

Ministry of Housing, Communities & Local Government:
Proposed Reforms to the National Planning Policy
Framework and Other Changes to the Planning System

**REPRESENTATIONS SUBMITTED BY
DHA PLANNING**

March 2026



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With nearly 40 years of knowledge and sector experience, DHA, the South East's largest independent planning and highways consultancy delivers solutions built for success.

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1.1 **DHA PLANNING**

- 1.1.1 The representations are submitted on behalf of DHA Planning.
- 1.1.2 DHA Planning is the largest independent planning and highways consultancy in the South East providing comprehensive planning services throughout the UK, from across four offices in Kent, London, Gatwick and the Midlands. It is a multidisciplinary practice providing Planning, Highways, EIA, Drainage, Viability and Design services.
- 1.1.3 DHA advises and represents a broad range of clients, including National housebuilders, SMEs, private landowners, business and commercial operators as well as Councils. In doing so DHA is regularly engaged in providing strategic planning advice across a range of sites (strategic through to minor), conducting site appraisals, preparing and submitting planning applications, making representations to and appearing at Local Plan examinations and Appeals.
- 1.1.4 These representations are informed by DHA's broad range of planning expertise and knowledge in this sector.

QUESTION 1: DO YOU HAVE ANY VIEWS ON HOW STATUTORY NATIONAL DEVELOPMENT MANAGEMENT POLICIES COULD BE INTRODUCED IN THE MOST EFFECTIVE MANNER, SHOULD A FUTURE DECISION BE MADE TO PROGRESS THESE?

These would be best introduced through the new Plan making system, which is designed with the purpose of putting into place more quickly up to date Local Plans. The introduction of the National Development Management Policies through this process would support this aim in reducing the number of policies which need to be included in the Plan reducing preparation and examination timeframes.

QUESTION 2: DO YOU AGREE WITH THE NEW FORMAT AND STRUCTURE OF THE DRAFT FRAMEWORK WHICH COMPRISES SEPARATE PLAN-MAKING POLICIES AND NATIONAL DECISION-MAKING POLICIES?

Generally, agree.

Please provide your reasons, particularly if you disagree

In general, the separation between the different policies is helpful in distinguishing how different policies are to be applied to different parts of the planning process.

QUESTION 3: DO YOU AGREE WITH THE PROPOSED SET OF ANNEXES TO BE INCORPORATED INTO THE DRAFT FRAMEWORK? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly agree.

Please provide your reasons, particularly if you disagree

The annexes provide important information which is essential to the application of key policies within the Framework and provide essential information that aid in understanding how they are to be applied.

QUESTION 4: DO YOU AGREE WITH INCORPORATING PLANNING POLICY FOR TRAVELLER SITES WITHIN THE DRAFT FRAMEWORK? *STRONGLY AGREE, PARTLY PLEASE PROVIDE YOUR REASONS, PARTICULARLY IF YOU DISAGREE*

Strongly agree.

Please provide your reasons, particularly if you disagree

This represents a specific form of housing need; it is therefore correct that this should be recognised in the Framework, alongside other housing needs.

QUESTION 5: DO YOU AGREE WITH THE PROPOSED APPROACH TO SIMPLIFYING THE TERMINOLOGY IN THE FRAMEWORK WHERE WEIGHT IS INTENDED TO BE APPLIED? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly agree.

Please provide your reasons, particularly if you disagree

It is helpful for the Framework to clarify where “significant weight” is to be applied and in doing so ensure consistency in approach.

The current Framework refers to both “significant weight” and “great weight” in various places. Adopting a consistent approach as to how weight is to be applied provides greater clarity and will support greater consistency in decision making.

QUESTION 6: DO YOU AGREE WITH THE ROLE, PURPOSE AND CONTENT OF SPATIAL DEVELOPMENT STRATEGIES SET OUT IN POLICY PM1? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Partially Agree.

Please provide your reasons, particularly if you disagree

Criterion 2 d refers to identifying broad locations for potential Green Belt review. Whilst this is welcomed, it should not limit the locations where Green Belt review might need to happen at the Local Plan scale, at the risk of this preventing development needs being met. It therefore should be made clear that the locations for Green Belt review are not necessarily limited to the locations in the Spatial Development Strategy.

