



Proposed reforms to the *National Planning Policy Framework* and other changes to the planning system

Consultation response by Smart Growth UK



Smart Growth UK is an informal coalition of organisations and individuals who want to promote the Smart Growth approach to planning, transportation and communities. Smart Growth is an international movement dedicated to more sustainable approaches to these issues. In the UK it is based around a set of principles agreed by the organisations that support the Smart Growth UK coalition in 2013:-

- 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 prioritize 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.

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

No.

The standard method is a crude and misleading tool with which to plan for the type and number of homes needed in an area and where they should go, and the current proposals would take us even further from the sustainable development that is meant to be at the heart of the planning system. The phrase “The current approach also provides too much leeway to local planning authorities to not meet their housing needs in full” is simply misleading. Local plan allocations resulting from the standard method fail to secure the building of even one home. If the Government wishes to achieve ambitions for growth in the number of homes built, it will either need coercive measures to make developers and builders actually build the homes so planned, or to finance the construction of social-rent housing through councils or registered social landlords; neither seems likely at present.

The current crude algorithms dispersing hundreds of thousands of homes to rural locations, undermining food security, nature, flood defence, landscapes etc., often where public transport is lacking, so increasing road mileage and greenhouse gas emissions. Instead, we need genuine planning reform, building homes for the type and number of additional households that are expected to form, in the places where they are forming, in ways which protect the ecosystem services our land provides.

To facilitate this, we need to face the gathering threat of climate including identifying which extra areas need to be protected for food and water security and which cannot be protected against extreme weather and sea-level rise. We will need a huge increase in public transport, rail-based where possible, and a transit-oriented-development (TOD) philosophy.

The December 2023 changes should not be reversed so much as taken as a timid and inadequate response to the need to plan sustainably.

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

No.

These and several other approaches should be available to local planning authorities, including consideration of such factors as likely inundation by sea-level-rise or lack of water security.

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

No.

While we agree the urban uplift was a poor basis for directing growth to urban areas, it was better than nothing, while the methods proposed in Chapter 4 would simply create random and unplanned sprawl in inappropriate locations. Urban planning would

certainly benefit from regional planning in a far stronger and more organised way than the chaotic Duty to Co-operate, however, and should cover functional geographical and cultural areas rather than the “economic areas” proposed.

We believe in the “proximity principle” which concentrates new development at sustainable medium densities within, or attached to, conurbations with the size necessary to secure rail-based public transit networks.

Building densities are far too low in most places, though far too high in a few city centres. Both are destructive of community, while the former squanders our scarce building land. As we say in response to Question 4 below, we need a range of appropriate densities set out in national guidance and detailed in local plans.

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

Yes.

While paragraph 130 was a crude and misplaced attempt to repeat the destructive abolition of density standards in 2010, such standards are still urgently required to achieve sustainable communities and to avoid wastage of land on low-density sprawl.

What’s needed to secure sustainable land-use and create communities is a range of “appropriate residential densities” which would vary somewhat according to circumstances. Certainly, any development of more than four homes should be subject to an overall minimum net density of 50 homes per hectare and a maximum of 100, with developments of four or fewer homes respecting the level of density set locally. Within those outer limits, local plans should specify what density ranges are appropriate to which areas of the local planning authority’s area. Guidance on this should be provided nationally.

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

Yes.

Design codes should certainly support spatial visions in local plans but it’s difficult to see why greater density should be singled out as the *greatest* opportunity for change, given the many shortcomings in current and proposed policy. However, greater density is usually required in most residential developments, especially those outside urban areas (though sometimes the density of current urban proposals is too high and equally destructive of community). As stated above, local plans should specify what density ranges are appropriate to which areas of the local authority. Guidance on this should be provided nationally and should take account of public transit availability and proximity.

There is, however, no reason for applying such changes only to large new communities. They should be applied to all developments of four or more homes everywhere, apart from some conservation areas and other sensitive heritage locations.

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

No.

Paragraph 8 of the *NPPF* states unequivocally and rightly that sustainable development has three interdependent, mutually supportive and overarching objectives. We agree.

The consultation, however, proposes to undermine sustainable development in several ways, including:-

- Spreading random and unco-ordinated development around green belt areas without any vision of sustainable siting or location
- Forcing local planning authorities to allocate land for the same, often imaginary, level of “need” for new market homes wherever they are in the country
- Undermining food security by further weakening the already feeble protection from development of productive farmland
- Failing to reform policy so that “affordable housing” means more than simply “slightly less unaffordable” and is predominantly about the social-rent housing desperately needed
- Assuming our response to climate change should be dominated by easing controls on onshore wind and solar.
- Undermining the ability to direct major development to places where it can be served by sustainable transport modes.

The “presumption” introduced by the 2012 *NPPF* was basically a device to undermine local planning authorities’ ability to secure sustainable development in various ways rather than to secure it. The consultation paper explicitly admits this in Chapter 3 paragraph 16 where it says it’s intended: “to clarify the primary role that the presumption is intended to play in addressing inadequate land supply”.

This and the proposed wording for paragraph 11(d), reducing it to “policies for the supply of land”, reveal starkly the dismal truth about “the presumption in favour of sustainable development” - that it has very little to do with sustainable development as defined in *NPPF* paragraph 8. The supply of land is fixed and constant; short of reclaiming land from the sea, it’s not possible to increase the supply of land. What’s plainly meant here is “the supply of greenfield land for market housing developers”. If that’s what’s meant, then say so.

The proposed addition to paragraph 11(d)(ii) plainly gives that game away, despite the claim in the consultation paper that it’s supposed to avoid creation of poor-quality places. In reality it would downgrade all policies that aren’t directly about the location and design of development or for securing house building, effectively to irrelevance. If this change is persisted with, most of the *NPPF* might as well be binned.

