



NATIONAL PLANNING POLICY FRAMEWORK RESPONSE

May 2018

Chapter 1 Introduction

Q1 Do you have any comments on the text of Chapter 1?

Paragraph 1 says that the *Framework* “provides a framework within which locally prepared plans for housing and other development can be produced”.

This is about as far as Chapter 1 ventures in saying what planning is for and, as a statement of what the *National Planning Policy Framework* is for, is wholly inadequate. It is not enough to say the provisions in Chapter 2 about sustainable development provide sufficient definition of planning’s objectives. Sustainable development should be an overarching principle of huge areas of Government policy, not just planning. The introductory chapter should state what planning is for and how it should help secure sustainable development as a set of mutually interdependent objectives.

As a result, Chapter 1 constitutes a serious restriction of what planning, and planning policy, should be for and the *NPPF* thus lacks a clear statement of what it should be. The sentence suggests the job of planning is essentially to promote housing. It never has been this, is not at present and never should be; that is the job of housing authorities and associations and the development industry.

One of the founders of the modern planning system, Lord Justice Scott, said: “town planning is the art of which geography is the science” and a principal objective of his 1942 report was “to consider the conditions which should govern building and other constructional development in country areas consistent with the maintenance of agriculture... having regard to... the well-being of rural communities and the preservation of rural amenities”. The 1944 white paper *The Control of Land Use* said planning’s job is “provision for the right use of land” and that remained the principal purpose of the system through much of the post-war period. Indeed, it was pressure from rapid post-war housing development which saw protection of the environment become a central purpose of planning. The importance of economic development and the requirement that planning should be led by development plans did not alter the central reason for planning which remains provision for the right use of land. The assertion that it is just a way of promoting house building is wilfully misleading.

Our recommendation is that it is not sufficient to say the provisions in Chapter 2 about sustainable development provide sufficient definition of objectives. Sustainable development should be an overarching principle of huge areas of Government policy, not just planning.

We recommend the words “for housing and other development” in the second sentence of paragraph 1 be deleted. Chapter 1 needs to contain a statement of what planning is for. We recommend “the purpose of planning is to secure the optimal and sustainable use of land and management of the built environment”.

Chapter 2 Achieving sustainable development

Q2 *Do you agree with the changes to the sustainable development objectives and the presumption in favour of sustainable development?*

Sustainable development is not achieved by imposing a presumption on local authorities that they will approve the wrong type of housing development in the wrong places and ignore serious objections to it.

Paragraphs 7-9 of the draft *Framework* set a bar for sustainable development, though it is unclear why paragraph 9 equivocates over the objectives’ application. Why suggest that decisions which respect local circumstances, character and need might conflict with sustainable development (except, as paragraph 48 makes clear, in those circumstances when “material considerations indicate otherwise”)?

The commitment to sustainable development is, in any case, grievously undermined by paragraphs 10-14. Replacing the words “pursued in a positive way” in paragraph 10 with “undermined” would better reflect the practical effect of paragraphs 11-14.

The existence of the “presumption in favour of sustainable development” in the existing *Framework* has seriously damaged the credibility and reputation of the English planning system. It is a smoking gun pointed at the head of local planning authorities that want to secure sustainable development. Its wording is so grotesquely at odds with its practical effect that the only possible description is “Orwellian”.

Paragraph 11(a) sets the bar low by demanding initially that local plans should set a basis for local developments, then saying they need not be taken too seriously in the face of pressure for rapid development. If local plans are kept up-to-date, as policy requires, they should have sufficient flexibility to cope with short-term changes in demand.

Paragraph 11(b) then underlines the failure to presume that genuinely sustainable development should be the norm by citing “objectively assessed needs for housing” (OAN) as the *sole* basis for plan making. This is a grotesque failure of planning for sustainable development which should involve planning for:-

- housing;
- employment;
- transport;
- retail;
- education;

- healthcare;
- defence;
- regional imbalances;
- food production;
- water production;
- flood and sea defence;
- navigation;
- pollution control;
- mineral production;
- waste management;
- timber production;
- heritage protection;
- biodiversity protection;
- etc..

All of these – and more – would be involved in any plan-making’s intentions to secure sustainable development. Instead, the sole basis for local plans or spatial development strategies is the level of “objectively assessed needs for housing”. The way this has been handled since 2012 is most certainly not about objective assessment and has in practice only involved a limited slice (market housing) of housing need. “Subjectively assembled estimates of demand for market housing, often by people with a vested interest” would be nearer the mark. This reflects on a narrow slice of housing need and has virtually nothing to do with sustainable development.

Paragraph 11 continues to undermine the local plans, which are central to plan-led development, and strategic development. 11(c) says development proposals which accord with up-to-date local plans must be approved “without delay”. But suppose other statutory regimes, the Environmental Protection Act for instance, are engaged and extended investigation is required? What happens when an application conforms to parts of the plan and conflicts with others and there is intense local debate? A decision “without delay” could easily undermine sustainable development.

Paragraph 11(d)(i) gives an entirely reductive process for decision taking where the Government decides particular local plans are out-of-date. Footnote 7 provides a most restricted list of policies which may be applied to achieve “sustainable development” in such cases and, as practice over the past five years has shown, paragraph 11(d)(ii) provides a wholly inadequate set of controls. Effectively this allows almost anything as *NPPF* policies alone have been, and would continue to be, brushed aside at appeal. Paragraph 11 and the final sentence of Footnote 7, denying the application of policies in local plans even when they are very long established, effective and perfectly sound, undermines the whole basis of plan-led development and makes a mockery of the claim in paragraph 12. Footnote 7 also excludes conservation areas, making a mockery of heritage protection and limiting protection to individual “heritage assets”.

We recommend deletion of paragraphs 10-14 entirely and replacement with a simple statement of the relationship between decision-making and local and neighbourhood plans.

Q3 Do you agree that the core principles section should be deleted, given its content has been retained and moved to other appropriate parts of the Framework?

Without any real set of core planning principles, a section entitled “Achieving sustainable development” is essentially hollow. Paragraph 8 sets out a reductive view of what sustainable development means while paragraphs 10-14 set about undermining it.

The principles set out in paragraph 17 of the 2012 *NPPF* were mostly sound, albeit rather abstract (apart from the notorious “provided that it is not of high environmental value” in the eighth bullet point which was cynically inserted to undermine the case for sustainable brownfield development). Although the principles were effectively and deliberately undermined by the “presumption” and other policies in the *NPPF* and *NPPG*, that does not mean it is not worth stating them.