QUESTION 7: DO YOU AGREE THAT ALTERATIONS SHOULD BE MADE TO SPATIAL DEVELOPMENT STRATEGIES AT LEAST EVERY 5 YEARS TO REFLECT ANY CHANGES TO HOUSING REQUIREMENTS FOR THE LOCAL PLANNING AUTHORITIES IN THE STRATEGY AREA? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly agree.

The Spatial Development Strategy will form part of the Development Plan, it is therefore essential that this is kept up to date as it provides the framework for all Local Plans, which will likely be at different stages of preparation. It is also the principal vehicle in ensuring housing and other development needs are met. If this is not kept up to date then it is likely that National housing targets and economic aims will not be met.

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

N/A

QUESTION 8: IF SPATIAL DEVELOPMENT STRATEGIES ARE NOT ALTERED EVERY FIVE YEARS, SHOULD RELATED POLICY ON THE REQUIREMENTS USED IN FIVE YEAR HOUSING LAND SUPPLY AND HOUSING DELIVERY TEST POLICIES, SET OUT IN ANNEX D OF THE DRAFT FRAMEWORK, BE UPDATED TO ALLOW HOUSING REQUIREMENT FIGURES FROM SPATIAL DEVELOPMENT STRATEGIES TO CONTINUE TO BE APPLIED AFTER 5 YEARS, SO LONG AS THERE HAS NOT BEEN A SIGNIFICANT CHANGE IN THAT AREA'S LOCAL HOUSING NEED? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly disagree.

Please provide your reasons, particularly if you disagree

The application of the 5-year housing land supply requirement has been central to National planning policy as a tool (alongside the Development Plan led system) to deliver on housing requirements. To continue being an effective tool, the Development Plan must keep pace with changing housing requirements. Not to do so, would also necessitate the Framework to identify what a "significant change

is” as this allows for potentially huge variances on how this might be interpreted, further potentially undermining the delivery of homes against Government’s National housing target as well as other forms of development.

QUESTION 9: DO YOU AGREE WITH THE ROLE, PURPOSE AND CONTENT OF LOCAL PLANS SET OUT IN POLICY PM2? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly agree.

Please provide your reasons, particularly if you disagree

Agree the policy encapsulates the purpose of Local Plans.

QUESTION 10: DO YOU THINK THAT LOCAL PLANS SHOULD COVER A PERIOD OF AT LEAST 15 YEARS FROM THE POINT OF ADOPTION OF THE PLAN? YES/NO

Yes.

Spatial Development Strategies seek to look forward 20yrs and will provide the framework for new Local Plans. To give effect to these strategies, Local Plans should look to cover a similar period. Planning for a significantly shorter period could undermine the effectiveness of the Development Spatial Strategy or prejudice its delivery. It would also be disingenuous to the wider public for the Local Plan to potentially present a different vision of growth which does not more accurately reflect strategic intentions.

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

N/A

QUESTION 11: DO YOU AGREE WITH THE PRINCIPLES SET OUT IN POLICY PM6(1C), INCLUDING ITS PROVISIONS FOR PREVENTING DUPLICATION OF NATIONAL DECISION-MAKING POLICIES? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly agree.

Please provide your reasons, particularly if you disagree

It results in unnecessary resources being used by both the Council in preparing policies and those commenting on them, which cover matters that are already decided at the National level. It also adds additional planning uncertainty where there are unnecessary local nuances to policies.

QUESTION 12: DO YOU AGREE WITH THE APPROACH TO INITIATING PLAN-MAKING IN PM7? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly agree.

Please provide your reasons, particularly if you disagree

The process outlined provides a clear framework for how the Plan might come forward. However, this should be made publicly available. Currently the policy is silent on this.

QUESTION 13: DO YOU AGREE WITH THE APPROACH TO THE PREPARATION OF PLAN EVIDENCE SET OUT IN POLICY PM8? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly agree.

Please provide your reasons, particularly if you disagree

The policy sets out a proportionate approach. Criterion e is specifically supported, as this is generally a common occurrence and lacks transparency when new evidence is provided post submission.

QUESTION 14: DO YOU AGREE WITH THE APPROACH TO IDENTIFYING LAND FOR DEVELOPMENT IN PM9? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Partially agree.