The admission in Chapter 3 paragraph 15 of the consultation paper that the current proposals are likely to bring more local planning authorities into the scope of the presumption in the short-term, thereby largely negating their local plans and their ability to plan their areas, is a pretty clear indication that the whole idea of local

authorities planning their areas is now at risk. “This is necessary,” it says. But necessary for what? No-one believes the market housing sector will build 1.5 million homes or anything like it in the next five years. It will build what it chooses to build to keep prices high, as ever. The Government knows this as well as anyone else. So what is the intention behind this? Certainly, not securing sustainable development in the round.

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

No.

Local plans are required to demonstrate a 15-year strategy for their areas. The introduction of the draconian five-year supply requirement fatally undermined this and means housing and many other policies in local plans are downgraded to having little weight. It creates the worst of all worlds, in which local planning authorities are required to go through the whole onerous process of getting the plan drafted, consulted, examined and approved in the certain knowledge that many of its basic policies are likely to be quickly undermined.

The requirement was apparently included originally to speed up planning consents under the onerous new system introduced by the *NPPF* etc.. But it quickly became apparent that, coupled with the call-for-sites, deliverability and viability requirements, it had become a device for developers to game the system by insisting on inclusion of sites which are unacceptable for a range of reasons, but which offer them the highest potential rate-of-return. Instead of a call-for-sites, potential development should be reviewed in terms of public transit accessibility and the ecosystem services of the land under consideration.

The whole five-year supply idea is flawed because local authorities build very few homes. It is decisions made by the building industry which determine the rate of construction, over which councils have no control at all. To have credibility as anything other than pursuit of an economic theory with an anti-public-regulation ethos, ultimate responsibility for building out local plan sites should be transferred to the industry itself.

There are already many hundreds of thousands of unused consents for houses in England, for which those responsible are taking no blame. Indeed, an extension of times within which to make starts on developments was implemented a few years back to feather-bed the industry. We suggest that a strict three-year limit is instated on *significant* starts being made on new-build housing, with consent being withdrawn where it has proved impracticable or commercially unpalatable.

Essentially five-year supply penalties are a punishment for local planning authorities and the communities they represent for the shortcomings of builders.

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

No.

According to the consultation document, it is proposed to remove the December 2023 changes to five-year supply policies because: “We have heard concerns that these policies are undermining supply.” Presumably these “concerns” came from commercial builders protecting their financial interests which are already substantially protected by viability provisions etc..

Obviously, if you remove any flexibility to modify targets thanks to over-supply, it would further undermine any credibility in the local plan process responding to reality and, in effect, make it part of builders’ commercial strategies. This fundamentally undermines the requirements of sustainable development.

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

No.

The 5% buffer is a tacit statement that the Standard Method is inadequate. If it were adequate and appropriate, then it would deliver the figure actually required. The buffer is basically a device to further undermine sustainable development in favour of the commercial interests of land speculators, developers and builders.

The Housing Delivery Test is an unfair sanction applied to local planning authorities on the basis of things which are largely or wholly outside their control. Build rates can fall substantially for a number of reasons: the pandemic, the national, regional or local economic factors, legislative changes, availability of labour or materials, instability within housing companies, stock market movements or take-overs, requirements on nutrient-neutrality etc..

None of these are within the local planning authority’s power to affect, yet they, their communities and their local environment is subjected to highly damaging punitive measures designed simply to improve builders’ commercial prospects.

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

No.

No means no.

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

No.

The principle of natural justice – or the duty to act fairly in modern parlance – demands that those accused of wrong-doing be granted the right to a fair hearing. A key reason for this is to maintain public confidence in the system and to eliminate bias. Already the unjust influence the construction industry wields within the planning system is the subject of growing anger among those communities affected, however hard extremist economic think-tanks may pretend otherwise.

Annual position statements do represent an opportunity for local planning authorities to at least present a case, even if those cases are routinely ignored in Whitehall. You are, in effect, allowing developers to commit the crime (if under-delivery is indeed a crime), removing the ability of those unjustly accused to defend themselves and then imposing destructive punitive sanctions on the latter. This undermines fundamental principles of natural law going back to Magna Carta or earlier.

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

Yes.

In an ideal world, regional plans should be developed and consulted on by elected regional bodies who would have the power and authority to implement them without Whitehall interference.

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

Yes.

Any strategic or spatial plans should face examination in the same way local plans do.

If developers believe the major sites they lobby to include in local plans lack deliverability or viability, then they should say so at the outset. If not, such allocations should be deleted anyway.

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

Yes.

The myth that planning is the main constraint on house building is explicit throughout this consultation. But, in reality, it's house builders' commercial interests and the lack of finance for social-rent housing that are the main constraints. Very much firmer controls are needed on the freedom of builders to ignore the consents they have, which results, unjustly, in punitive measures being imposed on local planning authorities.

At the very least, substantial work should have been done on developments within three years before they lapse, and the allocations are removed. If developers argue that sites in local plan allocations are unviable or undeliverable without major concessions, then those sites should be deleted.

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

No.

This would be fundamentally undermine the principles of sustainable development - economically, socially and environmentally. A quick comparison of house prices, average rents and average incomes across England shows that existing stock levels are a

completely meaningless baseline for anything – except perhaps to allocate land for developing the most expensive but profitable luxury homes in areas of high-quality countryside.

The increasing domination of house building by the six largest builders over the past 12 years and their ability to control the rate of construction on allocated and consented sites demonstrates the way targets are set already is wrong. This change would make it worse by simply divorcing it wholly from reality.

There are certainly some drawbacks to using household projections as “households” are an ill-defined and flexible term and, by simply using the crude overall headline household change projection figures, false estimates have been derived.

