

Response ID ANON-SNQ4-RDG8-U

Submitted to Proposed reforms to the National Planning Policy Framework and other changes to the planning system
Submitted on 2024-09-22 13:51:37

Scope of consultation

Respondent details

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Leicester City Council

d What type of organisation are you representing?

Local authority

If you answered "other", please provide further details:

Chapter 1 – Introduction

Chapter 2 – Policy objectives

Chapter 3 – Planning for the homes we need

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

Yes

Please explain your answer:

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?

Yes

Please explain your answer:

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

Yes

Please explain your answer:

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

No

Please explain your answer:

Paragraph 130 allows for consideration of important impacts of development in areas of character and this should be retained

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

Please explain your answer:

Yes, design codes should focus on areas with the greatest potential for change. This approach is crucial given the current budget and resource constraints facing local authorities. Key benefits include:

- Strategic Growth Management: Aligning design codes with local and strategic plans helps manage growth effectively and supporting well-planned areas.
- Targeted Impact: Concentrating on specific areas allows for tailored, context-appropriate solutions.
- Flexibility and Innovation: Localised design codes enable adaptable and creative design responses compared to a uniform approach.
- Efficient Use of Space: Tailored codes address the challenges of higher density and regeneration, optimizing land use and infrastructure.
- Effective Resource Allocation: Focusing efforts on high-potential areas ensures more strategic and effective use of resources and time.
- Community Engagement: Targeted codes foster better engagement with local stakeholders, gaining greater community buy-in.

In addition, from a highway and transport point of view this is positive, as it can provide a focussed approach and less open to interpretation from developers. Government guidance needs to allow LAs to achieve this

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

Yes

Please explain your answer:

Footnote 7 could be further strengthened. In para. 11, section 'a', the text '...improve the environment' could be amended to '...improve the natural and historic environment'

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?

Yes

Please explain your answer:

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

Yes

Please explain your answer:

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?

Yes

Please explain your answer:

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

Yes (5% is an appropriate buffer)

Please explain your answer if you believe a different % buffer should be used:

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

Yes

Please explain your answer:

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

Yes

Please explain your answer:

Yes, this is strongly supported. The Planning Authorities in Leicester and Leicestershire have striven to maintain joint strategic planning despite the previous adverse national planning policy context. The nature of managing growth of under-bounded cities like Leicester where the City has long since grown beyond its administrative boundaries requires a robust cross boundary approach to planning. This needs to recognise capacity constraints and the need to be able to secure cross boundary infrastructure planning and delivery set a strategic level. It is essential that this new approach is universal to ensure a level playing field across the country.

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

Yes

Please explain your answer:

Yes although more detail is needed. There are too many unknowns at a strategic level to give a credible answer to this. In addition, strategic planning involves multiple authorities and multiple organisations operating at different timescales with different objectives. This is a barrier to soundness.

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

Please provide any other suggestions relating to the proposals in this chapter. :

“We also want to ensure that in the short term we are making the most of opportunities for greater collaboration between authorities, so we propose amending the ‘maintaining effective co-operation’ section of the NPPF to ensure that the right engagement is occurring on the sharing of unmet housing need and other strategic issues where plans are being progressed. “

This above comment is particularly welcomed. However clarification is needed in terms of how unmet need in Plans emerging under the current NPPF (our Plan is at Examination this autumn) and those under the new system will fall to be dealt with under the transitional arrangements and beyond into the new system.

Clarification of this point would be welcomed.

Chapter 4 – A new Standard Method for assessing housing needs

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?

Yes

Please explain your answer:

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?

Yes

Please explain your answer:

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

Yes

Please explain your answer:

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

Please explain your answer:

Yes, especially given the recent significant increases in private rent costs, signifying an increasing demand/need for rental properties (reflecting home ownership affordability issues). Increased private rent is likely to result in more households falling into Affordable Housing need and also directly increases the cost of Affordable Rent – itself an affordability issue when set at 80% of current market rents.

The proposals are supported.