Please provide your reasons, particularly if you disagree

The policy relates to all Development Plans, which Part 2, criterion a of the consultation Framework confirms includes the Spatial Development Strategy. It is

therefore queried whether Policy PM9 needs to acknowledge the need for a higher-level approach to the identification of sites, in the case of Spatial Development Strategies, which will only identify broad locations for growth.

QUESTION 15: DO YOU AGREE WITH POLICIES ON MAINTAINING AND DEMONSTRATING CROSS-BOUNDARY COOPERATION SET OUT IN POLICY PM10 AND POLICY PM11? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Partially agree

Please provide your reasons, particularly if you disagree

In general, the aims of the policies are supported in terms of fostering cross-boundary cooperation. However, in the absence of any formal duty to cooperate, there remains considerable concerns about whether the policies provide the required motivation to genuinely deliver on the need to cooperate, especially where a neighbouring authority cannot meet its identified need.

Whilst Policy PM11 requires Statements of Common Ground to be entered into, the Policy should be expanded to require that where a request has been received by a Local Planning Authority to assist with meeting unmet needs, if this need is not being met by the Local Planning Authority, it must also be clearly evidenced why.

QUESTION 16: DO YOU AGREE THAT POLICY PM12 INCREASES CERTAINTY AT PLAN-MAKING STAGE REGARDING THE CONTRIBUTIONS EXPECTED FROM DEVELOPMENT PROPOSALS? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Partly agree

Please provide your reasons, particularly if you disagree

The Plan will still not be able to fully account for all contributions or infrastructure requirements at a site-specific level, which may not be clear until a planning application is submitted. Any mechanisms to review viability at the application stage, as cited at criterion 4, must therefore allow for unforeseen circumstances or costs, not accounted for at the Plan making stage. This should be clarified at criterion 4, to ensure applications remain deliverable.

QUESTION 17: DO YOU AGREE THAT PLANS SHOULD SET OUT THE CIRCUMSTANCES IN WHICH REVIEW MECHANISMS WILL BE USED, OR SHOULD NATIONAL POLICY SET CLEARER EXPECTATIONS? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly agree.

Please provide your reasons, particularly if you disagree

Local Planning Authorities should be given the opportunity to decide whether review mechanisms should be used. This should include the ability to set a threshold whereby review mechanisms would only apply to larger multi-phased developments which are delivered over longer timeframes, so not to constrain delivery of small and medium sites in the short term.

This is discussed further at Question 25.

QUESTION 18: DO YOU AGREE WITH POLICY PM13 ON SETTING LOCAL STANDARDS, INCLUDING THE PROPOSAL TO COMMENCE S.43 OF THE DEREGULATION ACT 2015? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly agree.

Please provide your reasons, particularly if you disagree

There is often great variation between Local Planning Authorities in respect of the application of various technical standards, especially in the case of renewable energy. Greater consistency is therefore desirable to support delivery and to prevent development being unnecessarily burdened with additional technical requirements that are already addressed under other consenting regimes, such as Building Regulations.

QUESTION 19: DO YOU AGREE THAT THE TESTS OF SOUNDNESS SET OUT IN POLICIES PM14 AND PM15 WILL ALLOW FOR A PROPORTIONATE ASSESSMENT OF SPATIAL DEVELOPMENT STRATEGIES, LOCAL PLANS AND MINERALS AND WASTE PLANS AT EXAMINATION? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly disagree.

If not, please explain how this could be improved to ensure a proportionate assessment, making it clear which type of plan you are commenting on?

Policy PM14, Criterion a) "Positive", does not set a sufficiently robust test for considering the appropriateness of Development Spatial Strategies which do not meet the area's objectively assessed need, requiring this to only be an "exception" and only where there have been stringent efforts to address this need through co-operation of other Strategic Planning Authorities. In such cases it must also be clearly evidenced why objectively assessed needs cannot be met and that this is only acceptable in exceptional circumstances. Currently the threshold as described in the policy is too low and risks undermining the delivery of development to meet identified needs as well as address National housing targets.

The new tests of soundness also remove reference to Plans needing to be "Justified". This is an essential test of "Soundness" which considers the evidential basis of a Plan. It also requires reasonable alternatives to be considered, which is again essential in testing different development scenarios and ensuring where Council's are not planning to meet identified needs that this is justified.

The "Justified" test of Soundness must therefore be reinstated.