We recommend the core principles should be restated and strengthened. To do this, and to achieve sustainable development, the core principles of Smart Growth restated in our 2013 document *Meeting the Growth Challenge* should be used as the basis:-

- Urban areas work best when they are compact, with densities appropriate to local circumstances but generally significantly higher than low-density suburbia and avoiding high-rise. In addition to higher density, layouts are needed that prioritise walking, cycling and public transport so that they become the norm.
- We need to reduce our dependence on private motor vehicles by improving public transport, rail-based where possible, and concentrating development in urban areas.
- We should protect the countryside, farmland, natural beauty, open space, soil and biodiversity, avoiding urban sprawl and out-of-town development.
- We should protect and promote local distinctiveness and character and our heritage, respecting and making best use of historic buildings, street forms and settlement patterns.
- We should prioritize regeneration in urban areas and regions where it is needed, emphasising brownfield-first and promoting town centres with a healthy mix of facilities.
- Civic involvement and local economic activity improve the health of communities.

Q4 Do you have any other comments on the text of Chapter 2, including the approach to providing additional certainty for neighbourhood plans in some circumstances?

The whole concept of “out-of-date” local plans has been grossly misused, in combination with the so-called “presumption” to seriously undermine sustainable development. We have had the ridiculous situation where local plans only a year or two old were effectively rendered wholly invalid by imposition of the 2012 *NPPF* (despite the fine words about transitional arrangements), and there is now a further threat to render all existing local plans invalid when the 2018 *NPPF* is imposed. Yet a large majority of what was in an existing plan remained wholly valid and valuable, despite attempts by central government to undermine local planning authorities’ attempts to achieve sustainable development.

Paragraph 13 effectively reduces neighbourhood plans to very special cases which are not covered by local policies in a local plan which local planning authorities have always included in local plans and are likely to continue to do so under paragraphs 21 and 30; failure to do so would leave any area without a neighbourhood plan effectively bereft of local policies.

Paragraph 14 limits the ability of neighbourhood plans to effect significant change in their area beyond what an “up-to-date” local plan indicates and effectively limits neighbourhood plan involvement in what residents are most interested in, house building, to the very rare

circumstances where those producing the neighbourhood plan want to allow more building than the local plan indicates.

We strongly recommend abandonment of the so-called “presumption in favour of sustainable development” which has secured the exact opposite and done much to bring the planning system into disrepute. The *Framework* needs a strong statement of what sustainable development is and how the planning system should set about securing it. We recommend using Smart Growth principles as the basis of this:-

Regional policy is urgently needed. The ever-growing imbalance between the economically successful parts of the UK and those that are struggling shows we need to direct new economic activity away from those areas that are doing well to those that are not. And, coupled with that, we need to abandon the “one-size-fits-all” approach to forcing unrealistic housing numbers on local authorities, most urgently for places that don’t need it.

House building need should be genuinely objectively assessed. People are becoming aware that commercial appetite for development makes up a substantial amount of the process and that requirements on deliverability and viability militate against brownfield development.

Brownfield-first policies for housing and employment need to be reimposed. Given the relative commercial costs of building on brownfield and greenfield, the absence of a brownfield-first policy is, effectively, a greenfield-first policy. And there is much more brownfield land of all types than those with a vested interest like to suggest; robust research for CPREⁱ suggests capacity for one million homes in England alone.

House building densities need to rise. Garden city principles have squandered our scarce building land for a century now. Higher densities such as those traditionally used in cities, towns and villages need not involve high-rise but they do facilitate provision of amenities, town centres, active travel, public transport and community. Very low-densities don’t.

Transit-oriented development should be the norm for major developments, not the exception. Major development should only be contemplated where it is situated on major public transport networks, usually rail-based. This needs more than simply locating them beside, or near, a single railway station. The public transport should be in place well before the development is completed.

Public investment should be switched from supporting sprawl into sustainable development. Spending should be diverted from the costly infrastructure needed for greenfield development and the road building programme into urban regeneration and sustainable transport, particularly urban rail.

Chapter 3 Plan-making

Q5 Do you agree with the further changes proposed to the tests of soundness, and to the other changes of policy in this chapter that have not already been consulted on?

The distinction between strategic and local policies is far from clear as many policies will involve elements of both, so any suggestion, as in paragraph 21, of a rigid distinction between the two is, therefore, misleading. The list of strategic policies in paragraph 20 is, in any case, inadequate. Surely, for instance, policies to restrict traffic and its consequent greenhouse gas emissions, congestion and accidents by planning the strategic location of development should be included here. Also included as strategic should be constraints on development in parts of an area such as protected area status (including conservation areas which may not necessarily be “historic”) and agricultural land (i.e. infrastructure for food production).

The new requirement in paragraph 23 that policies should be reviewed every five years makes no distinction between strategic and local and would therefore necessitate a complete review of all policies. This would be disproportionate. Many policies in local plans can remain relevant in the long-term. On the other hand, if we are to have an *NPPF* review every six years and local plans prior to the new review are rated out-of-date, as happened in 2012, then effectively a six-year full review period has been imposed and this paragraph itself would be out-of-date. It is also unclear why “housing figures” are singled out here as needing special attention. What about employment policies which are likely to require much more agility and adaptability?

Paragraph 24 requires allocation of “sufficient sites to deliver the strategic priorities of the area”, “in line with the presumption in favour of sustainable development”. So, are these sites to meet the requirements for strategic developments in paragraph 20 or “housing and other development” in paragraph 11? Paragraph 20 goes well beyond “other development” into areas like conservation, climate change and the preservation of landscape, heritage and biodiversity. How are sites to be “allocated” for such concerns?

Although paragraph 27 doesn’t actually limit the bodies to be consulted, there are important omissions from those to be consulted such as neighbourhood/parish councils, chambers of commerce, amenity bodies etc..

Surely paragraph 30 should specify that local planning authorities “should” rather than “may” use local policies and should not attempt to restrict the sort of local policies which may be formulated? And, at the very least, protection of the local environment and sustainability should explicitly feature.

Neighbourhood plans are, quite rightly, an increasingly important part of the planning system, though their effectiveness and credibility are undermined by the statement in paragraph 31 preventing them from promoting less development than the local plan.

Paragraph 33 demands a high level of support and justification for local policies without saying how those policies might be formulated.

Q6 *Do you have any other comments on the text of Chapter 3?*

Question 5 suggests you are only interested in responses to changes that have not previously been consulted on, thus limiting responses. This could be seen as a way of enforcing acceptance of proposals previously considered unacceptable. The consultation should be about the chapter in the round, which is the way it will be implemented.

