

## Addingham Civic Society

### Proposed Changes to NPPF - Table of Questions September 2024

#### Chapter 3 – Planning for the homes we need

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

Agree - as long as revised NPPF is robust and reasonable

**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?**

Agree

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

Agree – provides more scope for other urban areas to expand.

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

Disagree - much too broad brush. There need to be appropriate safeguards in place for Conservation Areas and potential impact on the character of towns, villages etc. In the extreme it could result in high rise system building in inappropriate locations. We need to learn from the past. However, the Addingham Civic Society (ACS)

supports plan-led development with efficient use of land at appropriate densities.

**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?**

Agree in principle - rather than district-wide design coding, ACS would like to see local planning authority efforts focussed on the preparation of localised design codes, masterplans and guides for areas of most change and most potential – including regeneration sites, areas of intensification, urban extensions and the development of large new communities. All aspects of development need to be properly designed both in terms of the overall living environment and creating built development that will stand the course of time.

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

Agree in principle

#### **Chapter 4 – A new Standard Method for assessing housing needs**

**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?**

Disagree – for 60%+ of local authorities with no current Local Plan in place, this would be a “developers’ charter”, potentially resulting in development out of scale with local needs or character. Increases in staffing and resourcing of local authorities and the Inspectorate is urgently required to progress Local Plan making. Once plans are in place, it would be more reasonable to ensure continuing land supply.

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

Agree – although there should be measures to ensure that once land has been released it should be developed within a specified time frame and not “banked”.

**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?**

Disagree

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

Small scale infill sites are an effective way of topping up allocated housing numbers and should be formally recognised.

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

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

Agree – co-operation clearly a good thing but must be supported by adequate resourcing of local authority planning departments. Danger of it being abused with inappropriate “dumping” of housing allocation on neighbouring authorities.

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

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

**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?**

Agree - certainly simpler/clearer

**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?**

Agree in principle – dependant on the choice of area used to obtain the ratios.

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

**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?**

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

## Chapter 5 – Brownfield, grey belt and the Green Belt

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

Agree - however no guidance on the crucial issue of payment for essential decontamination / remediation works – only a general statement “support appropriate opportunities”. Without financial support it is likely many contaminated sites will be deemed “unviable” by developers, sometimes justifiably.

Urban sites can be ideal for social rental housing and could be candidates for compulsory purchase.

In more rural situations a site’s contribution to “openness” must be given considerable weight.

**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?**

Agree in principle - could be problematic when PDL sites have significantly regenerated.

**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?**

Agree

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

Disagree - the definition needs to be more comprehensive to include issues such as rewilding.

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

Agree it is an issue, criteria need to be included in an appropriate NPPF policy.

**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?**

Agree – would help if basic principles were incorporated in the NPPF.

**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?**

High ecological value should be included in the criteria. Urban uses of Green Belt which promote health and wellbeing such as allotments and playing fields should either be protected or replicated elsewhere, before development is sanctioned.



**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?**

Strongly Agree – there are excellent examples of this particularly associated with disused mining and aggregate extraction sites.

**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?**

Agree

**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?**

Agree – for example ‘openness’ is a key function of Green Belt.

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

Generally Agree - up to date Local and Neighbourhood Plans need to be in place to ensure that development decisions are soundly based. Important to have community involvement in these key decisions.

**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?**

Agree? – contamination could be a factor eg with old fuel station sites. In these circumstances Government and or local authorities may have to provide funding to improve financial viability.

**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?**

**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?**

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

Agree – local authorities should consult local communities when making these decisions

**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?**

Disagree – low value land may be well suited to social rental housing and a target in excess of 50% could be appropriate.

**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?**

Agree – this must be treated seriously and be sustainable. Performance Bonds should be considered to ensure developers fulfil their obligations.

**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?**

Strongly Agree – land values are a key facet of house price unaffordability. However, there must be safeguards in place ensuring much lower land values don't translate into even higher developer margins.

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

Towards the lower end with a maximum of 5 times agricultural value.

**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?**

**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?**

Agree - if default is 50% affordable on Green Belt land. However in many instances "affordable" is a misnomer.

**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?**

Agree – the reverse already happens whereby developers renege on planning commitments on viability grounds (eg. Provision of schools, medical facilities etc), depriving local communities of badly needed assets they were promised. Financial bonds are one way of addressing this and subsequent planning applications should be determined on past performance.

**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?**

They should be stringently applied possibly with additional caveats.

**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?**

“Golden Rules” should be applied to draft plans at the Reg 19 stage. Development that has received full planning consent should be exempt but they should be applied retrospectively to outline consents.

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

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

Agree in principle, - “compulsory purchase powers” should be exercised with great care and be in aligned with the objectives of Neighbourhood Plans.

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

There should be an acknowledgement that not all Brownfield and grey field sites are suitable for development and that some have intrinsic importance for biodiversity following decades of rewilding.

## Chapter 6 – Delivering affordable, well-designed homes and places

**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?**

Agree – but as previously stated “affordable” is a misnomer and should be redefined to ensure properties are genuinely affordable.

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

Disagree – should be for Local Authorities to set local policy requirements but the 10% should be retained as a minimum to assist tenure mix on sites. As described above “affordable” needs to be redefined.

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

Disagree

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

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

Agree – where appropriate.