QUESTION 20: DO YOU HAVE ANY SPECIFIC COMMENTS ON THE CONTENT OF THE PLAN-MAKING CHAPTER WHICH ARE NOT ALREADY CAPTURED BY THE OTHER QUESTIONS IN THIS SECTION?

No comment.

QUESTION 21: DO YOU AGREE WITH THE PRINCIPLES SET OUT IN POLICY DM1? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Partially agree.

Please provide your reasons, particularly if you disagree

The ability to partake in pre-application engagement is often shaped by the available resources of the Local Planning Authority and statutory consultees or depending on the scale of the development cost.

In general pre-application engagement is supported and is to be encouraged but cannot be a pre-requisite for the reasons identified above.

QUESTION 22: DO YOU AGREE WITH THE POLICY DM2 ON INFORMATION REQUIREMENTS FOR PLANNING APPLICATIONS?
 STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE,
 PARTLY DISAGREE, STRONGLY DISAGREE

Partly agree.

Please provide your reasons, particularly if you disagree

It is not merely enough that additional reports are requested through policy, it must be demonstrated that such additional reports are necessary. The number of reports required to accompany an application is becoming ever more extensive with them not always being directly relevant to the proposals and/or the Council or statutory consultees do not have the expertise themselves to consider the contents of the reports. This only diminishes their usefulness and burdens applicants with the cost of additional technical assessments, which can also further delay the submission of applications.

Where policies are to be included in the Development Plan which seek specific reports, it must be recognised in policy that the need for these need to be demonstrated by the Local Planning Authority.

QUESTION 23: DO YOU HAVE ANY VIEWS ON WHETHER SUCH A POLICY COULD BE BETTER IMPLEMENTED THROUGH REGULATIONS?

To ensure consistency of approach and to avoid variances between Local Planning Authorities a single universal validation checklist introduced through regulation is considered beneficial. This would simplify the process for applicants in making it clear on what is expected on all applications, no matter the Local Planning Authority.

QUESTION 24: DO YOU AGREE WITH THE PRINCIPLES SET OUT IN DM3?
 STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE,
 PARTLY DISAGREE, STRONGLY DISAGREE

Strongly disagree.

Please provide your reasons, particularly if you disagree

In the main this policy is supported. However, in respect of criterion d, whilst the aim of this is to support more rapid decision making, the emphasis on delaying a decision pending more detailed advice for consultees is limited to cases where it might aid an approval. The concern is that this could encourage refusals, where there are matters which cannot be agreed so the Local Planning Authority does not see value in delaying a decision pending further consultee input on other matters or does not allow sufficient time to narrow the scope of any areas of disagreement with consultees. This is particularly concerning in the context of the new changes to the Appeal process reducing the ability to submit further information post determination of an application. If engagement with statutory or internal consultees is not encouraged to run its full course, this could be prejudicial at the Appeal stage.

The cost of submitting a second application to try and narrow differences is also not a suitable solution, since there is no-longer a free go and planning applications fees are already expensive. Whilst pre-application engagement remains a useful tool, the additional cost of this can also be prohibitive, can cause unnecessary delays and not all consultees might offer this service.

The wording of criterion d should be reviewed, to ensure that it does not encourage premature decision making.

QUESTION 25: DO YOU AGREE THAT POLICY DM5 WOULD PREVENT UNNECESSARY NEGOTIATION OF DEVELOPER CONTRIBUTIONS, WHILST ALSO PROVIDING SUFFICIENT FLEXIBILITY FOR DEVELOPMENT TO PROCEED? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.

Strongly disagree.

Please provide your reasons, particularly if you disagree

Part (2) of the policy is ambiguous, and the wording provided under (a)-(d) would allow the Local Planning Authority to interpret whether at application stage a viability assessment complies with the circumstances outlined. This may have the undesired effect of limiting the ability for developments to proceed, in the event that Local Planning Authorities do not agree that such circumstances apply.