We recommend revising this Chapter to avoid clear distinctions between strategic and local policies and including transport and protected areas in the list of strategic considerations. To reduce pressure on hopelessly overburdened planning departments, it should be made clear that earlier policies which are clearly still relevant should not require detailed review in plan making. Local policies should be included in local plans and the evidence needed to justify them specified in the *Framework*.

Chapter 4 Decision-Making

Q7 *The revised draft Framework expects all viability assessments to be made publicly available. Are there any circumstances where this would be problematic?*

Q8 *Would it be helpful for national planning guidance to go further and set out the circumstances in which viability assessment to accompany planning applications would be acceptable?*

Q9 *What would be the benefits of going further and mandating the use of review mechanisms to capture increases in the value of a large or multi-phased development?*

Just because a development proposal is in accordance with all relevant policies in development plans (paragraph 58), there may be cases where “material considerations” indicate rejection. This should be reflected here. Simply because no viability assessment is deemed necessary doesn’t mean outline planning consent should be automatic.

Q10 *Do you have any comments on the text of Chapter 4?*

While pre-application stage consultations can obviously be valuable (paragraphs 40-43), they must not be used to exclude public involvement and debate in the system. They must not be seen as a “stitch-up” which can lead, however mistakenly, to suspicions of corruption. The process must be open to scrutiny and the text needs to reflect this.

Permission-in-principle must not be used to undermine good standards of planning.

The reference to the “presumption” in paragraph 50 should be deleted as it is likely to undermine sustainable development. The whole thrust of this paragraph and paragraph 51 is likely to undermine any plan-led system and gives the development industry a substantial incentive to try to undermine it. They should be rewritten or deleted altogether.

The words “should be kept to a minimum and” in paragraph 56 are unnecessary and misleading. It is also unclear why conditions that need to be discharged before development commences should be proscribed at all.

Paragraph 59 also needs text advising local planning authorities to strongly consider prosecution when there is significant unconsented change to listed buildings, ancient monuments or other heritage assets.

Chapter 5 Delivering a wide choice of high quality homes

Q11 What are your views on the most appropriate combination of policy requirements to ensure that a suitable proportion of land for homes comes forward as small or medium sized sites?

Given the huge and far-reaching nature of the proposals for house building policy contained in the new draft *NPPF* and *NPPG*, it is unacceptably reductive to reduce consultation to a question of the proportion of land for small or medium-sized sites as pages 13-14 of the consultation document suggest. You require the rest of the world to implement the new *Framework* in the round, but apparently wish to deny the opportunity to comment on it in the round. Sustainable development is, as paragraph 8 rightly asserts, a matter of mutually supportive objectives, so policy too must be mutually supportive. Just because a public body earlier took decisions on a partial review of policy doesn't mean it was accepted then, or now in that we have the first chance to consider it in a wider context.

While local planning authorities plainly need to assess the number of new homes needed in their areas, this can never be an exact science, given the booms and busts in the housing market and the fact that need for social housing, or housing for the elderly, for instance, can grow rapidly. Predicting five years ahead is really not possible, however much house builders might wish to use it as a stick to beat local authorities with.

We support the provision in paragraph 62 that any assessment should identify the types, tenures and likely occupants of the new homes needed, but paragraph 61 limits that to the local housing need assessment process in the *NPPG*. This has clearly been shown in practice to generate numbers based largely on demand for market housing from those who wish to become owner-occupiers or rent them out. Although both need and demand for social housing and older people's housing has grown in the six years since the *NPPF* was imposed, levels of social housing construction and housing for the elderly remain hopelessly low. Market housing construction of what is known as "family housing" has boomed, despite the Government's household formation projections showing families are the type of household hardly growing at all.

Paragraph 63 demands that the type of affordable housing required be identified (a welcome clarification), but it gives no clue as to how need for the various categories might be assessed. The Glossary in Annex 2 contains four categories of affordable home for sale or rent, but neither makes a distinction between homes rented under Government rent policies and social housing provided by registered social landlords. These can meet very different needs and it should be open to local planning authorities to specify one or the other.

Regarding paragraph 64, brownfield land is often most sustainably located as it arises more often within conurbations, is likely to be best placed for public transport or active travel and well located in relation to education, healthcare, retail and community facilities and other existing infrastructure. It makes no sense, therefore, to potentially reduce brownfield land's contribution to social housing need by reducing the proportion required on brownfield sites. To work, this policy should *increase* the proportion of affordable housing to be provided on *greenfield* sites or, more usually, the contribution to affordable housing such developments should meet. This would assist the Government's stated policy of improving the proportion of homes provided on brownfield sites without militating against their redevelopment due to any challenges with reclamation or remediation.

Paragraph 65 would severely restrict the ability of new developments to provide homes for social rent and, in many cases, would exclude it altogether. This is completely unacceptable.

Given that a central Government's objective is to help people into home ownership, paragraph 65(a) is quite astonishing. Buy-to-rent has severely restricted the supply of homes for ownership, especially for first-time-buyers, and this proposal offers developers a chance to deny more people opportunities for home ownership. It is quite impossible to understand any benefit which could come from such a proposal and it should be deleted.

Paragraph 66 needs to specify what the "significant change in circumstances" would be that would free neighbourhood plans from onerous housing requirements. Where figures are unavailable (paragraph 67), there should be a rare opportunity for neighbourhood plans to reflect communities' genuine appreciation of their need for new housing.

The requirement for local planning authorities to prepare "strategic housing land availability assessments" (SHLAAs) is reiterated by paragraph 68. However, this process is very broadly defined in the *NPPG* as identifying sites and broad locations with potential for development. So, from its first requirement, it undermines the sustainable development demanded by Chapter 2; other requirements in the *Framework* mean that "broad locations" are most unlikely to be generally sustainable for housing. Indeed, the *NPPG* goes on to say that "not all sites considered in the assessment will be suitable for development" – so a great deal of effort is likely to be wasted on assessing "broad locations" which are actually far from "suitable, available and achievable". Indeed, in practice, SHLAAs identify vast areas of land which only serve to make developers more rapacious, communities more anxious and local planning staff more overworked.

The objectivity one should expect from the planning process is, in any case, undermined by the requirement that the SHLAA include a "call for potential sites and broad locations" at an early stage. The *NPPG* actually includes a set of information required from respondents that should be wholly the province of the local planning authority to assess: location, use, scale and constraints.

