlaps with the support already provided in Policy E2 part 1(b) for the development and diversification of agricultural and land-based businesses. These provisions could be consolidated to avoid unnecessary repetition and to improve overall clarity.

In addition, while we support the intention to enable sustainable rural business growth, the policy could give greater emphasis to the need to balance this with protecting the character, landscape, heritage and environmental qualities of rural areas. In some cases, new buildings, tourism facilities, or diversification structures can have a significant impact, and the policy would benefit from clearer wording on how such impacts should be managed.

Strengthening these aspects would ensure the policy is coherent, avoids duplication, and provides clearer guidance for achieving sustainable rural growth while safeguarding the distinctive qualities of rural areas.

88) Do you agree with the proposed changes to policy for planning for town centres? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

We support the consolidation of paragraphs 90 and 94 from the existing NPPF, as well as the emphasis on diversification and intensification of uses, where appropriate, to support a centre's ongoing vitality and viability. We also agree that it makes sense to remove the reference to 'markets', and to replace the requirement to look 'ten years ahead' when allocating sites with a requirement to consider the scale and type of main town centre uses needed over the plan period.

However, we do have the following concerns:

Under 1(a), whilst assessing the scope to broaden the mix of uses within town centres is a positive approach, we do not agree with the subsequent wording of 1(b)(i) which suggests that there may be some areas of town centres which are particularly suitable for intensification of use through residential

development. If the words ‘...including residential development...’ were removed, this would take away any ambiguity and still allow for some residential uses in central areas.

In the glossary, the definition of ‘main town centre uses’ only includes ‘health and fitness centres’, and should be expanded to include other health uses, such as hospitals, GP surgeries, dentists, etc.

89) Do you agree with the approach to development in town centres in policy TC2? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) If not, please explain how you would achieve this aim differently.

Whilst we support the aims of this policy, we do not agree with what appears to be an over-emphasis on the intensification and provision of residential accommodation, at the expense of other appropriate main town centre uses.

Consequently, we suggest that 1(a) is amended to read:

‘Supporting the overall vitality and viability of the centre, including where this can be achieved through the diversification of uses (including residential development) and, where appropriate, the intensification of development (provided this would not conflict with policies in the development plan for specific locations).’

90) What impacts, if any, have you observed on the operation of planning policy for town centres since the introduction of Use class E?

We don’t have any clear evidence to suggest that there have been any negative impacts locally resulting from the introduction of Use Class E. However, in the absence of any published evidence on the impacts on town centres at a national or local level, we remain concerned that too much flexibility could potentially undermine the vitality and viability of our town and local centres. We have therefore sought to future-proof our emerging local plan policies by referring to the possible introduction of Article 4 Directions, where justified, in the interests of protecting our town centres from any harmful impacts arising from Class E and changes to permitted development rights. We have also included references to ‘where planning permission is required’ in several of our retail policies, to ensure that they retain their effectiveness even if there are further changes to the Use Classes Order or PD rights over the plan period.

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.*

Strongly agree.

a) Please provide your reasons, particularly if you disagree.

We strongly support the retention of the Sequential Test, as it places the onus on the developer/retail operator to provide clear evidence to demonstrate that they have considered all opportunities for the provision of new retail floorspace on sites within, or on the edge of town centres first, before looking at out of centre locations.

Without this safeguard, it is likely that the more attractive prospect for, say, a food store operator (particularly those who tend to stick to rigid business models when it comes to store size/floorspace configuration, car parking, etc) will be a greenfield site on the edge of a settlement, where there are fewer site constraints to deal with and build costs are less, when compared with the re-development of a brownfield site in a town centre.

92) Do you agree with the approach to town centre impact assessments in policy TC4? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly agree.

a) Please provide your reasons, particularly if you disagree.

We support the retention of the requirements set out in paragraph 94 of the current NPPF, whereby proposals for retail and leisure development above certain thresholds must be accompanied by town centre impact assessments.

We also agree that outcomes of an impact assessment should be matters to be weighed in the overall planning balance.

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.*

Neither agree nor disagree.

a) Please provide your reasons, particularly if you disagree.

The policies put more onerous requirements on applicants in terms of providing evidence of use of existing infrastructure first, so whilst this approach is supported, the policies don't necessarily provide clearer and stronger support.

The draft document doesn't appear to consider permitted development rights for telecommunications. These allow masts of up to 20m, which is going to create a significant 'fallback position' for applicants to rely on when demonstrating visual impacts under the policy. Furthermore, under permitted development rights, applicants are not currently required to undertake a public health impact assessment.

NB: The draft text document refers to Policies CO1 and CO2, however the consultation document refers to TI1 and TI2.

94) Do you agree the requirements for minimising visual impact and reusing existing structures are practical for applicants and local planning authorities? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Neither agree nor disagree.

a) Please provide your reasons, particularly if you disagree.

It is not clear what level of information applicants are expected to submit, and LPAs to assess, with regard to demonstrating that all options for using existing masts, buildings and other structures have been exhausted in applying for a new structure/mast. It is unclear what area of search would be appropriate.

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.*

Neither agree nor disagree.

a) Please provide your reasons, particularly if you disagree.

LPAs do not have the expertise to assess exposure to non-ionising radiation or interference with other electrical equipment, when applicants are required to provide such information.

96) Do you agree with the approach to planning for energy and water infrastructure in policy W1? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree, what alternative approach would you suggest?

It would be helpful if Policy W1 could also address the relationship between plan making and other regulatory regimes (i.e. incorporate relevant elements from paragraph 201 of the current NPPF). This clarity is missing from the consultation version NPPF.

97) Do you agree with the amendments to current Framework policy on planning for renewable and low-carbon development in policy W2? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly agree.

a) Please provide your reasons, particularly if you disagree.

We strongly agree that development plans should identify suitable areas for renewable and low carbon energy development, as we have done in our emerging Joint Local Plan. The transition away from the use of fossil fuels and towards renewable energy sources is one of the key ways in which we can help to tackle climate change and reduce our carbon emissions. By identifying suitable areas for renewable energy development, we hope it will speed up decision making and encourage applicants to bring their developments forward in areas identified as suitable. We also agree with adding 'energy network infrastructure' to the proposed policy, given how crucial it is in supporting the transition to net zero and maintaining energy security.

Additionally, we support part b of the policy which will help to identify and support opportunities for decentralised energy networks, as well as the co-location of suppliers of surplus heat or energy with potential customers. The latter is particularly important to ensure the viability of heat networks. For example, data centres should be located near potential end users of heat so that delivery of a heat network to utilise the data centre waste heat is more likely to be technologically and economically viable.

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.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree, and any changes you would make to improve the policy.

Policy W3(1)(b) will effectively mean that temporary permission for renewable sites is not temporary, but a rolling renewal, and this should be acknowledged and assessed as part of the application process. We welcome section W3(3), regarding decommissioning, but this seems at odds with W3 (1)(b), regarding life-extensions.

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.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

We are concerned with W4(2)'s statement that applicants should not be required to demonstrate the need for water infrastructure developments.

100) Do you agree with the proposed prohibition on identifying new coal sites in policy M1, and to the removal of coal from the list of minerals of national and local importance? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly agree.

a) Please provide your reasons, particularly if you disagree.

We support the more restrictive proposed approach to the extraction of coal, oil and gas, as this aids progression to net zero.

101) Do you agree with how policy M1 sets out how the development plan should consider oil and gas? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly agree.

a) Please provide your reasons, particularly if you disagree.

We support the more restrictive proposed approach to the extraction of coal, oil and gas, as this aids progression to net zero.

102) Do you agree with the proposed addition of critical and growth minerals to the glossary definition of ‘minerals of national and local importance’? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

No response.

a) Please provide your reasons, particularly if you disagree.

No response.

103) Do you agree criteria b of policy M2 strikes the right balance between preventing minerals sterilisation and facilitating non minerals development? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

No response.

a) Please provide your reasons, particularly if you disagree.

No response.

104) Do you agree policy M3 appropriately reflects the importance of critical and growth minerals? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

No response.

a) Please provide your reasons, particularly if you disagree.

No response.

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.*

Strongly agree

106) Please provide your reasons in response to question 105, particularly if you disagree.

We support the more restrictive approach to the extraction of coal, oil and gas proposed, as this aids progression to net zero.

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.*

No response.

108) Please provide your reasons in response to question 107, particularly if you do not agree

No response.

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.*

No response.

a) Please provide your reasons, particularly if you disagree.

No response.

110) Are there any other exceptional circumstances in which coal extraction should be permitted? Yes/No

No response.

111) If yes in reply to question 110, please outline the exceptional circumstances in which you think coal extraction should be permitted.

No response.

112) Do you agree policy M6 strikes the right balance between preventing the sterilisation of minerals reserves and minerals-related activities, and facilitating non-minerals development? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

No response.

a) Please provide your reasons, particularly if you disagree.

No response.

113) Does policy M6 provide sufficient clarity on the role of Minerals Consultation Areas? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

No response.

a) Please provide your reasons, particularly if you disagree.

No response.

114) Do you agree policy L1 provides clear guidance on how Local Plans should be prepared to promote the efficient use of land? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

115) If not, in response to question 114, what further guidance is needed?

We agree that Policy L1 provides clear guidance on how local plans should be prepared to promote the efficient use of land and particularly welcome the examples that provide additional clarity on how this should be achieved.

However, Part 1(a) of this policy requires rewording, for clarity. We suggest that it reads as follows: 'Identify ways of accommodating as much of the development required in the area as possible on previously developed land, including by:..'

116) Do you agree policy L2 provides clear guidance on how development proposals should be assessed to ensure efficient use of land? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

Whilst we support the overall intention of Policy L2, we are concerned that some of the detailed wording could lead to substantial weight being given to developments that are unlikely to be acceptable.

We consider that the reference to 'unstable land' in Part 1(a) should be removed. Unstable land could include land that is affected by naturally occurring dissolution features where remediation could have complex hydrogeological consequences.

The reference to 'redeveloping under-utilised retail sites' in Part 1(b) should also be removed, as developments on retail sites could potentially erode the level of retail space within our town and local centres and undermine their vitality and viability. Alternative wording could refer to 'under-utilised retail sites located outside of town and local centres.'

We suggest that the word 'outlook' is added to Part 1(d)(ii) so that all aspects of amenity are taken into consideration.

We also feel that it is not clear what circumstances Part 2 would apply to and whether this is in respect of developments across more than one property. Clarification would be welcome.

117) Do you agree policy L2 identifies appropriate typologies of development to support intensification? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) If not, what typologies should be added or removed and why?

Reference to unstable land and under-utilised retail sites should be removed or amended, as developments on retail sites could potentially erode the level of retail space within our town and local centres and undermine their vitality and viability. Alternative wording could refer to 'under-utilised retail sites located outside of town and local centres.'