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

Allow local authorities to designate an appropriate housing mix for developments based on Housing Need Surveys. Social rental housing should constitute genuinely low-cost dwellings built on land acquired at an appropriate price. High density, low rise houses should be encouraged providing a mixed tenure including starter homes and dwellings for older people "trading down" Also there should be incentives to build on previously developed land, particularly where contaminated. Also give local authorities the means to build.

**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?**

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

Local authorities should conduct Local Housing Need Surveys with the involvement of local rural communities and Housing Associations, aimed at keeping small communities together and supporting local employment.

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

Agree



**Question 56: Do you agree with these changes?**

Strongly agree with these changes which aim to encourage community led housing provision. Appropriate central government funding should also be made available to Local Authorities to support communities in their areas with the costs of establishing community-led housing schemes.

**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?**

**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?**

In some instances, large housing developers attempt to satisfy virtually all the housing requirement via a small number of large sites. This can mean less work for local authority planning departments and squeeze out small developers / builders. Local authorities should liaise more closely with local communities, making more effective use of Neighbourhood Plans.

Support measures to encourage development of small sites; the 10% requirement should be retained, however there should be opportunity for exceptions where this would be damaging eg particularly environmentally-sensitive sites.

**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?**

Agree – references to beauty / beautiful were completely unhelpful and subjective.

Local authorities should be much more proactive in the design and layout of new developments and their energy efficiency.

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

Disagree – all upwards extensions should require full planning approval. If implemented this measure would generate additional planning fee revenue.

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

**Chapter 7 – Building infrastructure to grow the economy**

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

Agree in principle

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

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

Agree in principle – some proposals will need to be examined in local plans where power and cooling requirements will adversely affect other forms of development including housing.

**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?**

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

Fast tracking needs to be carefully considered and appropriate.

## **Chapter 8 – Delivering community needs**

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

Agree – “significant weight” but not overriding all other considerations.

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

Agree if this implies better vocational training opportunities.

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

Agree

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

Plan and make provision for a comprehensive network of sport and leisure facilities across the country. These must be affordable and accessible to the general public.

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

The Planning System needs to make provision for industry / commerce to ramp up the number of apprenticeships for youngsters 16+.

**Chapter 9 – Supporting green energy and the environment**

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

Agree

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

Agree

**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?**

Agree - Peat Moorlands should be protected – hard to see how meaningful compensation could be achieved. It is not only a question of carbon accounting, it is also a concern of wildlife conservation, especially the need to protect habitat for ground nesting birds

**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?**

Agree

**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?**

Agree – note these projects need to be located on non-productive or marginal land. Need national guidelines and maps.

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

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

Ensure roofs are designed to be ready for solar panels and that houses oriented to maximise solar generation efficiency. Encourage solar installations on industrial and agricultural buildings and large reservoirs where appropriate.

Ensure new builds incorporate sustainable drainage systems (SuDS) allowing rainwater to be harvested for use in droughts and rivers to be protected from dirty water surface runoff in storms.

**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?**

Calculation tools need to be standardised, auditable, produce certificated results and be user friendly.

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

Yes – flood plains should be prohibited for general development.



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

All houses to be built to zero carbon standard.

Developers to justify, if appropriate, why new domestic property cannot generate a minimum of 2kWh of energy.

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

Agree if specific guidance is produced for local authorities on the protection of Grades 1 to 3b agricultural land. Detailed Land Classification maps are already available.

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

See answer to Question 76.

**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?**

Agree – in critical water supply areas mandate water providers to construct strategic storage reservoirs that should have been constructed decades ago.

**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 - there is no reference to the need to safeguard aquatic ecosystems in water transfer schemes and prevent the movement of invasive species.

There is no reference to leakage targets coupled with a meaningful data collection system investment and application.

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

Water metering significantly reduces demand and should be made compulsory for all households as soon as possible. Sustainable water provision must be a prime consideration when planning large commercial industrial and housing schemes – especially for new settlements and data storage facilities.

Other than stressing the importance of trees there is very little reference to biodiversity, for example the importance of hedges as property boundaries, connectivity of homes and gardens to maximise wildlife movement, the design of urban green spaces to combine wildlife and amenity values or the protection of watercourses.

## Chapter 10 – Changes to local plan intervention criteria

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

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

## Chapter 11 – Changes to planning application fees and cost recovery for local authorities related to Nationally Significant Infrastructure Projects

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

Agree provided revenue generated from planning applications is ring fenced and used for planning purposes and not general local Authority expenditure.

**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.**

Agree – maximum £387, but this should be nuanced and not levied as a flat fee. Householder applications vary in scale and complexity with some very simple applications which should attract lower fees.

Permitted Development should be reduced in scope and be subject to planning fees. Fees levied for planning applications in Conservation Areas should be nuanced to the scale of works.

**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.**

**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.**

Permitted Development should be reduced in scope and should be subject to appropriate planning fees.

**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.**

Disagree because in poorly run local authorities the planning fees could be extortionate.

**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.**

Neither - planning fees should be set nationally and to implement "levelling up" a formula should be applied where wealthy local authorities subsidise poorer ones, maintaining important functions including planning.

**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?**

Probably not, extra planning service costs should be met by developers for major developments and by the local authority in other instances. If planning fees are increased beyond the maximum flat rate the additional revenue generated should be ring fenced to planning services.

**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?**

**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.**

**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?**

## **Chapter 12 – The future of planning policy and plan making**

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

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

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

**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?**

This document is silent on accessibility for new homes. At least 10% should be suitable for wheelchair access.