Paragraph 68 also imposes the requirement that assessment of housing land should take into account economic viability. The policy was intended, officially at any rate, to ensure sites allocated for development would attract developers and to prevent local planning authorities imposing the type of conditions or benefits that would deter them. The objectivity the public has a right to expect from the planning process has thus been undermined almost from the start.

In practice, of course, viability was introduced to militate against brownfield development at a time when HM Treasury identified brownfield-first policies as an impediment to the large-scale releases of greenfield land it sought for house building. But other policies in the *Framework* are designed to ensure such unsustainable land releases so, as a policy, it has plainly outlived its real purpose.

The process of viability assessment is prescribed in the *National Planning Practice Guidance* and the section on viability itself is under review (though not, apparently, open for consultation). The revised *Guidance* here makes clear that viability assessment is essentially a circular process.

In the paragraph headed “How should viability be assessed in plan making?” it says it should be based on “evidence of infrastructure and affordable housing need and an assessment of viability that takes into account all relevant policies, local and national standards including for developer contributions”. However, it then goes on to demand that the assessment “should ensure that policies are realistic and the total cumulative cost of all relevant policies is not of a scale that that will make development unviable”.

So, should viability assessments take a realistic view of things like infrastructure needs and affordable housing? Or should they ignore these things if they make a development “unviable”? This is a circular argument.

The *NPPG* requires viability assessments to be carried out by plan makers, but local planning authorities are not party to the commercially sensitive information that developers hold as to commercial viability. Even with the engagement the *Guidance* urges, they are unlikely to gain access to it. Local planning authorities could (and do) of course outsource viability assessments to private-sector consultants, but then there is a degree of conflict which could undermine the transparency and accountability of the viability assessment sought in the *NPPG* (especially if the consultant does actually have access to developers’ commercial requirements, as the *Guidance* suggests).

That accurate viability assessments are actually not possible in practice is heavily underlined by the existence of the Government’s Housing Infrastructure Fund under which proposes grants worth billions of pounds to “unlock” major housing sites that are proving unviable. If viability assessment worked, there would be no unviable sites.

Another argument against viability assessment is that it would effectively undermine any system designed to “capture” the uplift in land values brought about by planning permission. While this is not current Government policy, there is increasing interest in the idea and pressure for it. No doubt part of the reason consented housing sites do not get built-out is that the main commercial interest is in that uplift; that is mostly what makes a site “viable” in *NPPF* terms. But if we are ever to have a rational and predictable process for house building in this country, this is something that will have to be addressed and viability assessment done away with.

We recommend paragraph 68 be revised to read: “Planning authorities should have a clear understanding of the land in their area. From this planning policies should identify a sufficient supply and mix of sites to meet the genuine housing needs of the area, taking into account their availability, suitability, sustainability and location in relation to other development and sustainable transport facilities”.

Paragraph 71 on windfall sites reiterates the wholly impossible demand that local planning authorities provide compelling evidence they will provide a reliable source of supply. Yet, as the Glossary makes clear, such sites will not be specifically identified in the development plan. From their very definition, it is not possible to predict how many will arise over a plan period, nor how many homes they could accommodate. All that is certain is that they will arise and they will make a significant contribution to housing land. Paragraph 71 is a cynical attempt to downplay their significance rather than serious planning policy and a statement of the value and importance of windfall sites, and acceptance that they will provide housing land should be put in its place.

It is disappointing to see perpetuation of the commitment to large-scale urban extensions or new settlements in paragraph 73, though we strongly support removal of the commitment to the ultra-low-density “garden city” type development (i.e. the commitment in paragraph 52 of the 2012 *NPPF*) from the *Framework*. Large settlements outside existing settlements almost invariably use greenfield land predominantly or wholly, demand increased levels of infrastructure provision as they are unable to take advantage of underused infrastructure within a conurbation and tend to be car-dependent and high-carbon.

Q12 *Do you agree with the application of the presumption in favour of sustainable development where delivery is below 75% of the housing required from 2020?*

We do not agree with the application of the so-called “presumption” in any circumstances. It is deliberately misleading, has nothing to do with sustainable development and here would mostly perpetuate construction of the wrong sort of housing in the wrong places.

Q13 *Do you agree with the new policy on exception sites for entry-level homes?*

The logic for entry level exception sites being provided outside existing settlements (paragraph 72) is wholly at odds with the demands of sustainability which requires that development normally be within existing settlements. First-time buyers are some of the most likely people to require good access to public transport or to be within walking distance of urban facilities, so this paragraph is particularly inappropriate.

Q14 *Do you have any other comments on the text of Chapter 5?*

We recommend complete and radical revision of the whole *NPPF* strategy for assessing and delivering housing in England which is currently unfit for purpose, taking account of the points made above.

Chapter 6 Building a strong, competitive economy

Q15 *Do you agree with the policy changes on supporting business growth and productivity, including the approach to accommodating local business and community needs in rural areas?*

The emphasis in paragraph 82 on a blanket encouragement of business expansion whatever the local supply of housing or infrastructure may be is leading to severe overheating in parts of the country and exacerbating housing shortages and problems with lack of infrastructure like traffic congestion and shortage of hospital places. A much more flexible approach is needed.

It is absurd, when parts of the country are acutely short of housing and infrastructure and other parts have plenty of both but are acutely short of jobs, not to reflect this in national guidance. “Capitalising on areas’ performance and potential” is only going to exacerbate these contrasts, however seductive such an approach might be. For whatever the superficial attraction of the short-term local growth such policies may produce, it takes no account of the economic cost of providing housing and infrastructure in the prosperous areas, or of supporting the deprivation in the less prosperous areas. Has any attempt been made to quantify the latter? Apparently not.

Inevitably circumstances will arise when new rural businesses require development outside settlements (paragraph 85) and, given the wretched state of rural public transport, in areas not served by it. The way the paragraph is worded, however, suggests local planning authorities would have to approve all such application unless there are traffic objections.

Q16 *Do you have any other comments on the text of chapter 6?*

We recommend the *Framework* allow the possibility that full support should not be given to some local economies in areas where infrastructure or housing is lacking or where the pressure on ecosystem services like water supply dictates it.

Chapter 7 Ensuring the vitality of town centres

Q17 *Do you agree with the policy changes on planning for identified retail needs and considering planning applications for town centre uses?*

The new paragraph 86(d) offers no advice on how local planning authorities should plan for the damage done to their employment space offer by policies allowing conversion of office space to residential without change of use consent. Should they plan for this? Or, better, should they be given powers to refuse such changes where they are likely to result in an unacceptable loss of such space.