But the household projections are more detailed than the headline figures suggest; they could have been – and should have been - used to specify the *type* of homes needed in the targets. Drilling down into the figures, it’s clear that, if home building is to address the growth in household numbers, it should overwhelmingly be aimed at housing for the over-55s and predominantly for the over-65s. The remainder would be for single-adult households. Yet builders prefer to build “family homes”, of which we already have a big surplus, because they’re most profitable.

The grossly simplistic approach of adding a percentage to existing stock numbers, however, effectively eliminates any sort of contribution from local planning authorities despite the fact they have by far the best information of what’s needed in terms of home sizes, tenures, location etc..

The arguments advanced in Chapter 4, paragraphs 8 and 9, are circular. The case starts from a wholly arbitrary target of 1.5 million homes (over an uncertain period, but at most the remaining years of this Parliament, leaving an implementation time of, at most, four-and-a-half years which the Government well knows is unachievable).

It continues by asserting the current adopted plans would generate consents for 230,000 homes annually and then admits this is purely theoretical by saying “this year the number of net additions will fall below 200,000”. All this demonstrates is that planning is not the cause of low delivery of homes, it’s down to commercial decisions made by house builders.

Then, there is the admission that “we are boosting the overall target to a level that provides resilience, building capacity into the system to catch up”. To catch up with what? A wholly arbitrary 1.5 million in five years target - a completely circular argument.

Finally, there is acceptance in paragraph 9 that there is no one-to-one relationship between targets and allocations for a whole variety of reasons and a claim there are places targets can’t be met “despite taking all possible steps, including optimising density”. As there are no firm proposals to optimise densities (which we would support, so long as it doesn’t mean “as high as possible”), and no sign of locational criteria like proximity to rail-based transit, locations within existing conurbations, brownfield-first

etc., it's inevitable that urban sprawl in green belts and other greenfield locations, which fundamentally undermines sustainable development, would have to be imposed.

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

No.

Using the proposed affordability ratio as a proxy for need excludes from policy the whole issue of genuine housing need. Those who are actually homeless or housed in temporary accommodation etc. have very high levels of "need" which have nothing to do with house prices. They need expansion of social-rent housing which the proposals in the consultation would do little or nothing to achieve.

There are, meanwhile, many factors affecting house prices which have little or nothing to do with the size of the stock: mortgage rates, wider interest rates, the state of the national, regional and local economy, reduction in the percentage of owner-occupation through buy-to-rent (particularly by large investors) or build-to-rent, growth of AirBnB, earnings levels, migration, etc., etc..

Other factors can cause huge local variation in the ratio of house prices to earnings, especially in today's larger local authority areas – the presence of Footnote 7 areas within the local authority's area, for instance, or proximity to transport links. Sometimes homes are twice the price inside a national park as just outside it, for example.

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

No.

It is difficult to accept the proposal to adjust the baseline figure upwards where house prices are >4x earnings when there is no counterbalancing proposal to reduce the baseline figure where affordability is better. This would suggest the only aim of this policy is to further inflate the size of the sites allocated to house building, whatever the local circumstances.

There is a lack of evidence to show that use of the affordability ratio algorithm has reduced the median price of houses. This could be partly due to the perverse incentive in the ratio encouraging developers to build houses above the median price; the more the median price increases, the more the house building target is increased.

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

Yes.

If the standard method is intended to reflect housing need, it should begin with the length of local authorities' housing lists. These are totally unrelated to the amount of

local housing stock, the vast majority of which in most local authority areas is not available for social-rent.

It should also consider the *type* of homes required. The proposal to shift from using household projections to simply crude percentages of existing stock would remove the potential to use the projections to indicate the size of homes required, give some indication of the tenure required and to give clear indications of the percentages needed for elderly person and single-adult households. Without this, builders will go on putting up the single-family houses they find most profitable and which we probably already have a surplus of.

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

Chapter 4 paragraph 19(a) of the consultation paper makes an important point about the dangers of setting targets that are removed from reality. Not only might it shift numbers away from areas where they can be delivered, it would certainly impose excessive targets on areas where they would do damage to a whole range of sustainability factors beyond the narrow focus on (mostly market) house building. Once the principle of reducing an unrealistic target in London is accepted (because it is three times actual delivery), it would be reasonable to apply it anywhere the new algorithm completely departs from the building industry's willingness or ability to build. Given the number of unused consents nationally, it is likely this would apply in a very large number of authorities.

The problem is not the "antiquated planning system" as you allege, it is a combination of the sector's business model that only builds when it suits it and then often builds homes which do much for their profitability but little for affordability. These factors coupled with capital restrictions on much needed social-rent housing are at the heart of the UK's housing problem. Tinkering destructively with the planning system will have no benefit.

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

No.

We strongly agree that there should be a move towards a default prioritisation of brownfield land for both housing and employment uses. However, the existing wording (to be retained) has failed to produce any substantial increase in redevelopment of brownfield land and the proposed change - making acceptable in principle any brownfield proposal situated at an ill-defined "within settlements" location - would simply undermine the whole planning system and result in what would essentially be a crude and ineffective zonal system on all brownfield sites (other than Footnote 7). As the current unsatisfactory definition in the *NPPF* Glossary conflates brownfield and previously developed land (PDL), that would also extend to any brownfield site which had been restored to green end uses, even high-quality ones.

Instead of such a crude system, the *Framework* should readopt the strong sequential policies for brownfield-first residential development in Planning Policy Guidance 3 and

Planning Policy Statement 3 and extend them to employment land (as was the case formerly within devolved administrations), including urban capacity studies. This approach would offer clear, proven and highly effective policies for prioritising appropriate brownfield land.