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

Please provide any additional comments on the proposed method for assessing housing needs.:

Chapter 5 – Brownfield, grey belt and the Green Belt

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

Yes

Please explain your answer:

The proposed wording “should be regarded as acceptable in principle” is not compatible with the existing wording at the start of the para “give substantial weight” – the former essentially trumps the latter.

What is ‘acceptance in principle’ in this specific context? Development in that location is acceptable full-stop, or subject to an acceptable set of proposals? Wording needs more clarity.

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?

Yes

Please explain your answer:

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?

Please provide any further views:

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

Yes

Please explain your answer:

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

No

Please explain your answer:

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?

Yes and it should be contained within PPG

Please explain your answer:

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?

No

Please explain your answer:

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?

Yes

Please explain your answer:

Alignment of LNRS with Local Plans is a positive objective

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?

Yes

Please explain your answer:

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?

Yes

Please explain your answer:

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

Yes

If not, what changes would you recommend?:

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?

No

Please explain your answer:

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?

Yes

Please explain your answer:

Yes it should

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

Please explain your answer:

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

Yes

Please explain your answer:

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 Green Belt areas (including previously developed land in the Green Belt)

Please explain your answer:

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

Yes

Please explain your answer:

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?

Yes

Please explain your answer:

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

Please explain your answer:

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

Please explain your answer:

Support

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?

Please explain your views on this approach:

Support

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?

Yes

Please explain your answer, including what support you consider local authorities would require to use late-stage viability reviews effectively:

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

Please explain your answer:

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

Please explain your answer:

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

No

Please explain your answer:

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

No

Please explain your answer:

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

No

Please explain your answer:

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

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

Please explain your answer:

Yes, we agree with the importance of considering the needs of those who require social rent when undertaking needs assessments and setting policies. In many areas, including Leicester, social rent is a priority need, and this is already assessed to inform policy. It is important that robust policies that give weight to social rent provision are in place to support delivery but have regard to the most recent evidence of local needs. It is equally important that the delivery of Social Rent is made as viable for Providers as Affordable Rent is, throughout the entire lifespan of the properties. Without this, there may be insufficient Providers willing to deliver Social Rent and the evidenced need will remain unmet

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

Yes

Please explain your answer:

Yes, we strongly agree with the removal of the requirement to deliver at least 10% of the total number of homes on major sites as affordable home ownership. For many areas, including Leicester, the affordable home ownership product was/is not meeting locally evidenced affordable housing needs. It was/is not an affordable option for residents in affordable housing need.

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

Yes

Please explain your answer:

Yes, we strongly agree for the reasons outlined above in Qu 48. Our Local Housing Needs Assessment 2022 demonstrated that 87% of the evidenced shortfall of affordable housing in the city is for social/affordable rent. First Homes do not address our priority need which is affordable housing for rent, they are not affordable for most people in affordable housing need and their requirement significantly prejudices our ability to meet our evidenced affordable housing need (for rental affordable products).

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

No

Please provide any further comments:

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

Yes

Please explain your answer:

We strongly support a policy to promote developments that have a mix of tenures and types which reflects the evidenced local housing needs and we recognise the benefits that this provides for creating inclusive and mixed communities. If a policy was forthcoming consideration would need to be given to enabling local authorities to negotiate on the type and mix of both affordable and market homes. Market homes should reflect local need and meet the needs of residents who may be able to achieve home ownership and require the mix and type of homes to do so. As outlined above a strong policy on reflecting local evidenced Affordable Housing needs is required to ensure market led developments meet priority Affordable Housing need, as opposed to a blanket favouring of home ownership products. This, of course, assumes that sites can be financially viable to deliver a mix of market and affordable housing, including any required specific housetypes to meet local needs (eg proportion to wheelchair standard, supported housing, etc). In some locations such viability remains problematic and could prevent sites coming forward for development. This could be tackled by stronger policy to ensure that Planning Gain requirements are required to be factored into any land valuations and by funding to tackle land remediation issues.