Strengthening the restrictions on out-of-town are welcomed. But this conflicts with paragraph 89 and it is unclear why the sequential approach should not apply here.

Q18 *Do you have any other comments on the text of Chapter 7?*

It is completely unclear why paragraph 90 should remove the expectation that larger out-of-town office developments should no longer be subject to impact assessments. There are still large, multi-national companies who seek “campus” style headquarters buildings and such developments have huge impacts. Given that they are mercifully rare, there seems no benefit at all in removing this requirement.

We recommend local planning authorities have their right to refuse change of use in town centres restored.

Chapter 8 Promoting healthy and safe communities

Q19 *Do you have any comments on the new policies in Chapter 8 that have not already been consulted on?*

The new paragraph 96 is welcomed.

Q20 *Do you have any other comments the text of Chapter 8?*

If there is any serious commitment to sustainable development or sound planning, paragraph 94 should also require consideration of any adverse effects of estate regeneration, including loss of social housing stock.

Chapter 9 Promoting sustainable transport

Q21 *Do you agree with the changes to the transport chapter that point to the way that all aspects of transport should be considered, both in planning for transport and assessing transport impacts?*

The commitments in paragraphs 103-5 to consider all aspects of transport are welcome, but never fully get to grips with the need to orient development to sustainable transport modes. Typical is paragraph 105(c) which supports developing infrastructure to “widen transport choice” and aligning them with development. This could just as easily be taken as supporting the addition of a high-capacity road link to a public transport corridor.

The new paragraph 103(b), as it stands, is a perfect recipe for unsustainable development of the worst kind. It fails to make clear what sort of scale, location or density it is seeking to achieve. It would, for example, regard construction of a new expressway to be an opportunity to build a series of isolated, largely or wholly car-dependent, low-density, greenfield housing developments and wholly lorry-dependent distribution centres on prime agricultural land or ancient woodland.

Can we suggest: “(b) opportunities for transit-oriented-development as a result of existing or proposed public transport or active travel infrastructure, and changing transport technology and usage, are realised – for example in relation to the appropriate scale, location, density and sustainability of development that can be accommodated;”

Q22 *Do you agree with the policy change that recognises the importance of general aviation facilities?*

No. General aviation, like aviation in general, is a major source of greenhouse gas emissions and whether or not it is possible to decarbonize road transport, it is wholly impossible to reduce significantly the carbon emissions of aircraft except by reducing the amount of flying. Paragraph 105(f) therefore undermines paragraphs 147 et seq. which require the planning system “to support the transition to a low-carbon future”. General aviation is part of a high-carbon past and the very term is misleading as it covers the very different types of “business, leisure, training and emergency service needs”. The only sustainable part of this is emergency service flying.

Q23 *Do you have any other comments on the text of Chapter 9?*

The Chapter as a whole is a strange mixture of exhortations to pursue, on the one hand, both sustainable transport and planning measures to support it and, on the other, measures to promote unsustainable transport modes and the sort of development that relies on them.

The final sentence in paragraph 104, in one sense, simply and pointlessly states the obvious while, in another sense, is an exhortation to undermine sustainable transport. It should be deleted.

As pointed out above, paragraph 105(c) could just as easily mean adding unsustainable transport nodes or supporting development at unsustainable locations. Simply widening transport choice and realising large-scale development opportunities would need substantial qualification if it is to accord with the rest of the document.

Paragraph 105(e) should surely also include facilities for inland waterway freight.

Paragraph 107 needs to be rewritten to say that maximum parking standards should normally be set as part of the suite of measures used to manage levels of traffic on highway networks. It is also completely unclear how parking quality can be improved alongside cycling and walking accessibility; this is meaningless. Why should parking only be convenient, safe and secure where cycling and walking are promoted?

You say that paragraphs 108-110 have been amended to achieve road safety, walking, cycling, public transport and place-making objectives. These are certainly worth pursuing, but the revisions still need further work if they are genuinely to achieve such ends.

Paragraph 109, however, would actually prevent a local planning authority from refusing a development where the traffic generated impacted on surrounding communities or safety was compromised – only where impacts or safety was severely impacted. But what about amenity or the environment? Taken literally, this paragraph would mean an application for a major housing or employment development could not be refused even if the traffic access affected road safety, caused massive congestion or severely impacted the amenity of residential development, a school, a healthcare facility or a protected area. There is nothing in paragraph 110 to mitigate this. As it stands, paragraph 109 is set to increase road accidents and congestion and harm local amenity and the environment.

It is unclear what the local planning authority is supposed to do once it has provided the travel plan demanded by paragraph 111. What are the circumstances in which they can demand substantial changes or refuse applications? When should they exclude them from development plans? These things need spelling out or else there would be a planning free-for-all.

We are concerned there is nothing specific about local planning authorities safeguarding routes for opening or reopening heavy rail, metro or light rail facilities.

We recommend a complete redraft of Chapter 9 to secure transit-oriented development and genuine encouragement of sustainable transport modes: public transport and active travel. Local authorities should be enjoined to normally refuse major developments that are solely accessible by road.

Chapter 10 Supporting high quality communications

Q24 *Do you have any comments on the text of Chapter 10?*

In paragraph 114 we recommend deletion of the word “not” in line 1. They should be able to restrict new facilities in conservation areas, protected areas etc..

Chapter 11 Making effective use of land

Q25 *Do you agree with the proposed approaches to under-utilised land, reallocating land for other uses and making it easier to convert land which is in existing use?*

The proposal in paragraph 117 to make “as much use as possible of previously developed land” is a very desirable objective but the proposals are completely inadequate in the face of the continuing pressure from the whole housing land strategy in the *NPPG* which allows developers to demand greenfield sites first. If you are serious about making more use of brownfield land for housing you would need to reinstate the brownfield-first provisions of *PPS3* and extend the policy to some sorts of employment land. Indeed, paragraphs 40-50 of *PPS3* could usefully be reincorporated into the *Framework*. Paragraph 118(c) may be a little less weak than the 2012 *NPPF*, but it will still not be strong enough to prevent developers using other provisions to game the system to get development on to greenfield sites first.

What does “multiple benefits” in paragraph 118(a) mean? It has multiple meanings, many of them far from beneficial.

Paragraph 118(d) needs to be qualified to ensure such developments take full account of adjoining uses including their potential for pollution and effects on the amenity of housing where it would be close to unsuitable existing uses. Local planning authorities need to have ample powers to refuse such developments.