Such an approach would offer a clear sequential trajectory both for the allocation and development sites which would actually prioritise brownfield, instead of the current approach on deliverability and viability which is, effectively, a greenfield-first approach.

The consultation's proposed approach to brownfield development would merely fast-track applications for sites which, because of land contamination or other historic issues, require great care to redevelop sustainably. To increase the area of brownfield land available would involve the *NPPF* placing greater onus on local planning authorities to identify the location and condition of suitable sites.

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

No.

It is unclear why you consider there should be no protection for some kinds of PDL in green belts as you (rightly) do not propose to alter the definition of green belts in paragraphs 142 and 143. Given the vague definition of "openness", this would open up a loophole which would turn into a floodgate. Putting up any sort of structure on any site which currently lacks one will inevitably cause harm to openness.

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

Most definitions of PDL would already include hardstanding and glasshouses, even if it is not explicit – no-one would class either as a "greenfield site". And there has already been a substantial loss of glasshouses in green belts in south-east England, suggesting existing controls are inadequate to protect this important part of our food security. Protection of horticultural buildings from redevelopment should be made explicit, both inside and outside green belts.

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

No.

As a planning tool, the definition of "grey belt" is subjective and ill-defined. It offers nothing but the opportunity for conflict, dispute, planning appeals and development in the wrong places. To begin with, it would not be a "belt" of any sort (which green belts, surrounding towns and cities, are), it would just consist of random "parcels" of land which happen to be either PDL (even PDL restored to high-quality green uses) or vaguely defined other "parcels". The definition offers no indication of suitability for development, including issues of accessibility to public transport networks, availability of water and access to wastewater infrastructure, drainage, flooding or sea defence,

biodiversity or contribution to food security. As proposed, they are merely an ill-defined opportunity for developers to claim that sites are not unsuitable. The only “grey” aspect of the grey belt proposals is that they would form a grey area in planning guidance, guaranteeing dispute.

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

No.

The grey belt concept is fatally flawed.

The criteria proposed in paragraph 10 of the consultation document merely introduce further opportunities for dissent and conflict. How to distinguish between strong performance against green belt criteria and “not strongly performing” (10a)? This would be a strong incentive for site owners to degrade the sites in various ways.

Criteria 10b(i) and 10b(ii) would already count as PDL; only land with existing structures would qualify as making no or little contribution to preventing towns merging. Most land in England is, to some extent, dominated by some kind of urban land use; even remote areas suffer from urban light pollution and from traffic with O&Ds in towns. Land in green belts being, by definition, close to large urban areas is under especial pressure in these and other respects. Light pollution, for instance, goes far beyond the visibility of the built development that causes it, so blobbing “parcels” of development around in this way would simply degrade the whole green belt area, increasing pressure to destroy it, which is presumably what the advocates of this policy want.

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

No.

Singling out green belts as areas to provide especial help for developers in this way neither recognises the ecosystem services which open land delivers nor offers any guidance to developers or LPAs on what land is suitable for development, as opposed to less-unsuitable. It completely ignores the value of keeping land open, the transport implications, the pollution implications, heritage, biodiversity, water infiltration, flood prevention etc..

Identifying land suitable for development requires a great deal more than merely it “making a limited contribution to green belt purposes”. Why is there no guidance on the minimum size of development? Is it because the myths about disused car washes and petrol stations suggest “grey belt” sites are mostly tiny pockets which cannot be developed into communities? Why is there nothing about proximity to sustainable transit? That undermines the later objectives about transport visions.

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

The paragraph 143 green belt purposes are clear and concise, albeit limited. The proposals would muddy them to a significant degree and the pepper-potting of development around them in this way would be quite the most destructive way of allowing development within them.

There is plainly a need for planning guidance to give greater weight to the definition and identification of “openness” and “ecosystem importance” in assessing land in local plans, and not simply in green belts.

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

No.

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

No.

Loading green belt reviews, which would be mandatory given the new and wholly impossible building targets, on to under-resourced council planning departments is a recipe for ill-considered releases of green belt land which the Government claims not to want. Your proposed changes on PDL and green belts would do little for brownfield redevelopment apart from creating an unplanned free-for-all, while your green belt proposals would encourage land owners to degrade their land and result in locationally unplanned and disastrous developments in patches all over green belts, seriously degrading them and leading to their eventual dismemberment and disappearance.

Far from allowing local planning authorities to prioritise the most sustainable development locations, they would wholly undermine the planning system’s ability to secure sustainable development or ensure developments are located in places that are well served by public transport and active travel and preserve the ecosystem services that land provides: food and water security, nature, drainage and flood control, infiltration etc..

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

No.

The new text in old paragraph 147 is wholly inadequate as a sequential test, given the proposal for default development of brownfield sites (almost anywhere) and the vague and destructive definition of grey belts, especially of non-brownfield grey belt sites. Given the impracticability of defining such land, it would open the phrase “other

sustainable green belt locations” to a free-for-all of development on green belt sites generally which developers lust after for the most expensive sorts of market housing and the huge profits to be made.

The whole idea of green belts depends on their openness and permanence. Once you start nibbling away at even small parcels of “grey belt”, that openness and permanence is compromised, fundamentally undermining their function. The proposals offer no suggestion as to how to determine the cumulative effect of allocations or developments on the functions of green belts across plan areas as a whole.

Once “grey belt” development took place, adjacent land that would have been, by common consent, high-quality would be degraded and therefore become “grey belt”. Thus rolling development throughout green belts would become a possibility.

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

No.