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

Please explain your answer:

The most appropriate way to promote high percentage of Social Rent/affordable housing developments is through:

1. Clear and robust Planning policies which set out how landowners and developers need to reflect local evidenced housing needs within their site proposals, including a requirement to design in the full affordable housing requirement from the start;
2. The price of the land needs to reflect all the developer contributions required;
3. Funds to be available to address any required site remediation which would otherwise make the site unviable.

It is important that robust policies, whether via the Framework or National Development Management Policies (NDMP) that give weight to Affordable Housing for rent provision are in place to support delivery but also have regard to the most recent evidence of local needs. Given the financial viability constraints in most locations in delivering developments with a high percentage of Rented Affordable Housing this may be difficult to achieve through market led development unless significant funding is provided to cover any shortfall and robust policies are in place, including planning gain policies, to provide clarity on what must be provided by landowners and developers on these sites, and land can be acquired with a clear understanding of the potential development costs. If appropriate sites are available, it is highly likely many of the sites will be identifiable to the local authority through the plan making / site allocations process and adjacent or nearby to current affordable / council homes and estates. Whilst we strongly support mixed tenure developments, we do not believe that there should be a maximum size for a single tenure development of all affordable housing: such a measure would risk limiting the opportunities to meet evidenced affordable housing needs. What is critical, though, for a 100% affordable housing scheme is that it is appropriately served by public transport, health, education, community facilities etc. With the current Right to Buy Legislation, single tenure affordable developments can provide a mix of tenures over time as a proportion of people in affordable rented homes move into a position of being able to afford to buy their homes.

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?

Please explain your answer:

We are of the view that the identification of sites promoting high percentages of social rent / affordable housing developments would need to be considered with clear parameters to maximise benefits and minimise unintended consequences. The 'parameters' would need to be evidence based and allow for decision making with regard to local needs assessments, knowledge, and experience of the local authorities and housing providers. However, it is important that any process does not unintentionally limit the opportunities for affordable housing. Having regard to the location of sites / developments is essential to provide well served and well connected communities Proximity to key services and facilities for residents, including public transport and to ensure the required infrastructure (on site and off site) is identified and delivered for the new dwellings but also for the existing communities (see response to Qu. 52) The draft NPPF consultation positively promotes the joining up of the need to address climate change and de carbonisation, addressing health inequalities and the delivery of well-designed homes. This provides an opportunity for a joined up strategy at a local authority level, guided by policy to show not how developments can safeguard unintended consequences but are being developed positively to improve the health, well being and opportunities for residents.

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

Please explain your answer:

No comment

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

Yes

Please explain your answer:

56 Do you agree with these changes?

Yes

Please explain your answer:

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

If Yes, what changes would you recommend?:

s identified, the Framework glossary stipulates that 'affordable housing for rent' must meet three conditions (a), (b) and (c) of which condition (b) requires a landlord to be a registered provider except where it is part of a Built to Rent scheme. These conditions do exclude organisations that aren't Registered Providers in developing and managing affordable homes. Whilst Registered Providers will deliver many homes there needs to be flexibility to allow different 'developer models' and affordable housing providers. This could be at a smaller scale, in locations where specific needs can be met by a recognised organisation or community-led organisation or where Registered Providers cannot be secured. Aspects of due diligence and process etc. can be undertaken and robust criteria put in place, and therefore the Framework does need to provide flexibility for other options to meet housing need.

We would also recommend, alongside the above, that the definition includes 'intermediate affordable rent' to allow for the delivery of affordable rental products by those organisations that aren't Registered Providers but provide a need where rent is determined as with the social rent and affordable rent housing model.

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

Please explain your answer :

We recognise the importance of allocating small sites, defined as less than 1 ha, which help contribute to housing need and the council are actively exploring small and medium sized sites in our current Local Plan to help meet with the 10% requirement. However, if the allocation of small sites are made mandatory through policy we are concerned that there may be unintended consequences. For authorities who are geographically constrained, such as Leicester, identifying suitable small sites in the city boundary can be problematic. Sites submitted to the Council are often smaller than 0.25 ha (threshold for allocation) or can be green spaces that currently provide valuable amenity space to the local community. An evidence based assessment process, considering open space deficiencies balances green / open space and housing need is required. This balance can be challenging, in terms of balancing the value of the open space/green space. Additionally, on this basis that sites of 0.25ha could become too small for SME's who cannot benefit from economies of scale, ultimately effecting delivery. Brownfield sites are often preferential. However, small brownfield sites are often unviable. If the policy is made mandatory, local authorities currently require the support of land owners to offer up sites through the 'call for sites' process. Even if small sites are identified through the local plan process the support of landowners is not guaranteed throughout the preparation of the Local Plan process

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?