118) Do you agree the high-level design principles provided in policy L2(d) are appropriate for national policy? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

Greater clarity is required regarding what is meant by 'larger buildings at street corners' – for example, whether this is in respect of volume or height. Both higher buildings and larger buildings are referred to indistinctively, but they are essentially different things. Furthermore, not only street corners should be considered to create additional homes - focal points within perimeter blocks could also provide height and help increase overall density, and in turn provide a variation in heights within a street scene.

The draft NPPF does not specify what are acceptable living standards for residents and neighbours in terms of access to daylight, sunlight, privacy and external amenity space. This should be clarified further.

Point iii also repeats Permitted Development requirements.

119) Do you agree policy L2 (d)(i) achieves its intent to enable appropriate development that may differ from the existing street scene, particularly in cases such as corner plot redevelopment and upwards extensions. *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

Focal points within perimeter blocks could help increase overall density and provide a variation in heights within a street scene.

The draft NPPF does not specify what are acceptable living standards for residents and neighbours in terms of access to daylight, sunlight, privacy and external amenity space. This should be clarified further.

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.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

Context needs to be considered carefully, as this would cumulatively affect the grain of a settlement. Separation distances, garden sizes and parking should also not be compromised, particularly in a rural context where connectivity is more of an issue. Overall, increasing density alone is not a solution. Given its irreversible nature, it must be supported by rigorous design standards and a comprehensive assessment of local context.

121) Do you agree policy L3 provides clear guidance on achieving appropriate densities for residential and mixed-use schemes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree.

a) If not, please explain how guidance could be clearer?

From a landscape perspective, L3(3)'s proposed minimum densities are a concern, especially with regard to 50 dwellings per hectare, where the station or stop is defined as 'well-connected'. This density of 50 dwellings per hectare would be out of character for rural stations, especially those located outside of a settlement area.

122) Do you agree with the minimum density requirements set out within policy L3? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

Not all stations that have been defined within this draft are necessarily the best places to build around. This policy could lead to the creation of dormitory towns or villages with a commuter focus, where residents commute daily to a nearby city or metropolitan area for work, entertainment, and shopping.

These areas typically have limited local employment opportunities and few/no services or facilities, making it difficult to build a cohesive community.

Services, facilities and communities equal successful neighbourhoods. The policy does not mention parking, and this requires consideration.

From a landscape perspective, L3(4) seems to preclude development designed to be sensitive to its surroundings, for example, in low density, 'developed countryside' settings. Previously, paragraph 129 of the NPPF allowed for 'the desirability of maintaining an area's prevailing character and setting...'

Policy L3 could lead to an over-densification of existing settlements, particularly those in rural locations, with a resultant loss of their distinctive character.

b) Could these minimum density requirements lead to adverse impacts on Gypsies and Travellers and other groups with protected characteristics? Please provide your reasons, including any evidence

If minimum density requirements are applied inflexibly or without explicit exemptions, then yes, they may result in adverse and disproportionate impacts on Gypsies and Travellers (and other groups with protected characteristics).

123) Do you agree that using dwellings per hectare is an appropriate metric for setting minimum density requirements? Additionally, is our definition of 'net developable area' within the NPPF suitable for this policy? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

The policy does not clearly identify circumstances in which exceptions may be permitted, for example, where a robust, design-led approach justifies lower densities due to site specific constraints. Without this flexibility, there is a risk that policy application becomes density-led rather than design-led, resulting in poor quality outcomes that, whilst technically meeting density requirements, also undermine local character by encouraging 'cramming' instead of high quality placemaking.

The calculation of 'net developable area' is also open to challenge, and rigid application of density thresholds may render otherwise sustainable sites unviable or incentivise artificial site layouts solely to 'meet the numbers'. Approaches to defining net developable areas may differ significantly between authorities and consultants, particularly regarding the inclusion or exclusion of green infrastructure, on-site highways and buffer land.

Furthermore, although the NPPF refers to 'context', fixed minimum density requirements (e.g. 40-50 dph) may not always be appropriate where material constraints exist. These may include heritage considerations, flood risk, topography, market conditions in lower value areas and limitations in existing or planned infrastructure capacity.

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 'well-connected' station? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Partly disagree.

a) Please provide your reasons and preferred alternatives.

Rail service quality and connectivity can change over time (for example, service reductions, timetable changes) and rail service quality/connectivity is often faster than local plan review cycles – for example, a site may be policy compliant at allocation stage, but not at application stage (or vice versa).

Policies need to be context specific. For a successful development, more factors than housing numbers and whether development is near a train station need to be considered. For example, consideration must be given to what the facilities and services in the area are, as well as community cohesion. These aspects are missing from the policy. It is also important to highlight that train lines can also be a physical barrier to connectivity and movement.

The NPPF should reference access to local services or distances to long distance services. It needs to define what constitutes a 'sustainable location', apart from having access to a rail station. It should also define what a neighbourhood should contain for it to be successful and specify what needs to be provided within certain catchment areas (e.g. 800 metres footfall). Living close to a 'not very useful' station is not necessarily better than living in an area with a good bus route around cities or towns. The result of this policy could be car dependency and isolated areas of development. At densities of 40 and 50 dph, car parking still needs to be provided. Do we want commuter areas, or strong, cohesive communities?

The policy does not define what constitutes a 'reasonable walking distance' (e.g. 400m, 800m, 10 minutes). This could potentially lead to inconsistent interpretation between applicants and LPAs.

125) Are there other types of location (such as urban core, or other types of public transport node) where minimum density standards should be set nationally? Yes/No

No

a) If so, how should these locations be defined in a clear and unambiguous way and what should these density standards be?

It would be more useful to set out short, medium and long-distance connectivity, and link density to local services and infrastructure capacity.

126) Should we define a specific range of residential densities for land around stations classified as 'well-connected'? Yes/No

No.

127) In reply to question 126, if so, what should that range be, and which locations should it apply to?

Other characteristics should be carefully considered, that would influence an appropriate density, such as landscape, heritage, arboricultural, ecological and environmental considerations.

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.

Partly disagree.

129) Please provide your reasons in response to question 128, particularly if you disagree.

The policy is very high level and so it is not immediately clear to the decision maker how it can be determined if development 'blends effectively' with an existing building and immediate surroundings. Also, an impact of a residential extension may be significant beyond its immediate surroundings, particularly on large rural plots. It is not clear as to what constitutes 'acceptable living standards'. Policy L4 therefore needs to be qualified through more detailed development plan policy and local design guidance. It is also unclear whether this policy includes outbuildings.

130) Do you agree that policy GB1 provides appropriate criteria for establishing new Green Belts? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly agree.

131) Please provide your reasons in response to question 130, particularly if you disagree.

There are three explicit criteria which must be met for establishing new Green Belts. This is an improved situation compared to the current NPPF, which is vaguer about exceptional circumstances. Many authorities have not been able to demonstrate the current requirement for new Green Belts when preparing local plans, particularly as there has been a gap in strategic-level plan making to guide such actions.

132) Do you agree policy GB2 gives sufficient detail on the expected roles spatial development strategies and local plans play in assessing Green belt land? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

It would be helpful if there could be an explicit statement that evidence such as Green Belt reviews would benefit from being jointly prepared between SDSs and local plan plan-making bodies, and it should be shared evidence for the benefit of both plans, even when timetables do not align. This is proportionate and helpful to avoid incremental change and challenge when these matters are typically able to be prepared as long-term reviews.

133) Do you agree with proposals to better enable development opportunities around suitable stations to be brought forward? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly disagree.

a) Please provide your reasons, particularly if you disagree.

Policy GB3 introduces a new expectation that the presence of a railway station should influence whether a settlement has land removed from the Green Belt. This mirrors the wider issue we raised earlier (e.g. see our response to Q40): a one-size-fits-all approach to railway stations does not work in rural areas. Many rural stations are not sustainable hubs, and they often have limited or infrequent services, no supporting facilities or infrastructure. There should also be some qualification that the removal of Green Belt land around stations must be subject to other evidence base assessment, for example, relating to flood risk or landscape impact and assessment of the role that land plays as part of landscape character and visual impact, separate to its Green Belt role.

We also note there is no opportunity to reflect on Policy GB4, but we have the following concerns:

Policy GB4(c): There appears to be a Green Belt/Conservation Areas crossover. We want to know if this has been effective in previous iterations of the policy and whether it would conflict with HE2(2) and HE9, which are now more explicit that only the most significant areas should form a Conservation Area designation. You cannot then expand that to include villages where you do not want to extend a Green Belt boundary. Not all Green Belt villages will meet heritage tests for Conservation Area designation and certainly not the whole village, even if a central core might – which defeats the purpose of a Green Belt designation to be just the central core of a built-up area.

There is conflict with relying on something such as a Conservation Area to protect a village where we have limitations on what we can include in a Conservation Area - and not modern parts or the fields in between. This conflicts with HE2, where we cannot use Conservation Areas for areas lacking historic interest.

134) Do you agree the expectations set out in policy GB5 are appropriate and deliverable in Local Plans? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree.

135) Please provide your reasons in response to question 134, particularly if you disagree.

Whilst it is helpful for such new tasks to have prescribed expectations, this is a significant increase in expectations for a local plan's evidence base and policy. Green Belt land often has no planning history and Green Belt landowners often do not engage in plan-making. If land is not coming forward for development, there is very little appetite for the landowner to engage in making their land 'beneficial', which often means investing in land which they do not see a return on. Even if opportunities for beneficial use could be explored, these would be extremely difficult to deliver. Plans shouldn't be made to identify opportunities or improvements that won't deliver because this creates expectations in the community that could ultimately undermine public trust in plan-making.

Whilst we support the principle of Green Belt land working better for the public good, the mechanism for securing it is missing. GB5 should be clear that compensatory improvements are needed only where development is taking place. It should state either that the developer or landowner benefiting from any Green Belt release should fund the compensatory improvements or support some kind of strategic or collective Green Belt CIL/enhancement mechanism.

136) Do you agree policies GB6 and GB7 set out appropriate tests for considering development on Green Belt land? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly disagree.

a) Please provide your reasons, particularly if you disagree.

Although there is substantive reordering and repackaging within the NPPF, there are no fundamental changes to the consideration of development in the Green Belt in GB6.