Paragraph 118(e) needs substantial qualification if it is not to result in the development of a “shanty town” at rooftop level which can substantially erode the amenity of an area. It needs to be clear that local planning authorities should have the right to refuse such developments, as a general rule in conservation areas and near heritage assets, and elsewhere if there are significant disbenefits to townscape.

Paragraph 120(b) is seriously at odds with paragraph 15 which demands plan-led development. How could the local planning authority judge whether “the proposed use would contribute to meeting an unmet need for development in the area” in the absence of an up-to-date plan?

It is wholly unclear what is meant by paragraph 121(b). What does “make more effective use” mean? This is particularly inappropriate in the case of schools, hospitals and other community uses where the highest standard of protection of land and amenity is needed.

Q26 *Do you agree with the proposed approach to employing minimum density standards where there is a shortage of land for meeting identified housing needs?*

According to the consultation paper *Planning for the Right Homes in the Right Places* (September 2017), every English local planning authority area except Barrow-in-Furness has an identified housing need. Now, the draft *NPPF* paragraph 123 talks of “an existing or anticipated shortage of land for meeting identified housing needs”, but how is this to be judged? In one sense, if *NPPF/NPPG* policies are pursued and a local development plan is “tested robustly at

examination (paragraph 123(a))”, found sound and adopted, then there should be no shortage of housing land. In another sense these issues are always matters of debate, so there is a shortage everywhere. So when should local planning authorities start to “avoid homes being built at low densities”? When should they stop?

Paragraph 123, as it stands, actually limits local planning authorities attempting to pursue sustainable and appropriate policies for density of housing development to those who are able to show a shortage of housing land by the ill-defined process set out in paragraph 122(a) and undermined by 122(b). And it gives no indication of what densities should be pursued in these circumstances apart from “a significant uplift”. Uplift from what? Suppose relatively high levels are already being pursued in an area, as in parts of London and other major cities? Should there be further uplift? There are obviously limits to how much density can be sustainable. What measure of density should be used?

A Smart Growth approach certainly advocates significantly higher densities than the typical 30dph maximum habitually pursued by greenfield developers. Minimum density standards should not only be used for “city and town centres and other locations that are well served by public transport”, they should be used almost everywhere, but variable minima are needed in residential net density standards, according to the circumstances. There is no reason why national planning guidance should not set out a range of such minima, in urban areas normally in the 60-120dph range, with local planning authorities allowed the right to increase them in appropriate circumstances. Residential densities of fewer than 30dph should be restricted to sites of less than five homes within AONBs or national parks.

Q27 *Do you have any other comments on the text of Chapter 11?*

The recognition that more effective use needs to be made of land and especially brownfield land in meeting development needs is welcome and long overdue. We have had eight years of no density standards and six since brownfield-first for housing was abolished.

The proposal for densification around public transport hubs in paragraph 123(a) is substantially weaker than the proposal in the *Housing White Paper* to “address the particular scope for higher-density housing in urban locations that are well served by public transport” by “commuter hubs”. Even that was, however, far from meeting the need for transit-oriented-development (TOD) that becomes more urgent with every year of sprawl and high greenhouse gas emissions that passes. Local planning authorities should be able to stipulate that developments of more than 20 homes should be located within 800m of rail-based transit.

Current estimates say we need to reduce greenhouse gas emissions from transport by 92% by 2050, so major residential developments at greater distances from rail or tram services should be unthinkable.

TODs do more than simply encourage or facilitate commuting and there would be no benefit to simply creating new commuter dormitory towns. The *NPPF* should aim to create them as part of existing sustainable communities with housing, employment and other uses in balance to reduce, not just travelling by car, but the need to travel at all.

There are various definitions of TOD but, in essence, it should promote a mixture of medium to high-density housing, office, retail or other commercial development and amenities in a

walkable neighbourhood within about 800m of quality public transport, light-rail, tram and other rail-based where possible. It can secure:-

- reduced driving and hence lower congestion, air pollution and greenhouse gas emissions;
- walkable and cyclable communities that accommodate more healthy and active lifestyles;
- increased public transport ridership and fare revenues;
- improvements in local economies;
- improved access to jobs, economic activity, education, retail and services, especially for those on low incomes;
- improved mobility choices, reducing dependence on cars;
- stimulation of town centres.

TOD can therefore, if well done, secure a large number of the Government's objectives, including increased numbers of homes and more sustainable communities. There are, however, many potential pitfalls and it needs to be done right if these are to be avoided and these potential gains secured:-

- developers responded to the last attempt to raise urban densities (the 1999 Urban Renaissance and associated policies) by predominantly building large numbers of unpopular small, high-density blocks of flats in city developments – the *NPPF* should require local plans to specify appropriate densities and urban forms;
- a poor residential mix - developments need to be a blend of houses (predominantly terraced) and flats and space standards are needed;
- loss of valuable townscape and a need to protect the existing structure of towns/historic buildings/heritage/open space;
- over-concentration on housing can ignore the need for other uses and place making;
- some land around stations is needed for metro, light-rail or tram alignments and expansion of bus facilities, all of which would need safeguarding;
- street layouts would need to be “permeable”, protecting walking and cycling and connectivity with wider areas;
- creation of supposedly transit-oriented-developments in unsuitable places like rural or semi-rural locations where these would, in reality, result in car-dependent developments;
- sterilizing valuable space in TODs for car parking;
- Network Rail, London Underground, light-rail and tram operators may genuinely need to retain some land for future expansion of railway services.

We strongly recommend adoption of such a transit-oriented development approach which could actually meet the Government's aspirations for more efficient and effective use of scarce building land. The Government should also restore a brownfield-first approach to development which would very simply secure many of these objectives without compromising the availability of land for development. The *Framework* should also define the minimum residential density standards that local planning authorities should impose.

Chapter 12 Achieving well-designed places

Q28 Do you have any comments on the changes of policy in Chapter 12 that have not already been consulted on?

We strongly support the aspirations in paragraphs 124-125 about high and appropriate standards of design. We particularly welcome deletion of the text in paragraphs 58-60 of the 2012 *NPPF* which seriously undermined local planning authorities' ability to stipulate high and appropriate design standards. We also support the replacement of paragraph 63 with paragraph 130, though it is hard to see how innovation can raise the standard of local design if they are already sensitive to overall form and layout as required by the preceding paragraphs.

Nevertheless, the drafters have not been able to fully resist text designed to undermine good design. The second sentence of paragraph 129 is likely to prove a minefield of contention at appeal and there is no reason, in the context of the rest of the chapter to include it.

Q29 Do you have any other comments on the text of Chapter 12?