Yes

Please explain your answer:

Yes, retaining references to well-designed buildings and places while removing references to 'beauty' and 'beautiful' and amending paragraph 138 of the Framework is advisable. Specifically:

- Practical Framework & Quality Focus: The National Design Guide (NDG) and the National Model Design Code (NMDC) provide clear, actionable criteria for assessing design quality, which are more practical than subjective notions of beauty.
- Objective Criteria: The term 'beauty' is subjective and can lead to inconsistent interpretations. The proposed amendments offer objective guidelines, improving policy effectiveness and reducing ambiguity.
- Inclusivity in Design: Focusing on well-designed spaces ensures a more inclusive approach, addressing diverse needs and perspectives.
- Alignment with Current Practice: The proposed amendments acknowledge the widespread use of the NMDC and local design guides, ensuring that design assessments are based on up-to-date, widely accepted standards rather than subjective criteria, supporting more practical and informed design decisions.

Community and Developer Engagement: Using established design codes allows for more meaningful engagement with communities and developers

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

Yes

Please explain your answer:

Explicit reference to mansard roof is not required. 124(e) states 'they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards)'. This is sufficient. Specific roof types are not required. (AP) Policy should say "appropriate" design of upward extension which responds to context and any relevant local design policies. If the specific references to mansard roofs are removed then the condition on simultaneous development would apply to all roof type

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

Yes

Please explain your answer:

Remove the reference to mansard roof. Make reference to context and local design policies

Chapter 7 – Building infrastructure to grow the economy

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

Yes

Please explain your answer:

With an emphasis on delivering strong developments focused principally on economically growth focused developments, we would require sufficient transport infrastructure investment – particularly sustainable transport infrastructure - investment during construction and occupancy of any site to ensure those developments are successful

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

No

Please explain your answer:

No comment

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?

Yes

Please explain your answer:

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

If Yes, what would be an appropriate scale? :

No comment

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

No

Please explain your answer:

Chapter 8 – Delivering community needs

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

Yes

Please explain your answer:

Public infrastructure

There is a pressing need to improve the provision and modernisation of key public services infrastructure such as hospitals and criminal justice facilities. In recognition of that, we propose to add to the wording in NPPF paragraph 100 to make clear that significant weight should be placed on the importance of facilitating new, expanded, or upgraded public service infrastructure when considering proposals for development.

Cost pressures to ensure this happens should not fall on the health or criminal justice sector. This should be incorporated into planning proposal costs.

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

The Government is committed to taking action on public health and reducing health inequalities. Local planning authorities are already able to develop policies to support local strategies to improve health and wellbeing, but there is considerable variation in the extent to which they do so. We want to

consider ways in which the planning system can do more to support the creating of healthy communities. This includes tackling obesity, encouraging active travel and supporting a healthy childhood, such as through more consistent approaches to controlling hot food takeaways near schools. As part of this consultation, we are seeking views on whether and how national policy could provide greater direction and clarity on the promotion of health through local plans and planning decisions

Yes – although cost pressures to ensure this happens should not fall on the health or criminal justice sector. This should be incorporated into planning proposal costs.

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

Yes

Please explain your answer:

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

Not Answered

Please explain your answer:

In practice, such an approach will start from the 'predict & provide' scenario and work backwards towards a preferable vision. Furthermore, without some centralised strategy for developing and funding appropriate measures, such a vision-led approach is unlikely to be credible for the majority of individual development that will inevitably be small or medium sized.