GB7 includes new categories in criterion g, such as grey belt. Grey belt is a new concept and development plans have not yet established grey belt. The introduction of this new category is causing significant resource drain on local authority officer resources, and it is causing uncertainty with speculative applications. High court rulings (see *Wrotham Parish Council v Secretary of State for Housing, Communities and Local Government*, [2026] EWHC 165) have recently judged that current NPPF 'footnote 7 protections' must be applied to the specific development being considered, not to development in general on that land. The Wrotham judgment demonstrates that the grey belt definition operates primarily within the decision-making process, not through plan-making. By requiring such protections/considerations to be applied to the specific proposal, rather than the land in principle, development plans cannot provide the strategic certainty intended. This significantly undermines the primacy of plan-making and shifts control to case-by-case appeal decisions. Where 'grey belt' is mentioned in the NPPF we would support reference being added to it being defined in a local plan to ensure primacy of the development plan is maintained.

137) Do you agree policy GB7(1h) successfully targets appropriate development types and locations in the Green Belt, 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.*

Strongly disagree.

138) Please provide your reasons to your reply to question 137, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers.

We strongly disagree with the inclusion of GB7(1h), this text should be removed. The opening section of this chapter of the NPPF states that the objective of Green Belt policy is to prevent urban sprawl by keeping land permanently open. It also states that the government attaches great importance to Green Belts, the essential features of which are their openness and permanence. GB7(1h) fundamentally undermines these statements.

The consultation wording of GB7(1h) provides no requirement to assess the impact on the Green Belt of developing such land. This is inconsistent with the approaches for development in 1e and 1f regarding openness, and Green Belt purposes in 1f and 1g. Whilst some qualifications could be added, we do consider the principle of accepting housing and mixed-use development in the Green Belt fails to address the Government's stated objective for Green Belt. As such, GB7(1h) should be removed.

As explained in our response to Q38, if we allow development at train station locations that do not have the appropriate day-to-day services and facilities, we are not achieving the NPPF target for reducing travel demands. In the case of GB7(1h), this would be at the expense of losing our Green Belt. 'Reducing the need to travel', is a fundamental thread throughout the draft NPPF addressed in policies CC2 (1)(b); L1 (1)(b)(ii); and TR3 (1)(a).

Regarding the potential impacts on Gypsies and Travellers arising from the consultation policy wording, the density requirements in these locations could mean that travellers sites are more difficult to deliver in accordance with this requirement.

139) Do you agree that site-specific viability assessment should be permitted on development proposals subject to the Golden Rules in these three circumstances? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

Policy GB8 gives three circumstances in which a site-specific viability assessment may be justified, to allow the expected contributions to be adjusted. We understand that there can be potential cost complexities related to criterion A (previously developed land), so we somewhat agree with this circumstance.

However, we disagree that criterion B (a multi-phase strategic site) should qualify for a viability assessment when subject to the Golden Rules. Adherence to the Golden Rules can be fully considered at the plan-making stage when making such strategic allocations and should not be routinely exempted.

Similarly, we disagree that C (a development model of a wholly different type to that assumed in the viability assessment that informed the development plan) should qualify for a viability assessment in these circumstances. This would undermine the allocation made in a local plan and this exception could be unfairly open to exploitation.

Permitting viability assessments in circumstances B and C is a concerning concession to developers and could undermine objectives of delivering affordable homes.

Additionally, the current NPPF Golden Rules approach has been given insufficient opportunity to see whether it is effective.

140) With regards to previously developed land, are there further changes to policy or guidance that could be made to help ensure site-specific viability assessments are used only for genuinely previously developed land, and not predominantly greenfield sites?

Yes, further change is required – for example, the glossary definition of ‘previously developed land’ needs to be expanded further to interact properly with proposed policies. One suggestion would be to use percentages/proportions to measure what is described as ‘genuinely previously developed land’. If this is not addressed, there is likely to be significant debate about subjective terminology regarding, for example, what comprises ‘large areas of fixed surface infrastructure’, as described in the glossary, which is open to interpretation. The definition should specify percentages to help with this – for example, that more than 50% of the site must contain fixed surface infrastructure.

141) Do you agree with setting an affordable housing ‘floor’ for schemes subject to the Golden Rules accompanied by a viability assessment subject to the terms set out? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

142) Please explain your answer to question 141, including your view on the appropriate approach to setting a ‘floor’, and the right level for this?

We support in principle the approach to setting an affordable housing ‘floor’ in the absence of a pre-existing or an up-to-date requirement. However, where there is an up-to-date plan that sets an affordable housing requirement, the development plan should take precedent. This is because the locally set target will reflect local circumstances and balance the achievement of the local authorities’ different objectives that have been subject to detailed viability testing through the plan making process.

If national targets are mandated that seek to increase, potentially significantly, the level or tenure type of affordable housing above local standards, this will have a significant impact on viability. In order for development to viably meet the affordable housing targets, it may result in poorer quality developments. This is because concessions in locally set requirements may be needed to achieve the targeted level of provision. If achieving the affordable housing targets is considered more important in the planning balance than other locally set requirements, those requirements could be reduced or removed. Other policies and requirements are also important in ensuring new developments benefit local communities - this includes, for example, policies which seek to secure the provision of open space, community facilities and high-quality design. If those locally set requirements are reduced or removed, this will result in poorer quality developments compared to what could have otherwise been achieved.

We support a brownfield first approach to development, which prioritises the use of previously developed land over greenfield locations, including within the Green Belt. We, therefore, in principle support setting a differential brownfield/greenfield affordable housing ‘floor’ to promote the re-use of brownfield land. However, any approach needs to recognise challenges with implementing different rates, including where proposals come forward on land that is a mix of brownfield and greenfield. We do not currently, nor intend to, set out a specific affordable housing requirement for brownfield land. We do, however, recognise that brownfield sites may have grounds for site specific viability assessments and compromises may need to be found in respect of affordable housing / S106 contributions.

We support in principle an affordable housing ‘floor’ reflecting differing development types. Our emerging plan recognises differing viability considerations affecting developments of specialist older person’s housing with care, when compared with mainstream housing, by seeking a differing level and

type of affordable housing. Whilst in principle we would support higher levels of provision of affordable housing from developments within the Green Belt than elsewhere, achieving those standards should not result in lower or poorer quality development as a result of needing to compromise on achieving other requirements/standards. Consideration will also need to be given to how such an approach would function on mixed use sites where different development types are proposed that may also comprise elements of both brownfield and greenfield land.

143) Do you agree with local planning authorities testing viability at the plan-making stage using a standardised Benchmark Land Values scenario of 10 times Existing Use Value for greenfield, Green Belt land? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please explain your answer.

We agree that greenfield land can be typically more homogenous than brownfield land in terms of its existing uses and abnormal costs. We therefore agree with the proposed standardised Benchmark Land Values scenario of 10 times Existing Use Value for greenfield, Green Belt land – dependent on a strong, clear proposal, with no caveats/exceptions. This is likely to reduce land purchase prices in many areas and thus would ensure developments are viable and able to contribute to expected infrastructure obligations. The proposal would also provide greater certainty on what should be paid for land.

We emphasize that there should be no caveats/exceptions, otherwise this would lead to more uncertainty, risks to local plan examination stages, and legal complications.

Feasibility needs further consideration, as there is a risk of less land coming forward, with more landowners potentially holding onto land for the future, feeling disincentivised to sell due to such proposals.

144) Do you have any other comments on the use of nationally standardised Benchmark Land Values for local planning authorities to test viability at the plan-making stage?

As stated at question 143, nationally standardised Benchmark Land Values providing strong, clear proposals, with no caveats or exceptions would have the potential to aid development viability and potentially provide greater certainty on what should be paid for land.

145) Do you agree that proposed changes to the grey belt definition will improve the operability of the grey belt definition, without undermining the general protections given to other footnote 7 areas? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

No response

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.*

Strongly agree

a) Please provide your reasons, particularly if you disagree.

No response.

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.*

Strongly agree.

a) Please provide your reasons, particularly if you disagree.

No response.

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.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

There should be a caveat to the policy, as DP3(1)(c) (climate) is not always compatible with point 1(g) (public space). If we relied on building orientation, for instance, we may end up with layouts that do not favour active frontages, having a knock-on effect on safe, secure spaces which encourage social interaction.

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.*

Strongly agree

a) If not, what else would help secure better design and placemaking outcomes?

Further guidance regarding point DP4(2)(c) would be useful, such as further examples.

Advice regarding how local planning authorities can ensure the quality of approved development is not materially diminished between permission and completion would be beneficial.

150) Do you agree that policy TR1 will provide an effective basis for taking a vision-led approach and supporting sustainable transport through plan-making? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

The additional text added to the draft NPPF, which considers inclusivity of places, references to Local Transport Plans, Rights of Way Improvement Plans, protecting travel choices, and wheeling, as well as the opportunity to set local thresholds for acceptable movement arising from development are positive additions.

We appreciate that provision for sustainable travel is important for changing the way people travel. Indeed, we feel that the policy should reference the transport user hierarchy, whereby walking opportunities are considered first, then cycling, then public transport, and finally other road users in plan making.

There is a small but significant change between the December 2024 NPPF and draft December 2025 NPPF, in the first clause for Promoting Sustainable Transport, as follows:

- December 2024: '109. Transport issues should be considered from the earliest stages of plan-making'

- Draft December 2025: '1. Sustainable transport should be considered from the earliest stages of plan-making'.

The addition of 'sustainable' (pertaining to the recognised definition of walking, cycling, and public transport) to the paragraph suggests that plan makers don't need to consider the issue of other transport modes. We are certain this isn't the intent, but other road users, including motorised vehicles, feature in our everyday lives, whether that be for refuse collections, home deliveries, access for emergency services or journeys that could not practically be made in any other way (e.g. due to no alternatives at that time of day, or provision being unsuitable for the person's needs). The draft NPPF should acknowledge that the final layer of the transport hierarchy plays a vital role in an inclusive, holistic and vision-led transport system. We suggest the following wording for TR1:

'1. Transport should be considered from the earliest stages of plan-making. This should prioritise the use of sustainable transport (following the transport user hierarchy)'.

Notwithstanding the above, we are concerned to see that the glossary defines 'Sustainable Transport Modes' as including 'ultra-low and zero emission vehicles'. Although these modes reduce pollution from tailpipes for improvements to roadside air quality, they do not generate the same benefits as other sustainable modes for network management or social cohesion. In instances where EV's are also relevant to policies in the NPPF, we feel that EV's should be set out explicitly.

Clause 1(b) requires the DfT's Connectivity Tool to be used in the assessment and selection of development sites. However, it is unclear whether the tool has been well tested for this purpose and whether all the elements of the tool are suitably representative or reliable. For example, the Public Transport Accessibility Tool (PTAL) is a tried and tested system for assessing the accessibility of locations in Greater London, however the new Connectivity Tool goes a few steps further and includes other metrics such as walking (not just to public transport stops) and cycling. These have considerable additional nuances that are much more location-specific than public transport services. We understand that the database will be updated annually. Where public transport services change (frequency or route) this can result in significant changes to the 'score' of a location. It is likely to be challenging to use a non-static database such as this for longer term planning purposes, such as for local plan making, where development sites can be allocated some 10 years or more before development build out starts.