This is confused and contradictory. As noted above, any release of green belt land for development affects the openness and permanence of that green belt and contravenes old paragraphs 152 and 153, which are proposed for retention. The new paragraph 152(b), allowing as “not inappropriate” housing, commercial or (effectively any) other development, in green belts, not because the site scrapes past other “grey belt” loopholes but because the local planning authority cannot meet a hugely increased five-year supply or where it fails the draconian housing delivery test (i.e. most LPAs for the foreseeable future), would fundamentally, permanently and fatally undermine the functions of green belts in every case. Green belt should only ever be released for development through the local plans process.

This would be the beginning of the end of green belts.

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

Yes.

The purpose of these proposed planning reforms, in Chapter 1 of the consultation document, is stated to be to increase the amount of house building and economic growth. It recognises the importance of green belts in preventing urban sprawl and says the Government remains committed to their continued protection, retaining their general extent and not altering their purposes. Chapter 5 offers weak and unsustainable justifications for releasing green belt land for housing, but nowhere is there any justification for saying that significant releases of green belt land for commercial development are needed to increase economic growth.

Indeed, given the lack of infrastructure in green belts and the need to create it afresh, it is the case that releases are actually a hindrance to economic growth.

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

No.

The proposed approach to release of green belt should not apply anywhere.

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

No.

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

No.

It is unclear why the proposed rules should only apply to green belt land released for development – why not greenfield sites in general, given their enormous contribution to ecosystem services and the sort of functions that green belts themselves deliver? (It's worth remembering that several major cities and many large towns lack green belts).

Reliance on the market housing sector to provide the social-rent housing we desperately need is not going to work. It's clear that the "appropriate proportion" of the 50% affordable being social-rent should be 100% but, in reality, it's likely to be a tiny percentage. Large contributions to meeting genuine housing *need* can only come from social-rent housing; the other "affordable" homes are often just marginally less unaffordable, thanks to definitions based on discounts from market prices, and even when there is a significant discount, it only serves to provide a very marginal redistribution of new homes towards middle-income buyers.

And once again, local planning authorities do not "deliver" housing as they have virtually no funds to do so. It is private developers who do so and can choose not to, even when they've secured local plan allocations and planning consent. The current proposals would not solve that.

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

The 50% target should apply to all greenfield land allocated for housing and preferably 100% of that should be for social-rent. Only thus would such developments make a serious contribution to need. The urgent imperative to provide housing for those in real need makes the definition of "affordable" including small discounts from local market house prices distorts and undermines the concept.

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

No.

Local authorities already reflect nationally recognised standards for green space in new developments and it is hard to see why special standards should apply to urban sprawl developments in green belts.

There is growing criticism of biodiversity net gain practice, especially of baseline assessments. Developments in green areas inevitably introduce air, noise and light pollution and disturbance which can affect nature over a wide area.

There is also a conflict between wider public access and protection of nature. Human intrusion into open areas almost inevitably damages nature.

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

No.

Generally speaking, viability provisions have mostly been used by developers to game the system by reducing the planning gain, like affordable housing or infrastructure, that their developments should have provided, and to secure local plan allocations of unsustainable sites. So generally, they shouldn't be the basis of any policy.

As you note, land values vary considerably from one area to another and within areas due to local, or site, circumstances. You are creating a massive opportunity for debate and dispute with another facet to the complex and disruptive world of "viability".

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

It's unclear from the consultation whether the Government would set benchmark values:

- (a) Nationally
- (b) Regionally
- (c) For each individual green belt
- (d) For each local planning authority area
- (e) For areas within green belts
- (f) For each individual site where green belt development is proposed.

Each would have its drawbacks. The question the Government needs to ask is whether it is prepared to send expert witnesses/lawyers to every single planning inquiry/court case where a "benchmark land value" has been set? If not, it's certainly a very bad idea.

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

Yes.

The proposed "golden rules", as formulated, are vague and ill-defined. What is a "major" development? What is an "appropriate proportion" of social-rent (it should be 100%)?

What improvements to infrastructure are “necessary”? If “local leaders” are being routinely ignored on the location and size of development in their areas, this would simply further antagonise them by dumping on them, from a position of great weakness, the necessity of negotiating with over-mighty developers who would have the whip hand.

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

Compliant with which policies? The urgent need is for social-rent housing, not the wide catch-all of “affordable”. Additional contributions should always be sought for social-rent housing.

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

No.

Viability should never be used to set contributions at a lower level, so such reviews should not be needed. If developers believe they cannot carry out a development, it should be offered to others, and if none is willing to take it on, the consent should be withdrawn and the local plan allocation cancelled.

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

No.

The vague “golden rules” are basically a device to allow developers to game the system. Ideally, they shouldn’t be used at all.

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

No.

The vague “golden rules” are basically a device to allow developers to game the system. Ideally they shouldn’t be used at all.

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

Yes.

In Annex 4(3), you presumably mean *lower* levels of housing should not be sought on grounds of viability (by the developer). Is there honestly any realistic prospect of a local planning authority securing higher levels anywhere by citing viability?

In Annex 4(4), surely sites which cannot deliver “policy compliant development (however that’s defined after long debate at inquiry), giving developers the power to demand a viability assessment simply reopens the unreasonable level of influence over the infrastructure etc. they have to provide just as it routinely is where “golden rules” don’t and wouldn’t apply. This would give land owners and developers every incentive to conspire over site values.

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

Yes.

It’s very difficult to comment on paragraph 31 without knowing details of the proposed compulsory purchase powers.

But paragraph 32 is extremely naïve in believing the property and development industries aren’t clever enough to game any system created.

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

Yes.

Essentially what you are proposing is the slow but steady erosion and destruction of green belts, at least in the more prosperous parts of England. As each “grey belt” development is built, the adjacent high-quality areas of green belt would become degraded and, essentially, grey belt. You would also be creating a wonderfully lucrative arena for lawyers and property and planning consultants to prosper by gaming the system and placing further onerous burdens on under-resourced local planning authorities.

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

Yes.