Para 114 (new 112) - In principle we are supportive of a 'vision-led approach'. What are the 'new safeguards'- do they help or hinder the 'vision-led approach'? How would this be assessed in practice? We feel that a 'sound' vision-led approach would still require expectational forecasting which will inevitable involve 'predict and provide' models. It is vital that there is a clear national vision.

We have severe reservations about the proposed change to 115 (new 113) "in all tested scenarios" which leaves too much room for misinterpretation. In other words, it only takes a single scenario (year, timeslot, or development option for instance) to 'work' for this to be interpreted as acceptable. Much more clarity needed in the wording.

Furthermore, guidance on TA's and TS's and travel plans etc will need drastically updating.

Will this need to place more emphasis on LTPs? If so, LTPs will potentially need to be updated in order to translate the 'vision' into a set of appropriate parameters for future development.

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

Please explain your answer:

From a Public Health perspective, it is suggested that policy should:

(a)

- Make it clear/ have explicit aims to show that creating places where people can live healthy lives is central to the purpose of planning i.e. the creation of places that enhance health and wellbeing ('health creation') and help reduce health inequalities. Health should be a strategic priority for planning and decision making
- The NPPF should also promote the delivery of good quality and genuinely affordable homes in order to address the extensively evidenced health harms and costs caused by poor quality, unaffordable and insecure housing
- Requirements for green space and tree cover in developments in order to facilitate cooler areas to relieve heatwave impact, provide areas for exercise and pleasantness to spend time outdoors
- Prioritisation of walking and cycling infrastructure and using it to facilitate community movement, accessible for all to use
- Ensuring safe routes to schools in development of school buildings
- Building design encourages movement through and around buildings on the same site
- Defibrillators to be mandatory in new developments – these are low cost but incredibly important in making communities more heart safe
- Requirement for new developments to account for traffic congestion and traffic redirection which often results in poorer air quality for the most deprived areas on the fringe of developments
- Explicit consideration or requirement for consideration of opportunities for community cohesion and social connectivity opportunities in new developments
- For streets in new developments to align with 'healthy streets' principals

(b)

- Restricting hot food takeaway uses close to schools and centres around children to be a planning requirement – this would mitigate the variation seen with policies across the country
- Neighbourhood design that promotes walkability via safe routes to everyday facilities, including local shops selling healthy food options
- Green infrastructure policies that support parks, allotments, community growing and edible landscapes
- Policies that restrict advertising for unhealthy food on new development sites

- Adequate kitchen, dining and storage space for cooking for requisite number of people living in the house (especially for Houses of Multiple Occupancy)
- Facilitating/ensuring availability of shops selling healthy food at neighbourhood level
- Require development to provide doorstep and public spaces, including streets that are safe and accessible for children and young people, with places for formal and informal play and socialising
- Provision for free water factored into developments
- Obesogenic environment to be explicitly considered in design

From a highways perspective, there is a need to strengthen emphasis on / requirement to deliver improvements for school developments which encourage/facilitate active travel.

Need to place greater emphasis on the safety aspects generally. While we fully support increase in active travel modes – including ‘end-to-end’ journeys rather than just in the immediate vicinity of the schools/academies etc - they should also ensure they are safe by design

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

No

Please explain your answer:

Chapter 9 – Supporting green energy and the environment

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

Yes

Please explain your answer:

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

Yes

Please explain your answer:

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

Please explain your answer:

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?

Not Answered

Please explain your answer:

No comment

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?

Not Answered

Please explain your answer:

No comment

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

Please explain your answer:

No comment

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

Please explain your answer:

- National policy should address the issue of embodied carbon in construction. We would like to see a new requirement for local planning policies to address embodied carbon in major developments.
- For major developments where demolition of one or more existing buildings is proposed, and where the LPA considers that reuse of the building(s) may be feasible and viable, national policy should include an expectation that a Whole Life Carbon Assessment is undertaken, covering both the proposed

demolition and newbuild, and the alternative of refurbishment and reuse, with the results provided as part of the Planning Application.