It is disappointing to see no reference to the *Manual for Streets*. We urgently need to get away from designs for residential developments built around the motor car. They should all, whatever their location, be designed to promote walking, cycling and public transport access. Where routes for future light rail schemes are a possibility, they should be safeguarded.

Chapter 13 Protecting the Green Belt

Q30 Do you agree with the proposed changes to enable greater use of brownfield land for housing in the Green Belt, and to provide for the other forms of development that are 'not inappropriate' in the Green Belt?

The exceptional circumstances tests in paragraph 136 are a perfect vehicle for developers to secure development of green belt land. Effectively the paragraph says that local planning authorities must designate green belt land for development wherever it is judged there are "identified needs" – effectively almost everywhere. That is not an "exceptional circumstance", it is a routine circumstance. It is inevitable in a country where some local authority areas are more than 90% green belt.

Paragraph 136(a) demands development on "underutilised land". How is this defined? It would appear to include non-commercial woodland, heathland, moorland, nature reserves etc.. There may well be cases where suitable brownfield land in a green belt is, in fact, suitable, but how is this defined. When would it not be suitable?

Paragraph 137 edges towards some sustainability considerations, but still falls far short. It should preclude development where it would be predominantly or wholly car-dependent rather than simply well served by public transport (another ill-defined phrase. Would a half-hourly bus service count?).

The final sentence of paragraph 137 undermines the purpose of green belts clearly laid out in paragraph 133. It would offer those who wish to profit from destruction of green belt land a

perfect argument at examination or appeal. Green belt land is not so designated because of its environmental quality or accessibility but for a range of other purposes.

Paragraph 144(g) needs a third sub-clause “where the development would be served by rail-based public transport”.

If a form of development is “not inappropriate (paragraph 145), does that mean it is appropriate? We strongly object to paragraph 145(f) which seems to defy any logic. Why should development become not inappropriate in a green belt simply because it is brought forward under a community right to build order or a neighbourhood development order?

Q31 *Do you have any other comments on the text of Chapter 13?*

We strongly object to the text of paragraph 134 which effectively precludes the establishment of new green belts, despite the fact that many conurbations in England lack one even though comparable places have one. These include Southampton, Portsmouth, Leicester, Hull, Norwich, Peterborough, Brighton, Plymouth, Exeter etc.. There are also many smaller historic towns where designation of a green belt would help secure all five purposes in paragraph 133.

We recommend that all conurbations with populations above 100,000 that currently lack a green belt should prepare and designate one without delay. We also recommend redrafting of the exceptional circumstances test so that green belt development could only be approved in genuinely exceptional circumstances, not simple because there is unmet “identified need” locally which cannot be dumped on neighbouring authorities.

Chapter 14 Meeting the challenge of climate change, flooding and coastal change

Q32 *Do you have any comments on the text of Chapter 14?*

The list of climate change impacts in paragraph 148 should include “extreme weather events” which are becoming much more frequent.

The wording of paragraph 153(b) doesn’t make sense. Consideration of local community views is not an impact.

Stronger guidance is needed in paragraph 155 about advice from statutory agencies and should advise that developments be refused where they indicate.

Paragraph 156(c) is vague and needs rewording to require detailed explanations of how and why a new development would actually reduce flooding. At present it is simply likely to be used by house builders to secure more unsuitable sites.

Paragraph 157, as it stands, does nothing to reduce flood risks in areas surrounding areas indicated by sequential tests.

The test in paragraph 158(a) is extremely vague. What are the relevant sustainability benefits? Presumably not merely the provision of a few more houses.

Overall we recommend that the section should have a much stronger statement forbidding development in areas where it is difficult or impossible to mitigate flood risks or it is likely to exacerbate risks elsewhere. It should be made clear that greater weight should be given to this than “identified need” or to the so-called “presumption in favour of sustainable development”.

Q33 *Does paragraph 149b need any further amendment to reflect the ambitions in the Clean Growth Strategy to reduce emissions from buildings?*

No comment.

Chapter 15 Conserving and enhancing the natural environment

Q34 *Do you agree with the approach to clarifying and strengthening protection for areas of particular environmental importance in the context of the 25 Year Environment Plan and national infrastructure requirements, including the level of protection for ancient woodland and aged or veteran trees?*

The second and third parts of paragraph 169 on strengthening habitat networks and natural capital are supported, but it’s unclear what either has got to do with the first part. How would a local planning authority recognise “land of least environmental or amenity value”. How is it ranked? To what is it being allocated? Development in general or in particular? Does footnote 45 mean it only applies to farmland?

It is unclear why conservation of wildlife and cultural heritage should be excluded from the great weight to be given to national parks and The Broads in paragraph 170. These aspects of those areas contribute to their natural beauty. The third sentence of the paragraph is ambiguous as it does not make clear whether “these designated areas” includes AONBs or not; we believe they should be included and the text should also make clear that “development” includes housing and highway development. What constitutes “public interest” here? The three tests? As drafted, paragraph 170(b) would mean almost open season on development in these designated areas as the land is likely to be cheaper than surrounding areas, so making development cheaper.

However, paragraph 170’s exclusive application to protected areas seriously downgrades protection of natural environments in areas that do not enjoy such designations. Any large area of countryside that is proposed for development that is known locally for its wildlife (or locally designated for it) should undergo rigorous assessments in the same way that protected areas do. The footnote on page 55 of the draft *Framework* about heritage could serve as a model for the protection required. Thus non-designated areas of biodiversity interest, that are demonstrably of equivalent significance to areas currently protected because of their valuable habitats and biodiversity, should be considered subject to the policies for those protected areas.

The so-called “presumption in favour of sustainable development” should plainly not apply in any development where biodiversity is threatened (paragraph 175).

Q35 *Do you have any other comments on the text of Chapter 15?*

The protection given to farmland by the draft *NPPF* is shockingly inadequate. For more than 60 years after the Second World War, the necessity for the country to produce as much of its food as possible was recognised in national planning policy which protected at least Grades 1-3 from development. This was sound policy; the UK produces less than two-thirds of the food it needs to survive and a heavily indebted country in an uncertain world that is about to sever its trading links with its biggest and nearest trading partners should not lose sight of that fact.

All the draft offers in defence of England's farmland is 14 words in one sentence in paragraph 168(c) and footnote 45. The latter could be taken as meaning it's all right to develop Grade 2 farmland if there happens to be an area of Grade 1 nearby. By concentrating on national parks, AONBs, green belts and other designated land, the *Framework* once again downgrades countryside protection and grants open season for development that lies outside them. Such land can often be more biodiverse and have stronger scenic credentials than land which is so protected.