We support a vision-led system (also known as 'decide and provide'), particularly where the transport user hierarchy is applied in the design of locations. However, it is unclear how the clawback measures for unsuccessful visioning may work in practical and legal terms. For example, a development may implement a range of public transport and cycling infrastructure to mitigate all the transport impacts of the development from a vision-led approach. However, it is unclear what legal mechanism will be used to ensure that alternative infrastructure will be implemented if the targets are not met. Specifically, we are concerned that there is a conflict in securing a planning obligation for such alternative infrastructure with regulation 122 of the Community Infrastructure Levy Regulations (2010).

151) Do you agree that policy TR2 strikes an appropriate balance between supporting maximum parking standards where they can deliver planning benefits, and requiring a degree of flexibility and consideration of business requirements in setting those standards? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

We welcome the change in tone regarding the principle of setting local car parking standards from the December 2024 NPPF. The addition of walking, wheeling, cycling, micromobility and blue badge holders to the assessment of parking standards is also a considerable improvement from a vision-led planning perspective.

However, we feel that setting a range for car parking may require additional work, with limited value. For example, outside of the major urban centres, developers will typically consider car parking provision as gaining value for their development and will thus often seek to provide the maximum number of parking spaces. Work to calculate the lower range may therefore be unnecessary. A development that seeks to provide a lower amount than the maximum would then be considered on a case-by-case basis.

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.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

We feel the emphasis on enhancing active and sustainable travel in rural areas (in clause 1d) is positive in relation to modal shift. However, development proposals in rural areas already seek to optimise transport options as part of clause 1(a) ('offering a genuine choice for transport modes') which is applicable to all development. It is unclear if / how this clause could influence development proposals in rural areas beyond Clause 1(a).

Support for plan makers and decision makers should be provided on use of the new Connectivity Tool, including details regarding the data included, its capabilities, and limitations.

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.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

Density should be considered from a spatial planning perspective, as opposed to purely from an access to public transport perspective (clause 1a). As identified in comments to Policy S5, creating higher density and trip generating development by public transport facilities does not achieve a key thread in the NPPF, which is to 'reduce the need to travel'. Indeed, if we were to purely focus growth on locations where our bus services stop and our railway stations are, this would generate additional growth in some locations that do not provide access to day-to-day services and, as a result, could create car-centric development. This result is clearly not the intention of the NPPF as a whole.

We support the introduction of new street design parameters in the NPPF, as set out in Clauses 1(b) and 1(c). The good placemaking criteria are currently duplicated in several local authority areas, such as: provision of continuous footways; regularly placed seating; and reduced street clutter. However, some elements of design can be quite subjective – for example, what is considered an 'attractive' street. These subjective elements are likely to be challenging to apply, particularly on a national scale.

We support the greater emphasis on children and older people in street design.

Clause (e) refers to providing 'a suitable number of parking spaces'. It is unclear if this is referring to cars, or indeed whether parking for bicycles, motorbikes and other motorised vehicles is intended here. If we are to provide parking that is 'reflecting the location and nature of the development' then we may not be applying the 'decide and provide' or 'vision and validate' approaches. This sentiment leans toward applying the status quo and facilitating car parking as per existing conditions ('predict and provide'), as opposed to applying a new vision for the area. Removal of 'reflecting the location and nature of the development' from the clause would help to resolve this issue.

We note the removal of 'other ultra-low emission' vehicles from the detail around provision of parking. In light of the international drive to move away from fossil fuelled vehicles, it seems at odds that ultra-low emission vehicles, capturing vehicles using fuels other than battery electric, such as hydrogen, would no longer be promoted.

154) Do you agree with policy TR5 as a basis for supporting the provision and retention of roadside facilities where there is an identified need? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

Between the December 2024 NPPF and this draft December 2025 version, this policy topic has been removed from the 'plan-making' section and is only considered in the 'decision-making' section of the Framework.

The result of this is that local authorities will not be required to proactively plan for roadside facilities, which includes provision of EV charging (and other fuels) facilities, and rest stops for HGVs and other motorised users. The policy has been drafted in a format that would only consider the intricacies of a specific roadside facility application (speculative development) coming forward in isolation, not the principle or distribution of them in the area. In doing so, this may result in such facilities following market trends and not being planned holistically using spatial and land use perspectives.

The policy (and Policy S5) is currently written for development outside settlements, however, there is no glossary term to define what 'roadside facilities' are. It would be helpful to confirm whether this includes 'drive-thru' retailing, alone or as part of a larger facility. If so, the policy needs to make clear what is, and more importantly what is not, considered appropriate in terms of the nature and scale of the retail offer. Whilst small-scale food and drink outlets may be appropriate, in certain circumstances even these could have a negative impact on the vitality and viability of a local centre (for example, if they are competing for trade with an existing convenience store or café). This policy must also make it clear that the term 'roadside facilities' does not include medium/large food stores or comparison goods retailers, which would have a direct negative impact on trading in more sustainable town/local centre locations.

155) Do you agree that the amended wording proposed in policy TR6 provides a clearer basis for considering when transport assessments and travel plans will be required, and for considering impacts on the transport network? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

Transport Statements and Assessments do not typically enable monitoring; this is the task of the Travel Plan. As such, clause 1(a) could be reworded to remove the requirement for monitoring, which is already included in clause 1(b) for Travel Plans.

We are disappointed to see the removal of 'vision-led' Transport Statement or Transport Assessment criteria from this NPPF draft, as it is included in the current 2024 NPPF. Although clause 4 considers vision-led transport planning through use of 'all reasonable future scenarios' and 'the transport vision for the development', we request that 'vision-led' is placed front and foremost in this policy, alongside advice and guidance in developing such documents through supplementary Planning Policy Guidance.

156) Do you agree the proposed text in policy TR7 provide an effective basis for assessing proposals for marine ports, airports and general aviation facilities? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

It is unclear what an 'acceptable environmental effect' would be from all the activities considered in this policy, i.e. ports, airports and aviation facilities. For example, the volume of carbon emissions (and therefore impact on air quality) from the use of fossil fuels to transport marine vessels and aircraft at present are vast, whilst the cost and technological capabilities of moving away from fossil fuels in these areas of industry are complex and costly. A measurable criterion may be helpful here.

Similarly, the noise, landscape, visual and marine impacts of such development all are likely to result in environmental effects, therefore guidance on deciding what is 'acceptable' is required.

Please note that footnote 57, which states 'including new technologies, for example droneports and autonomous vehicles' should be placed after 'advanced air mobility' as opposed to after 'aviation facilities'.

157) Do you agree with the additional policy on maintaining and improving rights of way proposed in policy TR8? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly agree.

a) Please provide your reasons, particularly if you disagree.

We strongly welcome inclusion of Public Rights of Way in the NPPF. In many locations these paths are not well promoted or indeed maintained, though they could provide a tangible and widespread asset for active travel and connectivity across the country, particularly if investment is provided to help connect these routes together.

We particularly welcome the inclusion of taking 'opportunities to extend, link or improve the quality of existing routes'.

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?

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

The proposed policy doesn't recognise the fundamentally broken system that GP Care operates under in England. The government needs to reform ICBs (or their equivalents) to enable them to become asset holders, so they can take on buildings or facilities to lease to GPs themselves. Currently the ICBs (and hence strategic development sites) are held to ransom by negotiations with private market operators who will take on facilities from developers. This has the effect of holding up delivery of healthcare, and in some cases, housing delivery.

The draft NPPF does not include a requirement for health impact assessments (HIAs) to be submitted as part of development proposals, which we consider to be a significant policy gap. It is essential that health and wellbeing is considered in all planning and design decisions, to support the creation of well-designed, healthy, safe and inclusive places. Without HIAs, there is no demonstrable way to assess if health and wellbeing have been thoroughly considered in development proposals.

We therefore strongly recommend that Policy HC1 includes a requirement for HIAs to be submitted alongside all major planning applications, as well as a requirement for HIAs to assist plan-making. This will ensure that health considerations meaningfully inform both local plan policy and the design of new developments, helping to secure and deliver a high quality of life, address health inequalities, improve accessibility, and maximise the health and wellbeing of residents. We recognise these HIAs should be proportionate to the scale of the proposed development, with local plans and larger schemes expected to provide more comprehensive and detailed assessments. The HIA requirement should be supported by detailed HIA guidance, to ensure that only high quality and consistent assessments are submitted.

We do support the reference to Sport England's Playing Pitch Strategy guidance. We have developed our own leisure facilities assessment strategies (LFAS) and playing pitch strategies (PPS) based on this guidance and have found it an effective way to assess and plan for sport's needs. However, if Sport England are no longer a statutory consultee, we would recommend that the NPPF afford significant weight to local LFAS and PPS. This will help ensure consistency and certainty in planning for sport and leisure delivery – and hence housing delivery.

159) Do you agree that Local Green Space should be 'close' to the community it serves? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

We support the government's intention to reinforce the genuinely local nature of Local Green Space designations. In principle, Local Green Spaces should be accessible and relevant to the community they serve.

However, we have some concerns that replacing the established test of 'reasonably close' with the more absolute term 'close' may introduce uncertainty in interpretation and application, particularly across different settlement types and geographies.

Communities vary significantly in their form and layout. In rural or more dispersed areas, green spaces that are valued and regularly used by the local community may not be immediately adjacent to the built-up area but can still clearly serve that community. A narrowly interpreted requirement for such spaces to be 'close' risks excluding appropriate Local Green Spaces that are important to communities.

The previous wording allowed decision-makers and neighbourhood planning groups to exercise proportionate judgment, taking account of local context, patterns of movement, accessibility and community use. While we understand the desire to tighten the policy, it would be helpful for the revised wording to be supported by clear guidance or examples to ensure consistent interpretation and to avoid unnecessary disputes.

Overall, we support the policy objective but consider that additional clarity on how 'close' should be interpreted in different contexts would help ensure that valued local green spaces can continue to be appropriately protected, particularly through neighbourhood plans, without undermining plan-led decision-making.

160) Do you agree that the proposed policies at HC3 and HC4 will support the provision of community facilities and public service infrastructure serving new development? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

We do not agree with the wording 'give rise to significant numbers of additional people', as this is vague and suggests that only new development for large quantities of additional people should provide for community facilities and infrastructure. It will also lead to arguments between the local authority and developers as to what would qualify as 'significant' numbers of people – and wouldn't align with the 'rules based' approach the NPPF is trying to achieve. We suggest removing this phrase.