We think you should go further and make the local need for social-rent housing the baseline when judging the number of homes a local planning authority should plan for. This would leave councils in the driving seat, as you propose.

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

Yes.

The overwhelming need is for affordable rents which, in practice, is likely to be social-rent; “affordable home ownership” is all too often an empty phrase.

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

Yes.

As you say, it can force unhelpful trade-offs.

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

Yes.

Local planning authorities should have this option.

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

Yes.

As you say, a sustainable mix of tenures can help diverse communities. However, there need to be limits on the percentage of privately rented property in developments as this can undermine the wider objectives.

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

Promoting social-rent housing would necessitate a considerable easing of Treasury rules on local government borrowing and support, to facilitate construction and acquisition of housing for social-rent. These are issues far beyond the planning system. What might help would be to redefine the present definition of “affordable” housing, to exclude homes that are merely “slightly less unaffordable”.

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

The problems that have arisen in the past over single-tenure (mostly social-rent) housing did not arise because of the tenure - there have been many examples of social-rent estates over the past 100+ years with high degrees of social cohesion. Where problems have arisen, it's due to things beyond tenure, like unemployment and low incomes and the social ills like crime, drug abuse and anti-social behaviour that spring from them. These are serious issues and not within the ability of the planning system to cure. But it's most unlikely, given the existing planning system, local government finance and the current proposals, that anyone would propose single-tenure social-rent housing developments of any serious size.

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

The main measures – on finance of rural social-rent housing – are pretty much what they are anywhere else. But planning could help by ensuring the type of new-build homes approved should have median prices lower than the area’s existing housing stock.

Perhaps the proposals on benchmark land values could be applied to rural social-rent?

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

Yes, in part.

We agree with inclusion of the words “looked after children” for the reasons stated.

However, on the previous line, “affordable housing (including social-rent);”, should be amended to read “social-rent; other types of genuinely affordable housing;”.

Question 56: Do you agree with these changes?

Yes.

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

Yes.

The Glossary definition allows “affordable rent” to be 80% of local market rents + service charges which, pretty well everywhere, can be well out of reach for many people on lower incomes. The percentage should either be reduced to 50% or be based on some measure of what people on, say, the lowest 20 percentile of incomes locally could afford.

It’s unclear why build-to-rent developments should be excluded.

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

Yes.

The changes introduced by the 2012 *NPPF* gave huge commercial advantage to large builders by opening up many more large greenfield sites than was hitherto the case and promoting them by provisions like the call for sites, deliverability and viability. The Housing Infrastructure Fund gave them a £4 billion subsidy and the end of brownfield-first and opportunity sites hit SME builders hard.

There would appear to be little or no interest in reversing these changes. Perhaps an upper limit on the number of homes on a single site for, say, 50% of the home sites allocated in local plans might help. Also, the call for sites should be ended and local planning authorities given the task of identifying sites in local plans, with a genuine brownfield-first policy.

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

Partially agree.

The pressure from large developers for these planning reforms is crystallised in the proposal to remove beauty. They may find huge areas of “red-boxburbs” most profitable, but the failure to employ genuine local vernacular styles, scale and materials and variety, resulting in ugly developments is a major cause of opposition.

Possibly reform of the NMDC is needed to emphasise the need for specific factors on the look of buildings to make them “attractive and distinctive”. Otherwise this could mean whatever developers choose it to mean.

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

No.

Upward extensions actually add little to the housing stock and are usually carried out simply to increase the value of individual homes.

If you are serious about retaining the need for “well-designed homes”, then only carefully designed and set-back mansards would normally be permitted. They should not be allowed in conservation areas or within the curtilage of listed buildings.

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

No.

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

No.

The phrase “modern economy” in old paragraph 86(b) would need careful definition and expansion. Given the gathering threats from climate change, food and water security, biodiversity destruction etc., it is evident that, while an economy meeting the needs of the near future might well include gigafactories, it would not include any expansion of road-based or air-based freight and logistics. Transport is now the sector with the highest greenhouse gas emissions and, as other sectors decarbonise, that will grow sharply. Indeed, a “modern economy” should include facilities to help commerce with sustainable modes of transport.

A great deal of work is needed to define what types of commercial development are needed. We would recommend, as a non-exhaustive list, rail and water-based distribution facilities, sites for manufacturing or maintaining rail-based public transport infrastructure, for instance. But given that the list is likely to be lengthy, is there any point in specifying what types of development (“such as”) at all?

What might be useful here, however, is guidance requiring that major commercial developments be linked by rail, both for passengers and freight, or by water for freight.

Although some attempt has been made to refer to transport in the changes to old paragraph 87(b), these are totally inadequate to promote the sustainable transport we need. Indeed, the proposed guidance to make life easier for the distribution sector at large would undermine it, given its current almost total reliance on heavy goods vehicles for which “sustainable fuels” remain so much pie-in-the-sky.

This “modern distribution industry” might have featured in 1980s visions of a modern economy, but its ability to give a competitive advantage to imported goods and goods manufactured ever further away shows it’s a major contributor to our poor balance of payments and undermines both local manufacturing and retail. It also accounts for a large and growing proportion of our greenhouse gas emissions.

We would question whether the assertion in old paragraph 87(b) that clusters are needed to support modern industries is true in today’s connected world. It is clear “laboratories” are included to support the unsustainable growth round Cambridge (“towns and cities important to our future growth like Oxford and Cambridge” – Chapter 4, paragraph 18). Scientists are at the forefront of connected technologies and need them not at all.