The failure to protect farmland, and indeed the encouragement to develop it, is possibly the most disgraceful and inadequate of all the shortcomings in the draft *NPPF*. It perpetuates the myth that farmland has low environmental value. Even discounting its natural capital importance for food and water production and flood alleviation and control, even intensively worked farmland sustains far more biodiversity than house builders would have you believe.

Paragraph 176 needs expanding to at least mirror the requirements of contaminated land regulations which have complex requirements for land contamination. It should at least replicate them and refer to them. It should also make clear that consideration of applications for land potentially subject to contamination should include consideration of the remediation proposed.

Where development or change of use is proposed without remediation or only partial remediation, local planning authorities need to be told to ensure the proposed end use is compatible with the land condition. As drafted, paragraph 176(b) suggests that no change of use or development is possible on sites which are determined under Part 2A; there may be cases where consent can be given for certain uses, such as open space, lorry parking or forestry.

Paragraph 177 apparently undermines Part 2A of the Environmental Protection Act 1990 which gives responsibility for land contamination and stability issues to local authorities and the Environment Agency. Certainly land owners must play their part, but regulatory "responsibility" must remain with the statutory bodies. This is very sloppy wording.

Separating planning policies and decisions from other regulatory regimes (paragraph 181) is a recipe for confusion and weak governance. They should surely be more integrated, not less. Even where they "operate effectively", they can be undermined by bad planning. Using part of an under-used industrial area for housing is an obvious case in point; the potential is alarming. Regulatory regimes should be encouraged, not prevented, to revisit planning decisions where they undermine the regime.

We recommend greater emphasis is given to the protection of the natural environment outside the protected areas and the section on ground conditions and pollution be more closely aligned to the regulatory regime.

Chapter 16 Conserving and enhancing the historic environment

Q36 Do you have any comments on the text of Chapter 16?

Paragraphs 183(d) and 184 suggest that conservation of historic buildings or townscape should be restricted to those that are designated assets or which have “special” historic or architectural interest. But increasingly towns and cities around the world are recognising the regeneration benefits of buildings simply because they are old, sometimes known as the “heritage dividend”. Young and economically active adults are moving into older areas simply because they are old. They offer bonuses in terms of the type of residential and other buildings that are available and the type of services and the lifestyle they offer. Yet old buildings in themselves enjoy no protection except for the minority in conservation areas or which have heritage designations.

We recommend a new paragraph 183(e) “the need to protect buildings built before 1914 for their value in regeneration, embodied energy, townscape value and enhancement of the environment and weight should be given to the need to preserve them when considering development plans or applications for development.”

We also recommend redrafting of paragraph 184 to read: “When considering the designation of conservation areas, local planning authorities should not only award such status on the grounds of its special architectural or heritage interest, but also if it contains a reasonable number of buildings constructed prior to 1914. They should also make information about the historic environment, gathered as part of policy making or development management publicly accessible.”

In paragraph 186, the first sentence suggests that assessment of the significance of an asset should depend on necessary expertise being available. Surely that should be a requirement?

We recommend insertion in paragraph 188(b) of the words “and older buildings” before “can make”.

Paragraph 198 needs to be redrafted so that it is clear that “enabling development” should not be approved where it conflicts with other policies in the *Framework*.

We recommend recasting this Chapter to secure a level of protection for all pre-1914 buildings and areas where they predominate.

Chapter 17 Facilitating the sustainable use of minerals

Q37 Do you have any comments on the changes of policy in Chapter 17, or on any other aspects of the text of this chapter?

The text makes no distinction between coal and other minerals, despite the importance given by the Government to the phasing out of coal usage as part of the fight against climate change. We recommend insertion of the words “non-energy” before “minerals” throughout the section.

Q38 *Do you think that planning policy on minerals would be better contained in a separate document?*

No. Planning policy needs to be treated holistically.

Q39 *Do you have any views on the utility of national and sub-national guidelines on future aggregates provision?*

No.

Transitional arrangements and consequential changes

Q40 *Do you agree with the proposed transitional arrangements?*

Despite the transitional arrangements in 2012 and despite assurances to the contrary, the new *Framework* effectively left all local plans adopted prior to March 2012 as out-of-date and therefore of very limited effect. This was clear time and again in major housing applications when the so-called “presumption in favour of sustainable development” was used to push through housing on the grounds a comparatively recent local plan was out-of-date. This time you are proposing no transitional arrangements and there are again likely to be challenges by housing developers to local plans on these grounds and the “presumption” will once again be used as a battering ram for unsustainable development.

Q41 *Do you think that any changes should be made to the Planning Policy for Traveller Sites as a result of the proposed changes to the Framework set out in this document? If so, what changes should be made?*

No comment.

Q42 *Do you think that any changes should be made to the Planning Policy for Waste as a result of the proposed changes to the Framework set out in this document? If so, what changes should be made?*

No comment.

Glossary

Q43 *Do you have any comments on the glossary?*

Brownfield land/Previously developed land: The new definitions of these terms only heighten the conflation and confusion evident in earlier guidance.

We recommend that the term “brownfield land” be used throughout the document and in the glossary for previously developed land that has not been restored. The list of exclusions proposed for the definition of previously developed land shows just how unwieldy use of this term has become. The two terms certainly need separate definitions and brownfield land needs a firm definition, as people mean different things by it.

Deliverable: The definition, as ever, is plainly designed to militate against brownfield sites with the obvious intention of forcing local planning authorities to designate more greenfield land for housing than is compatible with sustainable development. “To be deliverable, sites for housing should be available now” – this sentence effectively rules out any site where remediation or any form of major land reclamation is needed. The paragraph goes on to demand that sites should only be considered deliverable where there is evidence houses would be completed within five years. Again, this effectively rules out any contaminated site where the most viable form of remediation is one of those requiring a longer timescale; they may be some of the best sites around, but would have to be ruled out for housing.

We recommend the whole concept of deliverability, which has proved meaningless in practice, should be dropped.

Rural exception sites: The definition has become hopelessly complex and unacceptable policy proposals are buried in it. How can sites be used for affordable housing in perpetuity when the right-to-buy applies? Once a proportion of market housing is approved, any reason for making an exception for such sites disappears. If such sites “would not normally be used for housing” there are certain to be very good reasons for it.

ⁱ Danielle Sinnett, Laurence Carmichael, Katie Williams, Paul Miner: *From Wasted Space to Living Spaces* [London: Campaign to Protect Rural England, 2014]