We do agree with HC3 paragraph 3 that conditions and obligations should be secured so that facilities are available when development is first occupied or comes into use, to ensure that, in instances where development is in phases, those in earlier phases are not left without the required facilities and infrastructure needed to have made the development acceptable in planning terms.

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?

Yes, we think further clarity is required to improve the application of this policy. It would be useful to clarify what would be defined as a 'reasonable walking distance', and as provided in other policies, to provide examples within the text when referring to 'places where young people congregate'.

On the topic of use class, the main issue with controlling unhealthy eating in this way is that some of the main culprits for obesity, for example, convenience shops or garages selling unhealthy snacks, cafes that sell treats, as well as restaurants that are predominately seated, aren't covered by the Sui Generis use class that 'hot food takeaway' sits within. We understand that this is likely why the policy also uses the term 'fast food outlets' alongside 'hot food takeaways', however, 'fast food outlets' are not a defined use class. This makes it tricky for applicants and decision makers to understand if their establishment would be defined as a 'fast food outlet'. Therefore, we think it is necessary that further clarity is provided on the types of establishments this policy should apply to. For example, some fast-food outlets sell healthy food, demonstrating one reason why further clarity is needed, so that healthy establishments are not unfairly restricted by this policy.

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.

Strongly disagree.

a) Please provide your reasons, particularly if you disagree.

As the policy only applies where the facility would be the last of its type in the area concerned, we believe that this policy should be stricter in its requirements – for example, requiring additional evidence regarding viability. We also believe that this policy should be applicable to any proposals for the loss of key community facilities and public service infrastructure serving a local area, not just 'the last of its type in the area', as described.

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.

Strongly disagree.

a) Please provide your reasons, particularly if you disagree.

We object to the proposed change to HC7(1)(b), which replaces the requirement for equivalent or better provision in terms of 'quantity and quality' with 'quantity and/or quality'. Allowing the loss of recreational land to be justified solely through qualitative improvements risks the permanent reduction of land that is essential for meeting current and future recreational needs, particularly for uses where minimum space requirements are critical, such as playing fields, informal open spaces and allotments. This change also introduces greater uncertainty into decision-making, undermines locally evidenced

open space standards, and increases the risk of incremental loss of valued community assets, especially in areas already experiencing deficiencies in provision.

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.*

Strongly disagree.

a) Please provide your reasons, particularly if you disagree.

The policy itself appropriately clarifies that grey belt and Green Belt previously developed land policies should not be applied when determining development proposals affecting Local Green Spaces, consistent with the protective intent of LGS designation. However, the explanatory text in the consultation document and Question 164 appear to reframe this by implying that Local Green Spaces should not fall within areas that could be regarded as grey belt or previously developed land. This distinction is not explicit in the policy wording, which relates to decision-making policy rather than land classification, and the rationale for this additional assumption is not fully explained. It may therefore be that the question is misworded. We support the policy wording, which clarifies that grey belt and Green Belt previously developed land policies should not be applied when determining development proposals affecting Local Green Spaces.

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.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

Proposed Policy P1 is a good basis for identifying and addressing relevant risks when preparing plans, however light pollution should also be listed in part 1(c) of the policy. Light pollution is known to have a significant impact on both wildlife and humans, and therefore plans should also consider any wider opportunities to reduce it where possible (for example, through detailed design requirements and guidance, and undertaking assessments of dark skies to build on opportunities to protect and restore areas of dark skies locally).

166) Are any additional tools or guidance needed to enable better decision-making on contaminated land?

No response.

167) Do you agree with the criteria set out in proposed policy P3 as a basis for securing acceptable living conditions and managing pollution? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

We consider that proposed Policy P3 is a good basis for securing acceptable living conditions and managing pollution, however, we consider that part 2(d) of the policy relating to artificial light could be strengthened. It should explicitly state that external lighting should have a clear need and justification, and that the lighting proposed should be the minimum appropriate for its purpose. This would provide more clarity surrounding how artificial lighting should be 'limited'. Our suggestion for wording is as follows:

'Limit any adverse impact from artificial light on local amenity, intrinsically dark landscapes (those entirely, or largely, uninterrupted by artificial light) and nature. Where proposals include external lighting, it must have a clear need and justification and be the minimum proposed for its purpose; and...'

168) Do you agree policy P4 makes sufficiently clear how decision-makers should apply the agent of change principle? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly agree.

a) Please provide your reasons, particularly if you disagree.

We agree the proposed Policy P4 is sufficiently clear regarding how decision-makers should apply the agent of change principle. We welcome the further detail provided in the policy that builds on paragraph 200 of the current NPPF, setting out explicitly the matters to be considered and the types of activities likely affected by the principle. This will help decision makers to better understand how to effectively apply the policy.

169) Do you agree policy P5 provides sufficient basis for addressing possible malicious threats and other hazards when considering development proposals? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

We welcome the proposed policy and agree that it provides a sufficient basis for addressing possible malicious threats and other hazards when considering development proposals. We particularly welcome part 1(a) of the policy that notes that mitigation opportunities can be addressed through the design of the scheme. Part 1(c) is also welcomed and particularly relevant to our area as we have an Outer Consultation Zone for Nuclear Restoration Services (NRS) Harwell partially within in our district. However, the policy should also explicitly reference 'Outer Consultation Zones' in the list referring to nuclear sites, as it currently does not refer to this zone. NRS Harwell is not a defined COMAH site, and therefore the reference to 'consultation zones around major hazard sites' would not relate to NRS Harwell, but it is still subject to an Outer Consultation Zone (OCZ). It is therefore necessary for the policy to explicitly reference OCZs.

170) Do you agree that substantial weight should be given to the benefits of development for defence and public protection purposes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly disagree.

a) Please provide your reasons, particularly if you disagree

We consider that as currently drafted, Policy P6 is too broad and importantly lacks clarity to fully understand what proposals it would apply to. Clarification should be provided regarding what would fall under the definition of 'sites, activities, facilities and infrastructure required to maintain and enhance defence capability and public safety'. Consideration should be given to mapping these for the use of local authorities. This wording is very broad, meaning a wide range of sites, facilities and infrastructure could be argued to fall under this definition, risking substantial weight being applied to a wide array of uses far beyond those essential to national defence or for public safety. Defining what would fall under 'defence capability' and 'public safety' is needed to ensure this policy is applied only to uses that are genuinely critical for defence or public protection. Additionally, the policy does not detail what evidence should be provided to demonstrate that the proposal is essential for defence capability or public safety. This should be set out in guidance, so that substantial weight is only afforded when appropriate and

justified. Parts 1(a) and 1(b) of the policy appear to give substantial weight to any proposal falling within the broad scope of this policy, whether involving redevelopment, expansion, or potentially disruptive operational activities, without providing clear evidence of necessity. Overall, this policy needs further work to provide clear definitions and evidence requirements, so that 'substantial weight' is applied proportionally and only to proposals that genuinely warrant this weight.

171) Do you agree with the proposed changes set out in policy F3 to improve how Coastal Change Management Areas are identified and taken into account in development plans?
Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

No response.

a) Please provide your reasons, particularly if you disagree.

No response.

172) Do you agree with the proposed clarifications to the sequential test set out in policy F5?
Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

We support the consultation NPPF aiming to minimise the risk of flooding to people and property. However, we have some concerns about policy implementation.

Policy F2 states that development plans should apply the sequential test set out in Policy F5 when identifying suitable locations for development. However, it is unclear how the sequential test should be applied through the different tiers of plan making. For example, how should the sequential test be applied to the identification of broad locations in spatial development strategies, when these are inherently vague and not site specific?

When broad locations are subject to further refinement and assessment through local plan making, how should the sequential test then also be applied? The PPG currently states that the sequential test needs to be applied to the whole local planning authority area. Would this still be the case under the new NPPF, or would local planning authorities need to undertake a more focused approach, where broad locations are identified in an SDS?

Further uncertainty surrounds Strategic Flood Risk Assessments (SFRAs). Policy F1 states that development plans should be informed by an up-to-date SFRA and Policy F5(3) states that the SFRA should form part of the evidential basis for applying the Sequential Test. However, it is unclear whether an SFRA should/will be produced by the authority producing the SDS, or the authority producing the local plan.

173) Do you agree with the proposed approach to the exception test set out in policy F6?
Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Strongly disagree.

a) Please provide your reasons, particularly if you disagree

Chapter 19 lacks consistency and clarity, particularly where plan-making policies link to decision-making policies. It would be simpler and clearer to have separate policies on the sequential test and exception test for plan-making and decision-making, so that they can be specifically tailored to each context. The proposed approach does not provide clarity for plan-making.

174) Do you agree with the proposed requirement in policy F8 for sustainable drainage systems to be designed in accordance with the National Standards? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly agree.

a) Please provide your reasons, particularly if you disagree.

There are currently challenges in ensuring effective SuDS design and implementation. Policy F8 clarifies the role of the national standards in decision-making and should assist with SuDS design and implementation.

175) Do you agree with the proposed new policy to avoid the enclosure of watercourses, and encourage the de-culverting and re-naturalisation of river channels? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

We welcome encouraging the de-culverting and re-naturalisation of river channels, as culverting a watercourse has adverse impacts on ecology by removing bankside habitat, altering channel dynamics, increasing flood risk and maintenance costs, and fragmenting the channel and its river corridor. We do, however, suggest that the wording 'unless to do so would increase flood risk or result in other environmental harm' is removed and replaced with wording requiring development proposals to demonstrate that there is no reasonable alternative.

176) Do you agree with the proposed changes to policy for managing development in areas affected by coastal change? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

No response.

a) Please provide your reasons, particularly if you disagree.

No response.

177) The National Coastal Erosion Risk Map sets out where areas may be vulnerable to coastal change based on different scenarios. Do you have views on how these scenarios should be applied to ensure a proportionate approach in applying this policy?

No response.

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.*

Partly 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.

Table 2 continues to provide additional detail for when transport infrastructure and utility infrastructure may be considered 'essential'. No such detail is provided for the proposed new additions, providing blanket acceptance that these forms of infrastructure are always considered 'essential' in the floodplain. Given the risks associated with development in the floodplain, we question whether this is appropriate.

There is also ambiguity around the proposed additions. For example, what is envisioned to constitute an EV charging station? Is there a risk of car parks (a less vulnerable use which is not acceptable in Flood Zone 3b) coming forward in the floodplain if EV charging stations are included?

179) Do you agree that the proposed approach to planning for the natural environment in policy N1, including the proposed approach to biodiversity net gain, strikes the right balance between consistency, viability, deliverability, and supporting nature recovery? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly disagree

a) Please provide your reasons, particularly if you disagree.

Policy N1 reflects much of the existing provisions related to plan making and ecology/biodiversity. However, there are some notable issues that cause concern.