But we would strongly oppose the assertion in old 87(b) that storage and distribution operations do anything to support transport innovation or decarbonisation, though they do play a key role in undermining them. While freight and logistics may indeed be fundamental to the UK economy (consultation paragraph 3(d)), the sector’s growing reliance on “a national network of storage and distribution infrastructure”, as currently understood to mean ever-larger HGV-dependent distribution depots adjacent to motorway or trunk road junctions is a major threat to sustainable development by:-

- (a) hugely increasing greenhouse gas emissions
- (b) undermining local manufacturing and retail business
- (c) increasing imports and damaging the balance of payments.

We would also question whether the new sub-section (c) here provides anything useful to planning guidance.

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

No.

As stated above, a wide range of industries will be needed to adapt to and mitigate climate change. There are other growing needs too – defence industries, for example, given the world’s deteriorating security situation. Light-rail or metro installations in cities and their manufacturers and support facilities are a massive, unmet need. But there is really no need to specify individual industries here.

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

No.

The NSIP regime, by denying local communities and their representatives a meaningful role in their location and development, is actually a source of opposition to such facilities. There is no need to add these facilities to it.

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

No.

It shouldn't be so extended.

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

The issues of building infrastructure (a) to grow the economy and (b) to increase housing supply are separate issues and should be treated separately.

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

Yes.

This should be accompanied by restriction or removal on "viability" provisions which enable developers to wriggle out of providing the infrastructure necessitated by their developments.

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

Yes.

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

Partially.

It is symptomatic of the rest of the consultation that we reach Question 69 before any serious consideration of transport is included. The consultation talks about "vision-led" in relation to transport planning but offers little indication of what that should be other than "not predict and provide". We were interested to hear the DfT is preparing a "connectivity tool", but there's no sign of what that would be; it would be worth exploring examples from elsewhere, such as London's PTALS or the US Green Building Council LEED-Neighborhood.

Yes, we support a "vision-led" approach to promoting sustainable transport, but we need to define what that vision would support and there needs to be far more

prescription throughout the *NPPF* and PPG on the sort of things sustainable transport planning necessitates.

Planning guidance needs to spell out as essential that development is built around a transit-oriented development approach, requiring that major housing or employment developments be located adjacent or close to rail-based transit *networks*, from the outset. This would certainly mean more than just a single rural railway station on a lightly trafficked line. It would also mean inclusion of comprehensive active travel components in all residential and retail developments, and layouts of developments that secure their use and avoid the necessity of using cars wherever possible, including traffic restraint and avoidance of car-dependent elements like cul-de-sacs.

New developments should be subject to a “no net traffic increase test”, in the same way as biodiversity net gain is applied, in all tested scenarios. This should be supported with parking standards. Bus and light-rail operators should be statutory consultees.

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

A key issue is ensuring that active travel is facilitated and maximised in both new and existing development. In existing developments, that will often involve a degree of traffic restraint, rejecting complaints about its potential to harm local economies and stressing its ability to improve the environment and attractiveness of town centres etc.. In new developments, it would mean eliminating layouts which ensure car dependency like cul-de-sacs and low residential densities.

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

The provision of homes for social-rent for the homeless or those inadequately housed is one of the biggest contributors to public health there is. This has been recognised for well over 100 years.

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

No.

We do not agree that deleted footnotes 57 and 58 to paragraph 163 set an unnecessarily high bar. There appears to be an assumption that onshore wind developments are entirely beneficial and have no negative impacts. In fact, there are obvious downsides: the damage to land done by the need to build a high-capacity road to each and every turbine, the impact on biodiversity and soils, loss of farmland and damage to landscapes. The emphasis for increased wind energy capacity should concentrate on offshore wind.

Communities should have the right to have their voices heard on wind energy proposals and integrating them into the NSIP regime would be a sure way of losing public support.

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

No.

While we support an urgent shift away from fossil fuels, it needs to be recognised that renewable energy infrastructure can have its own impacts.

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

Yes.

Deep peat soils should never be considered for wind energy or solar projects given the need to build roads or spread panels across these sensitive landscapes. This causes loss of carbon, seriously damages biodiversity and their ability to store water and buffer flooding downstream and undermines any carbon advantages.

We believe wind or solar energy projects should never be permitted on Footnote 7 areas given their potential to harm soils, biodiversity, landscapes etc..

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

No.

They should not be included in the NSIP regime.

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

No.

They should not be included in the NSIP regime.

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

No.

They should not be included in the NSIP regime.

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

One key deficiency in current national policy is the belief that wind and solar are the only worthwhile forms of renewable energy generation. This is probably the result of intense lobbying by those industries.

Guidance should, for example, make provision for the needs of tidal and wave energy infrastructure, in particular tidal barrages.

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

-

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

Yes.

Current planning policy makes little provision to cope with the fast-growing exacerbation of extreme weather events or fast-accelerating sea-level-rise.

There needs to be an urgent review of inland drainage and flood control to cope with ever-more extreme events, a trend which can only increase as climate change worsens. Obviously drainage systems and flood defences are an important part of our response, but one key issue that is totally neglected is the need to reduce or eliminate soil-sealing. Open land infiltrates rain water and slows run-off. As soon as hard development takes place, that land is essentially lost and flood potential over wide areas is inevitably increased, even if the development (as is current policy) includes sufficient drainage to protect itself.

The proposals to increase urban sprawl and soil-sealing through “grey belt”, standard method changes and encouragement for expansion of the distribution industry estate etc. would dramatically increase the amount of flooding elsewhere. Local planning authorities need stronger powers to work together to prevent this damage to society, the economy, agriculture and the environment.

Perhaps the biggest coming challenge is sea-level-rise. Significant work, including by the British Antarctic Survey, shows that major failure of Antarctic ice-sheets is now inevitable. How much and how soon is not known exactly, but the centimetres with which current sea-level-rise is measured will, in decades to come, abruptly turn into metres.