- Where heritage considerations relating to Listed Buildings or Conservation Areas do not apply, national policy should make it clear that requirements for development to support energy efficiency, on-site renewable or low carbon energy generation and renewable or low carbon energy supply from off-site should be given equal weight in determining applications to considerations around high quality design.
- National policy currently doesn't refer to energy storage, which is going to be critical to increasing renewables and avoiding the wastage of renewably generated energy. New wording should be added to require local planning policy to address energy storage and to support proposals for appropriate standalone energy storage infrastructure, as well as infrastructure integrated into/serving new development. (With appropriate caveats around not conflicting with other areas of policy, and appropriate safety considerations.)
- It should be clarified that clause 162b means that, for new residential development, Local Planning Authorities should expect applications to have addressed the need for flats, terraces and semi-detached properties in preference to detached properties due to the greater energy efficiency of these built forms, and that applications should be refused where the LPA considers there to be an imbalance towards less energy efficient configurations.
- National policy should make it clear that plans must consider and plan for appropriate new energy infrastructure including new electricity substations and new energy centres supplying district and site-limited heat networks.

From a transport perspective, the policy as a whole, both existing and proposed, under-emphasises both the threats and opportunities presented by transport and movement to climate change. E.g. sections 12 and 14 could better support proposals that minimise the need to travel and not just addressing the modes of travel. This could apply to other sections too

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?

Please explain your answer:

The in house expertise is extremely limited and the cost of use of new tools would need to be supported by Government through the additional burdens provision.

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

Yes

Please explain your answer:

The sequential and exception testing should be applied on a regional basis not on a local Planning authority basis and that Schedule 3 of the Flood and Water Management Act should be implemented as soon as possible with sufficient funding for Lead Local Flood Authorities to enforce

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

No

Please explain your answer:

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

Yes

Please explain your answer:

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

Not Answered

Please explain your answer:

No comment

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?

Not Answered

Please explain your answer:

No comment

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?

Not Answered

Please explain your answer:

No comment

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

Not Answered

Please explain your answer:

No comment

Chapter 10 – Changes to local plan intervention criteria

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

Not Answered

Please explain your answer:

No comment

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

Not Answered

Please explain your answer:

No comment

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

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

Yes

Please explain your answer:

90 If you answered No to question 89, 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.

Not Answered

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

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

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

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.

Not Answered

Please explain your answer:

All Prior Approval Applications with most being only £120 – the fee is insufficient for the amount of work involved by officers. The current fee only covers the admin of booking application in. The process for LPA's is broadly the same as full planning permission and many require consultation with others e.g. Local Highway Authority, Pollution Control.

Same fee's as new dwellings, householder extensions would be appropriate. It is not the fee that makes this application type more attractive, it is the lack consideration of other matters such as affordable housing, design etc.

Section 73 application fee's should be increased because of the amount of officer work involved and this would hopefully encourage applicants to consider their proposals more thoroughly before permission is granted and prevent almost immediate applications to vary a permission. Depending on the removal/variation applied for the work involved in a s73 application can be essentially the same as the original application including consulting others. The applications have to be publicised. Essentially granting a new planning permission which needs consideration of all conditions, local and national policies and any other matters.

A proportion of the original fee would be more appropriate, such as 50% of original fee.

Outline applications – granting/refusing the planning permission. Full consideration is given to this type of application and they require the submission of all supporting documents, the applications must be publicised and consulted on and LPA's must forward think to cover all conditions/reasons for refusal. There is no guarantee of any subsequent RMS application so LPA's may not recover further money. Outline applications can be for speculative development. Landowners will use outline applications to increase their land value with no intention of carrying out a development. Same as the fee for a Full application should be charged.

Discharge of condition application fee should be increased. Detailed matters require input from several specialists and can take some negotiation especially for major schemes. If a cost recovery argument is being put forward for fee's then there is an argument to be made for the fee to be paid per condition being discharged in any application. (PP's)

What would we consider to be a more appropriate fee? £132 per condition – similar to advert consent application as no statutory consultations with neighbours but input from technical experts. This may make applicants/agents look at the conditions in more detail and deter poor submissions. Smaller applications for example new dwellings (1-9) these can take a lot more time for consideration. These applications can sometimes generate more public interest, the applications may go to committee and thus the input from various officers and specialists can be higher. The fee should be proportionate to the amount of officer input.