The provision for habitats and species of principal importance is weakened compared to the current NPPF. Whereas the current NPPF (paragraph 192(b)) promotes conservation, restoration, recovery and enhancement, N1b merely requires plans to identify opportunities. We feel that this is a weakened provision and contradicts the strengthened biodiversity duty under s41 of the NERC Act.

We do not support the blanket limitation on BNG above the statutory minimum. Evidence produced in support of the South and Vale Joint Local Plan 2041 shows that 20% BNG would not prejudice viability of development across all relevant development scales (South Oxfordshire and Vale of White Horse Joint Local Plan Viability Report, Aspinall Verdi, September 2024). Where policies seek increased provisions, they should be supported by robust evidence as there is likely to be variation of acceptability depending on the specific circumstances of the plan areas (e.g. land availability and price, and health of the local nature market). Wholesale prohibition does not allow for local circumstances to be considered. Furthermore, such a limitation would throttle the development of the nature market (in BNG units), which will be reduced by forthcoming widened exemptions, and slow the rate at which the objectives of LNRS and EIP are being delivered. Evidence (see 5.1.1 of Defra's 181121 Biodiversity Net Gain Consultation Impact Assessment) shows that 10% BNG is not alone enough to robustly achieve net positive outcomes, and therefore nature's recovery. Unintended outcomes may also result, such as fewer developers/landowners engaging in strategic site allocations, to avoid increased BNG requirements as speculative windfall submissions. The limit would also counteract other parts of the proposed framework, as there would be reduced incentive for high quality onsite green infrastructure, landscaping and placemaking as part of development sites.

Additionally, we strongly support wider suggestions for chalk streams and chalk rivers to be included within the list of irreplaceable habitats included within the glossary of the draft NPPF. These globally rare habitats, of which roughly 85% of the global resource exist within England and are therefore subject to the effect of the policy changes being proposed, clearly meet the definition of an irreplaceable habitat provided on page 106 of the draft NPPF. The current provisions included within draft policy N1(a) are not sufficiently strong to ensure the protection and enhancement of these habitats, currently only requiring consideration. Separate standing advice could be produced to include requirements for development buffers (similar to that of ancient woodland) and other best practice to protect their specialised ecology.

From a landscape perspective, part 1(a) of Policy N1 encourages the setting out of a hierarchy of international, national and locally designated sites and areas which require particular consideration. However, in landscape terms, section c is only referring to protected landscapes and doesn't give guidance on how this hierarchy should be used, especially for locally designated areas.

The glossary includes a definition of international, national and locally designated sites of importance for biodiversity but does not include this clarity for locally designated landscapes.

We note with concern that Valued Landscapes are missing from the draft NPPF. Valued Landscapes (as Local Landscape Designations) have been a feature of the NPPF and policy landscape for many years and a policy hook should be added back into the NPPF. Through local plans and neighbourhood plans, local landscape designations provide a tool for recognising the value of particular landscapes that are not nationally designated. There is an evidence-based process and guidance from Natural England which involves assessing the relative value or importance attached to a landscape, which expresses national or local consensus, because of its quality, special qualities including perceptual aspects such as scenic beauty, tranquillity or wildness, cultural associations or other conservation issues (Approach to Landscape Character Assessment, 2014). In our district, significant effort has been invested in Valued Landscapes, both by communities preparing Neighbourhood Plans, and by the district council in identifying and proposing district-valued landscapes in our emerging Local Plan. Please therefore re-instate the NPPF text: “Planning policies and decisions should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes (in a manner commensurate with their statutory status or identified quality in the development plan);”.

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?

Increased BNG provisions could be sought where site size, land budgets, and value of baseline habitat mean that delivery of increased BNG is technically possible on-site, but where it does not prejudice viability or deliverability of schemes. Selling and allocating surplus units from developments which exceed their BNG requirement is already possible through registering units on the centralised gain sites register. Introducing a policy mechanism to achieve the same thing would add needless complexity.

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.

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

Landscape character and the natural beauty of countryside is expected to be considered under Policy N2(a). N2(d) covers conservation and enhancement of existing natural features of visual interest. Many features are manmade and therefore the definition of ‘natural’ features of visual, historic and natural conservation value is unclear. It would be better not to include the word ‘natural’ in the sentence.

Consistent with our views on question 179, we do not support footnote 69.

Focusing development simply on lower value agricultural land could have knock-on ecological impacts, as it is in these spaces (e.g. where flooding occurs regularly) that valuable habitats and species assemblages occur. We recommend that a caveat is introduced to the effect of ‘but avoiding land of otherwise high environmental value...’

Language throughout this policy could be tightened to make it less vague and more robust. For example, in Part 1(c) the words ‘take suitable opportunities to’ should be omitted, as the inclusion of ‘should’ in the first sentence of Part 1 provides suitable flexibility alone.

Clarity should be provided, perhaps with an example footnote, as to what ‘other relevant assessments’ are at the end of Part 1(c).

We recommend that specific reference to ‘(commonly known as swift bricks)’ is omitted under Part 1(f), as the current wording suggests that this is the only feature which should be integrated into the fabric of structures. The sentence should apply to all appropriate faunal enhancement features.

We recommend that Part 1(e) includes reference to making nature or biodiversity accessible within developments.

Clarity, perhaps with an example footnote linking to CIEEM EclA guidance or to other policies within the NPPF (e.g. N6), should be provided on the significance of biodiversity/ecological impacts.

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.

Partly disagree.

a) Please provide your reasons, including how policy can be improved to ensure compliance.

The wording of N4 does not follow the same emphasis as the legal duty in the Levelling Up and Regeneration Act 2023. For example, N4(1) states development proposals within Protected Landscapes should be 'limited in scale and extent and sensitively located and designed to avoid harm to their statutory purposes and special qualities', and explains 'substantial weight should be placed on the importance of conserving and enhancing the natural beauty of these areas'. However, regarding Protected Landscapes, the Levelling Up and Regeneration Act 2023 highlights that a relevant authority 'must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.' There should be a definition of 'natural beauty' in the glossary.

There is no need to mention 'maintaining a sufficient supply of minerals' as this is covered in the minerals section.

183) Do you agree policy N6 provides clarity on the treatment of internationally, nationally and locally recognised sites within the planning system? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

Designated sites can be protected for their species value as well as their habitat value, or a combination of both. The first sentence of N6.1 only references habitat value, which should be addressed.

N6.1(a)(i) should only end in an 'or', not 'and/or', as the provision of an Appropriate Assessment passing the integrity test inherently means that entry into an EDP is not necessary.

National Nature Reserves (NNR) are designations of national value but not referenced in this policy. While it is understood that these overlap with SSSI designations, the assessments of harm may have different considerations and nuances. We recommend that NNRs are included within the policy.

Unlike other proposed site designations (as included within the glossary), proposed Local Wildlife Sites (at any stage through the designation process) are not afforded protection under Policy N6.c. This could be addressed through the inclusion of glossary wording to reference proposed Local Wildlife Sites, where adoption is likely.

Support for development whose primary objective is to conserve or enhance biodiversity has been removed (see current paragraph 193(d)). Such a move is regressive and would conflict with other framework and policy approaches to biodiversity enhancement, particularly within the LNRS (e.g. riparian enhancement works). We recommend that this element is reinstated.

184) Are there any further issues for planning policy that we need to consider as we take forward the implementation of Environmental Delivery Plans?

The use of EDPs generally makes judging the overall impacts of a scheme difficult for the decision-maker. This is through the potential absence of ecological survey work and reliance on compensation which is unattributable to the specific scheme. This is important when assessing in-combination effects and significance, and overall planning balance – including under the policies included within this proposed framework.

Where other 'EDP-like' location projects or solutions exist (such as district level licensing for great crested newts, farmland bird compensation schemes and reptile translocation schemes), preference should be given to the local solution first, with the EDP being a measure of last resort – similar to the purchase of statutory credits under BNG. This is to ensure that ecology/policy innovation is not displaced entirely by national EDPs.

Clarity over what 'commitment to pay the Nature Restoration Fund' looks like in practice for decision-makers, and when to pursue further assurances, is needed.

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.

Strongly agree.

a) Please provide your reasons.

We strongly agree on the basis that those assets, particularly RPGs, make up an important part of the historic character and landscape of many areas that do not have other legislative protection. Too often, valued historic landscapes are overlooked when they are not within a National Landscape designation, but these smaller pockets of historic designed landscape that make up RPGs often make a stronger contribution to local identity than a national landscape designation that washes over many types of landscape character areas. Additionally, RPGs that are not in conservation areas have no other planning controls that trigger any duty to protect. This also goes for World Heritage Sites which should be better protected in legislation, as there should be a national responsibility to protect them. Registered Battlefields are not mentioned in the NPPF draft text and weren't included in the Levelling Up and Regeneration Act 2023. We suggest reinstating references to them.

186) Do you have any evidence as to the impact of implementing the additional regard duties for development?

In South Oxfordshire District, proposals for solar farms and battery storage surround Nuneham Courtenay. Decisions and appeal decisions say weight is given to the significance of the Registered Park and Garden at Nuneham Courtenay, but it is outweighed by the public benefit of renewables. For the most part these were all in the setting of the RPG, rather than directly within it. One example proposed landscape mitigation within the designated RPG, but the proposed built form associated with the battery storage was outside of the boundary (see council ref: P24/S1498/FUL).

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.

Partly disagree.

a) Please provide your reasons, particularly if you disagree.

We support the general approach to the protection of heritage assets in Policy HE1. However, the issues facing at-risk assets and how best to protect them are constantly evolving and include confidential information, which is a challenge to address through planning policy. There are also potential issues relating to access to private sites and who is qualified to assess their condition.

Under 1(a) of Policy HE1, it is unclear whether 'main heritage features' applies to just heritage-at-risk or heritage assets generally. If identifying and addressing heritage-at-risk is to be a specific policy requirement, further guidance is required on how this should be undertaken.

Additionally, there needs to be clarity on whether Grade I/II*/RPG/Conservation Area criteria will apply, and who will be responsible for creating and maintaining an at-risk register (particularly given that the list for higher grade buildings is maintained by Historic England, but the number of grade II listed assets is so much more extensive). This becomes a particular concern if additional weight is expected to be given to those assets that have been identified over those not already on a list. It also applies to local listing, which would require a huge amount of work to be done by the LPA.

In rural authorities like ours covering large areas, heritage assets might be missed if they are not easily visible from the public realm. Policy HE1 could put assets at risk of harmful development if their weighting was reduced, because they were missed off a list.

Policy HE1 respects the contribution that existing heritage assets make to local character. However, the removal of 'the desirability of new development' from the existing text in paragraph 203(f) of the NPPF (December 2024) will reduce the ability of LPAs to secure quality development within their setting.