A key function of Government is to plan for such changes. Sea-front and many riparian communities, which include major cities, face inundation beyond sea-defences’ ability to contain. Huge areas of farmland are also likely to be lost in areas like the Fens and around Cambridge, which the consultation still talks about as sites for major development.

The inundation of farmland and the effects on it of extreme weather are other strong reasons to protect farmland from development. The overall effect of the consultation paper would hugely increase development on it.

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

Yes.

The narrow focus on wind and solar ignores the very substantial contribution that tidal energy barrages could make to renewable energy generation without the substantial damage that onshore wind and solar cause. Offshore barrages are cheaper and quicker than nuclear energy and more reliable and predictable than wind and solar. Planning guidance should reference opportunities for such barrages, possibly as part of the NSIP regime.

Another key deficiency is the lack of reference to the importance of reducing road traffic and aviation, which currently represent the biggest carbon emitting sector. It is disappointing to see the encouragement proposed in this consultation to road-based distribution systems and depots as these have substantial potential to increase carbon emissions.

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

No.

Government has a number of basic duties to its citizens – defending them from external threats and flooding, ensuring basic housing and healthcare and guaranteeing them water and food are the most important. The art of government is not to try to secure one at the expense of one or more than one of the others.

Chapter 9, paragraph 21 of the consultation rightly says food security is important for our national security, though it suggests downgrading the central importance of safeguarding best and most versatile land to “an important consideration”. Given the number of proposals in this consultation to increase house building, distribution sheds, solar panels, and wind farm roads, it is plain it is no longer even an important consideration.

Yet the issue of food security has been rising up the risk agenda for some time, even though it is one Government has shown little interest in. Housing, on the other hand, has had great attention ever since HM Treasury decided 20 years ago that the ups and downs of the housing market are a threat to national economic security. The current planning proposals are unlikely to generate much more housing, if any, without including punitive action against house builders when they choose not to build even the generous land allocations in unsustainable locations the proposals are likely to generate.

What they are likely to generate – and it’s clear from the content of the proposals – is more soil-sealing and accelerated destruction of farmland. That was sharply increased once the *NPPF* abolished brownfield-first and handed house builders various ways to ensure they got the land that would be the most profitable to develop, at the expense of the environment, food and water security and affordable housing.

The country is already completely unable to feed itself and the poor harvests this year only emphasise that climate change is likely to hit output further. The UK, despite its poor balance-of-payments position and heavy debt, relies heavily on imports from a world where climate change is also heavily impacting output and conflict is exacerbating that. Ukraine was Europe’s breadbasket.

So it makes no sense to further undermine food security by planning provisions making it even easier to build on farmland. At the very minimum, we recommend retention of the second sentence of Footnote 63.

A responsible approach to food security would involve redrafting the Footnote to read: "Where significant development of agricultural land is proposed, areas of poor-quality land well located for sustainable transport should be preferred. The availability of agricultural land used for food production should be given great weight when deciding what sites are most appropriate for development."

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

Yes.

We recommend amending the definition of best and most versatile agricultural land in the *NPPF* Glossary to read: "Land in grades 1, 2 and 3 of the Agricultural Land Classification". In practice there is often little difference in productive capacity between 3a and 3b.

We also recommend revising *NPPF* paragraph 180(i) to read: "recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the food and water security benefits of the best and most versatile agricultural land, and of trees and woodland;"

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

Yes.

Water security has already been seriously undermined by accelerating the movement of population and employment over many decades south and eastwards in England. For a whole range of reasons, economic, social and environmental, we need regional planning that reverses this trend. At the moment, simply building a few reservoirs in the south of England is not going to meet the increased demand caused by the unbalanced regional growth in housing which will be exacerbated by the uneven levels of rainfall over long periods guaranteed by climate change.

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

Yes.

If the Government is determined to continue exacerbating regionally unbalanced development, then it will need to consider provisions allowing creation of the national water grid that has been under discussion intermittently since the 1930s.

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

Yes.

The whole issue of food and water security appears to have a desperately low priority compared to the drive to ensure land, including highly unsustainable land and land in unsuitable parts of the country, is allocated in local plans for market house building, distribution sheds etc.. This approach is a major threat to food and water security, yet runs through much of this consultation.

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

No.

Governance in this country is already far too centralised.

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

No.

Governance in this country is already far too centralised.

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

No.

Charges for many domestic applications are already high, deterring people from making them in the hope their proposals may avoid scrutiny. This can be particularly problematic with unconsented alterations to listed properties which may be hard to detect.

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

If Yes, please explain in the text box what you consider an appropriate fee increase would be.

-

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

Yes

No - it should be higher than £528

No - it should be lower than £528

no - there should be no fee increase

Don't know

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

No – there should be no fee increase.

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

-

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

-

Question 94: Do you consider that each local planning authority should be able to set its own (non-profit making) planning application fee? Please give your reasons in the text box below.

-

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

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

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

Neither

Don't Know

Please give your reasons in the text box below.

-

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

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

No.

Planning controls contribute hugely to national sustainable development, so planning services need higher levels of central government financial support.

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

-

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

Yes.

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

Local planning authorities must be adequately resourced to represent residents, protect the environment and respond to NSIPs. Cost recovery from the applicant will often be the way to do this. LPAs should be empowered to double the fee in the case of vexatious applications such as twin-track or repeated applications.

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

-

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

-

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

No.

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

No.

Plainly any alterations to the *NPPF* and *PPG* should await details of the Planning and Infrastructure Bill, the Government's land use strategy and connectivity review and the result of current national reviews of flooding and transport projects.

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

No.

Local plans at an advanced stage should not be required to immediately start preparation of a new plan. There is no point in adopting a plan and then immediately reviewing it – and this should include higher, unsustainable, home building targets.

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

No.

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

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