Fee currently for each dwellinghouse on an application fewer than 10 units is £578 for each unit but £624 for between 10 and 50. We would argue that the fee should be greater than £624 per unit for up to 50 dwellings. If we follow the increase in householder applications, then a fee of £900-£1100 per dwelling would be more reasonable and in line with cost recovery for LPA's.

Other changes of use applications should also be proportionate. Could be considered under the local variation.

The fee should be similar to that of new dwellings, as detailed above.

Cross boundary applications – currently only the authority with the largest part of the site receives a fee. The other authority/ies could be required to do quite a bit of work on such an application therefore some proportion of a fee should be paid to any LPA involved in the consideration of a cross boundary application.

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.

Yes

Please explain your reasons and provide evidence on what you consider the correct fee should be:

Listed Building Consent – a fee should be applied as specialist officer input is required.

Tree Preservation Order applications – fees should be applied.

Article 4 generated applications should also incur fees.

Fee would have to be reasonable as these apps are generated by restrictions placed on the property owner by the LPA or other bodies such as HE. If set too high likely to generate breaches.

Applications submitted by those with a disability. Consideration for 50% of the householder fee, similar to Certificate applications.

Again these should be proportionate to the amount of officer and specialist input

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

Yes

Please explain your answer:

Yes. LCC have a number of in house specialists but other authorities may not have those people in house and may need to pay for consultant costs. These fee's both in-house and consultant fees should be costs that are recovered through planning fee's.

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

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

Please give your reasons in the text box below:

Local Variation is preferred. This should be non-negotiable from applicants/agents as this would generate further work.

These localised fee's could help recover costs for the specialists/technical experts within the broader council. This would help in obtaining fee's for other teams who may not receive any of the planning fee's right now and would help obtain quicker consultation responses.

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

Yes

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? :

Yes – as above the local variation suggestion for fees.

Urban Design, Enforcement, Heritage, Nature Conservation, Landscape, Archaeology, SuDS.

Cost Recovery could be focused on applications which require the input from these specialists and not solely from Major applications. Any fee attached to these should reflect an hourly rate of those specialists time.

Some negotiation between applicant & officers on what any additional fee's may be.

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

Please explain your answer:

Urban Design

Building conservation inc Archaeology

Nature Conservation

Landscape, SuDS

GIS, mapping services, property numbering

Statutory consultees including the Highway Authority, LLFA should be able to recover costs and time via the planning application fee.

It would additionally be reasonable to add in an element of cost towards the ongoing prep/management of the Local Plan/Transport Plan, the transport vision and the assessment of appropriate and specific scenarios.

Other consultee's within the wider Council such as waste, environmental health, air quality, trees, sustainability etc. These specialists all input into all major applications and some minor applications such as prior approvals, new dwellings etc. Cost should be recovered for their input

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

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.

Please explain your answer:

This should be made universally available for all LPA's. There should be no waiving of fee's if the intention is for LPA's to recover costs associated with their statutory role.

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

Please explain your answer:

Limitations in maximum fee's could be applied for major applications. Also additional fee's once the process has started should not be requested to ensure that applicants are aware of costs up front as far as possible.

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.

Please explain your answer :

No comment

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

No

Please explain your answer.:

Chapter 12 – The future of planning policy and plan making

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

Not Answered

Please explain your answer:

Clarification is needed in terms of how unmet need in Plans emerging under the current NPPF (our Plan is at Examination this autumn) will fall to be dealt with under the transitional arrangements.

We consider that City unmet need as agreed in a current Statement of Common Ground to 2036 to support this Examination will remain to be met by other Local Plans to be brought forward by adjacent Districts under the revised NPPF and new Standard Method.

Clarification of this point would be welcomed

104 Do you agree with the proposed transitional arrangements?

Yes

Please explain your answer:

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

No

Please explain your answer:

Chapter 13 – Public Sector Equality Duty

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?

Please explain your answer:

No

Chapter 14 – Table of questions

Chapter 15 – About this consultation