We are concerned that Policy HE2 is too heavily skewed towards identifying opportunities for new development within Conservation Areas or World Heritage Sites. It is important that the statutory duty to protect these areas remains at the forefront of policy and that opportunities to enhance heritage assets are second to safeguarding their importance and longevity, not the other way around.

Policy HE2 also relies on LPAs having a complete set of conservation area appraisals covering their district, but many will not have the resources to achieve this.

We support Policy HE3 in principle. However, access to historic environment records is currently limited in some areas due to the county or district council maintaining them. It would be helpful to improve access to HERs for those LPAs not involved in their maintenance. HERs also do not hold all the information that record offices do, which is often time-consuming to review. Consequently, we are pleased to see that Part (1) of Policy HE5 retains the text currently set out in paragraph 207 of the NPPF (December 2024).

188) Do you agree with the approach to assessing the effects of development on heritage assets set out in policy H5? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

There is no question asked about Policy HE4. However, we would like to see the definitions for enabling development and the specific tests required to use enabling development arguments from this policy separated out. As currently worded, it over-dilutes the functions of the policy, whereby too many provisions means that some applications will be in accordance with only some parts of the policy. This then has knock-on effects for the harm tests and balanced judgements. The positive effects element of the policy is good as it moves away from just assuming that impacts are harmful. However, we feel that the robust assessment still needs clear and convincing justification.

We are also concerned that Policy HE5 tries to cover too many points at once. The requirement for heritage assessments and archaeological desk-based assessments should be on their own with the harm tests in a standalone statement.

Part (4) of HE5 would be a reason for refusal even in circumstances where proposals were acceptable, but the decision-maker and applicant didn't agree on the effects in their entirety. This could create a lot of time-consuming amendments to planning applications of no benefit, or more instances where otherwise acceptable applications conflict with the NPPF.

We do support the harm definitions, which are clearer than the current NPPF, but it would be useful to understand what constitutes a 'key element' of a heritage asset's significance through the PPG or other guidance document.

189) Do you agree with the approach to considering impacts on designated heritage assets in policy HE6, including the change from "great weight" to "substantial weight", and in particular the interactions between this and the statutory duties? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Partly agree.

a) Please provide your reasons, particularly if you disagree.

Policy HE6 appears to give support to any long-term new use for a building regardless of whether it represents a use that is consistent with the conservation of the building. The policy wording also seems to apply to large redevelopment or regeneration schemes rather than smaller householder development proposals. For example, a planning application for a conservatory is not a regeneration project but would still need to be considered under the same policy provisions. Additionally, we suggest the policy needs to make it clear that, under Part (2), the test does not stop at the point a positive impact has been achieved – i.e. even if a proposal had positive and harmful impacts, there may be the opportunity to create a positive effect without as much harm. The fact that Part (2) can be applied without any consideration of harm, coupled with less weight now being given to the 'substantial' terminology runs the risk of losing this argument.

We support the clarity provided by the change from 'great weight' to 'substantial weight' in Part (1) of HE6. Considering Section 102 of the Levelling Up and Regeneration Act alongside this policy would allow consistency when dealing with heritage assets aside from listed buildings and conservation areas. However, with the removal of 'less than substantial' and a scale of harm (as referenced in paragraphs 212 to 221 of the current NPPF), proposals which would currently be considered to have a high 'less than substantial' impact on one or several aspects of significance would be given less weight. A high level is currently given significant weight in decisions because 'substantial' is said to be a high bar to meet. With only one level of harm, this information would not be conveyed to the overall planning balance.

We are also concerned that the suggested wording of Part (4) is a weakening of paragraph 215 of the current NPPF, whereby instead of the 'harm' of the proposal being weighed against the public benefits, Part (4) now states that consent should be refused unless it can be demonstrated that the 'development is necessary' to achieve substantial public benefits. This reduces the ability to secure improvements to a scheme which would meet the requirements, but where these could be met with less harm to the building.

Part (3) of Policy HE6 no longer contains reference to securing a historic asset's 'optimum viable use' (as per paragraph 215 of the NPPF December 2024), but this won't stop applicants from potentially raising viability concerns at the design stage.

Under Part (3) of HE6, we would welcome clarification over what constitutes 'an important public benefit' when it applies to climate and energy efficiency measures. In particular, how would one determine whether a proposal contributes to tackling the declared climate emergency?

We would also question whether some developments are 'necessary' in a particular location when similar substantial public benefits could be delivered in alternative locations without causing substantial

harm. When there are positive and harmful aspects of a proposal, who decides on the weight? With energy efficiency measures being given 'important' status and a whole house approach not being required, there is the potential for individual, harmful measures of low efficiency benefit to be implemented. It may therefore be better if the improvement to efficiency was the benefit, as opposed to it enabling any measure to be installed regardless of impact.

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.

Neither agree nor disagree.

a) Please provide your reasons, particularly if you disagree.

Is it the intention that Policy HE9 is used alongside the other heritage policies, as well as being standalone? There is no 'setting of a Conservation Area' hook in HE9 which exists for other assets in other policies. Setting of a Conservation Area is not statutory but it needs to be considered when assessing impacts. Consequently, it either needs to be explicitly referenced in HE9 or the NPPF should make it clear that other policies can also be used to assess setting, as has been done historically.

We are concerned that this policy is not fully achievable without Conservation Area appraisals and many local planning authorities will not have the resources required to effectively implement Policies HE9 or HE2.

191) Do you have any other comments on the revisions to the heritage chapter?

In Part (2) of Policy HE11, we recommend that the second set of brackets is removed. This is because any proposal involving the retention in situ of a historic plaque, statue, memorial or monument, where known to be controversial or objectional, should come with mandatory explanation.

192) Do you agree with the transitional arrangements approach to decision-making? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Strongly disagree

a) Please provide your reasons, particularly if you disagree.

We support the reference to, and continuation of, the transitional arrangements in the 2024 NPPF set out in paragraph 8 of Annex A for the purposes of plan-making. This ensures that plans submitted under the 2023 and 2024 versions of the NPPF can rightly proceed through submission and examination, and then on to adoption. This is helpful given the amount of time, effort and resource that has gone into preparing plans that conform with those versions of the NPPF. This is the fastest way to get local plans up to date.

Given the above, we therefore very strongly disagree with the content of paragraph 2 of Annex A, regarding decision-making, which seeks to undermine the implementation of local plan policies that have been found to be sound and legally compliant. The wording used in this paragraph contradicts the reference to the transitional arrangements in the 2024 NPPF, stated in paragraph 8 of Annex A. Furthermore, the wording in paragraph 2 of Annex A fails to acknowledge the primacy of the adopted development plan as the starting point for the determination of applications.

The '[Commencement, saving and transitional arrangements](#)' section of the Plan-making regulation explainer published on 27 November states that:

'All existing adopted Development Plan Documents and saved policies will remain in force until the local planning authority bring into force a corresponding new-style local plan (i.e. local or minerals and waste plan).'

Annex A paragraph 2 undermines this intention that adopted policies remain in force until replaced by a new style local plan.

For all the reasons above, we request that paragraph 2 is removed from Annex A.

193) Do you have any further thoughts on the policies outlined in this consultation?

No response.

194) Do you agree with the list of Written Ministerial Statements set out in Annex A to the draft Framework whose planning content would be superseded by the policies proposed in this consultation? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please provide your reasons, particularly if you disagree.

We would like to see this list extended to include the Written Ministerial Statement issued by Matthew Pennycook on 27 November 2025, as by the time the new NPPF is published, the Duty to Cooperate requirement will already have been removed from planning regulations.

We would also welcome the addition of hyperlinks on relevant GOV.UK landing pages (e.g. for the NPPF, Community Infrastructure Levy, etc), which would take the reader straight to relevant 'live' Written Ministerial Statements covering that matter or topic.

195) Do you consider the planning regime, including reforms being delivered through the Planning and Infrastructure Act, provide sufficient flexibility for energy generation projects co-located with data centres to be consented under either the NSIP or TCPA regime? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly disagree.

a) Please give reasons.

We are concerned that the proposed reliance on Secretary of State direction as to whether a project will be directed out of a NSIP regime or not could leave local authorities with a great deal of uncertainty, making it difficult to anticipate workloads and resource. We therefore strongly recommend that clear thresholds are set, rather than adopting a case-by-case approach as proposed, so that local authorities can predict and prepare for these projects. We note that guidance is proposed to set out how decisions will be made regarding the redirection power. If thresholds are not set, we encourage detailed guidance so that local authorities can gain a better understanding of the decision-making process, so they can anticipate future workloads.

We are also concerned about the removal of the mandatory statutory consultation requirement in the NSIP regime, as proposed in reforms to the Planning and Infrastructure Act. These reforms will remove the statutory requirement for early engagement with local authorities, statutory bodies, land interests and communities, leaving only a requirement to 'have regard' to these important voices. If legislation is amended to allow data centres to be directed (on request) into the NSIP consenting regime, this would potentially take further decision-making powers away from local authorities at the very same time they are losing statutory consultation requirements. Taken together, these reforms would drastically reduce local authorities' influence in major infrastructure projects, in terms of both early engagement and consultation, as well as in the decision-making process itself. Importantly, this would also risk eroding public confidence in planning decisions, as key decisions on larger projects are not being made locally.

196) Would raising the Planning Act 2008 energy generation thresholds for renewable projects that are co-located with data centres in England (for the reason outlined above) be beneficial?

Yes/No

Yes.

a) If so, what do you believe would be the appropriate threshold? Please provide your reasons.

We welcome raising the Planning Act 2008 energy generation thresholds for renewable projects that are co-located with data centres in England, which would mean more applications would fall within the local decision-making process. We therefore strongly support raising the threshold as high as possible, ensuring that only proposals that fall within the NSIP threshold are of genuine national significance.

197) Do you have any views on how we should define 'co-located energy infrastructure'? Please provide your reasons.

We think it is very important that 'co-located energy infrastructure' is clearly defined, so there is no ambiguity as to which proposals would fall under the definition. The definition should consider distance, explicitly setting out that the energy infrastructure would need to be either on-site or within very close proximity to the data centre. It should also set out that the primary purpose of the energy generation is to supply electricity to the data centre via direct wire.

198) Do you think the renewable energy generation thresholds under Section 15 of the Planning Act 2008 for other use types of projects should be increased, or should this be limited to projects co-located with data centres? *Yes/No*

Yes.

a) Please provide your reasons.

It would be beneficial to increase the thresholds for the other types of projects as high as possible, leaving only projects of genuine national significance within the NSIP regime. This would mean more applications would fall within the local decision-making process, strengthening local democracy.

199) What benefits or risks do you foresee from making this change? Please provide your reasons.

We recognise that it would be beneficial to allow these proposals to be considered as one, rather than two separate proposals with different decision makers, allowing the development to be considered holistically. This would also result in a faster decision-making process by enabling data centres and energy generation developments to apply for consent under the same consenting regime. This is why we strongly believe NSIP thresholds should be raised as far as possible, to allow local authorities to consider these projects together on a consistent basis. This would mean more applications would be made by the Local Planning Authority, rather than by the Secretary of State. This is beneficial, as firstly it strengthens local democracy, and secondly local authorities have the best knowledge of not only their local plan, but awareness of local issues and priorities, and are better placed to engage with their communities.

Risks could arise if there is ambiguity regarding what 'co-location' means, if not clearly defined. As mentioned in our answer to question 195, we are also concerned about the proposed amendments to the Planning and Infrastructure Act that would remove the NSIP mandatory consultation requirement. This change, alongside allowing data centres to be directed (on request) into the NSIP consenting regime, is concerning. Together these reforms would further reduce the role local authorities can play in major infrastructure projects, and risk undermining public confidence in the decision-making process.

200) Would you support the use of growth testing for strategic, multi-phase schemes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please explain your answer

Growth testing should be used to anticipate the increase in costs and values for development over its lifetime. For large strategic sites this should take account of increasing costs for the development and associated on site infrastructure and development contributions. However, land values should not be included in this. The appropriate cost to release land should be agreed at an early stage, with an appropriate uplift dependent on the use of the proposed development, and this should remain static. This will provide greater certainty for developers and ensure that these costs do not increase unjustifiably in the future, reducing the ability to provide necessary developer contributions.

201) Would you support the optional use of growth testing for regeneration schemes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please explain your answer

Growth testing should be used to anticipate the increase in costs and values for development over its lifetime. For large strategic sites this should take account of increasing costs for the development and associated on site infrastructure and development contributions. However, land values should not be included in this. The appropriate cost to release land should be agreed at an early stage, with an appropriate uplift dependent on the use of the proposed development, and this should remain static. This will provide greater certainty for developers and ensure that these costs do not increase unjustifiably in the future, reducing the ability to provide necessary developer contributions.

202) Do you agree greater specificity, including single figures, which local planning authorities could choose to diverge from where there is evidence for doing so, would improve speed and certainty? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree*

Strongly agree.

a) Please explain your answer. If you agree, the government welcomes views on the appropriate figure – for example, whether 17.5% would be an appropriate reflection of the industry standard for most market for sale housing.

We agree that there should be greater specificity provided. However, justification should be provided for this figure, and it is not clear what the current expectation of 15% to 20% developer profit has been based on. ONS data shows that average rate of return for UK companies, by sector between 1997 and 2022, is between 10% to 15%. We therefore consider there is no justification for a figure above 15% to be used as an assumption on developer profit, when considering the performance of sectors within the UK.

In addition, recent years have seen significant public money put into the housing sector in schemes such as Help to Buy which have not led to a notable increase in house building - but have led to a significant increase in large housebuilder profits. Research undertaken by the Centre for Regional Economic and Social Research found that the performance of the largest housebuilders between 2010 and 2015 can be summarised as follows:

- for the biggest five firms, housing completions rose by 48 percent;
- housebuilding revenue increased by 103 percent;
- while housebuilding profit before tax (PBT) increased by 473 per cent; and
- end of year total profits increased by 484 per cent.

In short, the rate of growth in profit is ten times the rate of increase in completions. Increased housebuilder profit does not lead to increased housing delivery.

Given the current nature of the housing market and housing need, there appears to be a reduced risk to developers in bringing sites forward, with significant demand for the products. In light of this, we consider there is strong justification for a developer profit assumption on market housing of no higher than 15%, with a more appropriate figure likely being 12.5%.

203) Are there any site types, tenures, or development models to which alternative, lower figures to 15-20% of Gross Development Value might reasonably apply?

a) Please explain your answer. The government is particularly keen for views on whether clarifying the appropriate profit on Gross Development Value for affordable housing tenures would make viability assessments more transparent and speed up decision-making.

Yes. Sites allocated in local development plans should have an alternative developer profit assumption. As these sites have greater certainty (and therefore less risk) in their ability to be delivered, the profit assumptions should reflect this.

204) Are there further ways the government can bring greater specificity and certainty over profit expectations across landowners, site promoters and developers such that the system provides for the level of profit necessary for development to proceed, reducing the need for subjective expectations?

a) Please explain your answer.

Yes. Providing specific indicative multipliers for agricultural land that is to be developed for viability assessment, based upon the proposed development use. This would reduce the time taken for site promoters / developers to agree land purchase prices and give greater certainty in viability testing. It would also help to prevent scenarios of land being purchased for too high a price, making development unviable.

205) Existing Viability Planning Practice Guidance refers to developer return in terms of a percentage of gross development value. In what ways might the continued use of gross development value be usefully standardised?

a) Please explain your answer.

Using alternative methods is likely to complicate the viability assessment process.

206) Do you agree there are circumstances in which metrics other than profit on gross development value would support more or faster housing delivery, or help to maximise compliance with plan policy? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree.

a) Please explain your answer.

Using alternative metrics is likely to further complicate the viability process, providing greater scope to challenge the developer contributions expected from development proposals.

207) Are there types of development on which metrics other than profit on gross development value should be routinely accepted as a measure of return e.g. strategic sites large multi-phased schemes, or build to rent schemes?

a) Please explain your answer.

Our only concern would be with complicating the viability process further, leading to a less standardised process and providing more space for challenges.

208) Do you agree that guidance should be updated to reflect the fact a premium may not be required in all circumstances? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) In what circumstances might a premium, or the usual premium, not be required?

Below is a list of potential circumstances where it might be beneficial for the usual premium expected to be applied to land purchases:

- Public or privately owned land to be used to deliver regeneration projects;
- Public or private land which is a liability to landowner;
- Publicly owned land that will be used to deliver community benefits; and
- Land used to ransom potential developments, i.e. ransom strips. These can make development materially poorer.

b) What impact (if any) would you foresee if this change were made?

There is the risk that public bodies will not achieve appropriate remuneration for their landholdings. Change would need to safeguard against the selling of public land that is then not used for its intended purpose.

209) Do you agree that extant consents should not be assumed to be sufficient proof of alternative use value, unless other provisions relating to set out in plans are met? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly agree.

a) Please explain your answer.

If the alternative use has not actually been implemented, it is reasonable to assume that any improvements to the land or contributions expected through developer contributions have not been made. This forms part of the value of the alternative use and using it to assess the land value for a development provides an incorrect assessment. As noted in the consultation document, it can also lead to driving up land values and the loss of developer contributions.

210) If extant consents were not to be assumed as sufficient proof of alternative use value, should this be at the discretion of the decision-maker, or should another metric (e.g. period of time since consent granted) be used? *Decision maker discretion / Another metric / Neither*

Neither.

a) If another metric, please set out your preferred approach and rationale.

Alternative Use Value should not be used.

211) What further steps should the government take to ensure non-policy compliant schemes are not used to inform the determination of benchmark land values in the viability assessments that underpin plan-making?

a) Please explain your answer.

Ensure the price paid for land for development proposals is readily available data.

212) Do you agree that the residual land value of the development proposal should be cross-checked with the residual land values of comparable schemes; to help set the viability

assessment in context. *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly agree.

a) Please explain your answer.

Any tools to assist in ensuring viability assessments are robust is beneficial. However, the relevant data needs to be readily available.

213) Do you agree that a 2.5 hectare threshold is appropriate? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly agree.

a) Please provide your reasons, particularly if you disagree.

No response.

214) Do you agree that a unit threshold of between 10 and 49 units is appropriate? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly agree.

a) Please provide your reasons, particularly if you disagree.

No response.

215) Do you foresee risks or operability issues anticipated with the proposed definition of medium development? *Yes/No.*

No.

216) If so, please explain your answer and provide views on potential mitigations.

No response

217) Do you have any views on whether the current small development exemption should be extended to cover a wider range of sites – indicatively to sites of fewer than 50 dwellings, or fewer than 120 bedspaces in purpose-built student accommodation?

a) Please provide your reasons, particularly if you disagree.

We have no views on this issue.

218) If the exemption were to be extended, do you have any views on whether the development of 120 purpose-built student accommodation bedspaces is an appropriate equivalent to a development of 50 dwellings for the purposes of the levy exemption?

a) Please provide your reasons, particularly if you disagree.

We have no views on this issue.

219) If the exemption were to be extended, do you have any views on whether the exemption should be based solely on the existing metrics (dwellings/bedspaces) or whether there should also be an area threshold.

a) Please explain your answer

It should be based on existing metrics.

220) If you do have views on possible changes to the small developments levy exemption, please specify the potential impact of the possible change of the levy exemption on people with protected characteristics as defined in section 149 of the Equality Act 2010.

No response.

221) What do you consider to be the potential economic, competitive, and behavioural impacts of possible changes to the levy exemption? Please provide any evidence or examples to support your response.

We have no views on this issue.

222) Do you agree with the proposal to extend the Permission in Principle application route to medium development? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly disagree.

a) Please provide your reasons, particularly if you disagree.

This is very context dependent and there will be many sites where it is very difficult to assess the appropriateness of larger scale residential development without technical details being submitted with the application. LPAs may take a cautious approach and allow a maximum number of dwellings below that which a site could accommodate if detailed proposals were submitted. It is likely to lead to more refusals and/or more complex issues arising at the technical details stage. Outline consents remain the more beneficial route for giving applicants/developers certainty on whether a site is suitable for medium/larger scale residential development - they achieve a suitable balance between requiring a baseline level of information in order to assess the proper implications of a proposed development and a lighter touch for applicants/developers.

223) Do you have views about whether there should be changes to the regulatory procedures for these applications, including whether there should be a requirement for a short planning statement?

There should be a planning statement submitted with all PIP proposals. It would be helpful if an indicative site plan is required. While further detail to be submitted with applications would be welcome, ultimately, we believe that this would start to become more of an outline process, should this be introduced, and undermine the streamlined intention. However, it is difficult to see how a 49-house scheme would be able to proceed without some form of further information being necessary.

The determination timeframe of 5 weeks is rarely long enough - this would have to be reviewed should it apply to up to 49 houses.

224) 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?

Yes

a) If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how.

The proposed NPPF policies are likely to have impacts on individuals/groups with protected characteristics; the full extent of those impacts should be considered through an Equality Impact Assessment.

225) Is there anything that could be done to mitigate any impact identified?

An Equality Impact Assessment should be undertaken and published regarding the proposed policies and potential impacts, before finalising the NPPF policies, as legally required by the Public Sector Equality Duty (section 149 of the Equality Act, 2010).