The use of Development Plan viability assessments is supported in informing application stage assessments, but this should be used with caution and as a benchmark only for the following reasons:

- Viability assessments are intended to provide a “snapshot in time”, reflecting current market conditions and current policy/building regulation requirements. This means that such documents have a short lifespan and unless updated regularly, they become outdated very quickly.
- Testing at the Development Plan stage is generic and limited to certain site typologies. This is particularly the case on brownfield sites, where site-specific costs need to be appropriately reflected.
- Development Plan viability assessments are often based on high level assumptions and do not appropriately reflect infrastructure requirements or abnormal costs. Based on our experience, these costs are often optimistic, and we have seen examples where abnormal costs have not been allowed for within development plan viability assessments, on the basis that this information was not available at the time of drafting.
- It is impossible to predict site-specific costs until further due diligence and site assessments have been undertaken to inform detailed design.
- The purpose of Development Plan viability assessments is to ensure that affordable housing and planning obligations are deliverable.

In light of the above, viability assessments at the application stage should be considered acceptable and reference to “limited circumstances” as currently drafted should be removed. The current wording in the PPG at para 008 is “such circumstances could include...” this provides flexibility and recognises that a broader range of circumstances where application stage viability assessments may be required.

Part (6) of the Policy encourages the use of review mechanisms to seek policy compliance over the lifetime of the development. As set out under Question 17,

the requirements for a review mechanism should be clearly set out within the Plan and stakeholders provided with an opportunity to comment as part of the Local Plan process - this is reinforced by PPG para 010 which states:

"Plans should set out circumstances where review mechanisms may be appropriate, as well as clear process and terms of engagement regarding how and when viability will be reassessed over the lifetime of the development to ensure policy compliance and optimal public benefits through economic cycles."

The imposition of review mechanisms can also negatively impact the sale of sites, where they provide uncertainty and potential delays for the developer. Furthermore, where review mechanisms are often tied to the occupation of units, this can result in delays for housing delivery, particularly on small and medium sites, which is contrary to the Government's objectives.

As set out under Question 17, amendments to the wording of the policy are required, so that this applies to larger multi-phased developments which are delivered over longer timeframes.

QUESTION 26: DO YOU HAVE ANY FURTHER COMMENTS ON THE LIKELY IMPACT OF POLICY DM5: DEVELOPMENT VIABILITY?

As set out above, in response to Question 25.

QUESTION 27: DO YOU HAVE ANY VIEWS ON HOW THE PROCESS OF MODIFYING PLANNING OBLIGATIONS UNDER S106A, WHERE NEEDED ONCE A SECTION 106 AGREEMENT HAS BEEN ENTERED INTO, COULD BE IMPROVED?

Currently a S106 agreement can only be modified within five years of the date of signing and with agreement from the Local Planning Authority. Consequently, developments are not coming forward on the basis where they are no longer viable and therefore deliverable, but where agreement has not been reached with the Local Planning Authority to modify the agreement.

The Policy Statement: A roadmap for Section 106 delivery in England' published January 2026, encourages Local Planning Authorities to "take advantage of existing planning flexibilities to renegotiate S106 agreements and allow the tenure

of homes to varied in order to secure a buyer". Whilst this helpfully indicates the direction of travel, a more formal route needs to be provided removing the current ambiguity as to when a S106 can be modified when it is less than 5 years old, as the current provisions are preventing otherwise deliverable developments from coming forward.

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

Additional provisions should be introduced under the Town & County Planning Act 1990 (as amended) which allow an application to be made to formally modify a S106 where it is less than 5 years old. Such measures were introduced on a temporary basis in 2013 under Section 106BA but were limited to matters of affordable housing only. A similar procedure could be introduced allowing for a broader range of considerations.

QUESTION 28: DO YOU HAVE ANY VIEWS ON HOW THE PROCESS OF MODIFYING PLANNING OBLIGATIONS COULD BE IMPROVED IN ADVANCE OF ANY LEGISLATIVE CHANGE, NOTING THE GOVERNMENT'S COMMITMENT TO BOOSTING THE SUPPLY OF AFFORDABLE HOUSING

Refer to Question 27.

If so, please provide views on the current use of s73 and, if any, the impact on affordable housing obligations

The submission of a S73 provides a further mechanism for modifying S106 Agreements which are less than 5 years old. However, this opens up again the whole planning permission, introducing additional risks in terms of changes in policy which could further impact the wider delivery of the development. It also introduces additional risks regarding the reporting of applications back to Planning Committee, which can be necessary, especially in the case of major applications. Whilst there are wider legislative changes proposed regarding schemes of delegation, the reporting of applications back to Planning committees remains a commercial risk.

Changes to the Town & Country Planning Act 1990 (as amended) and as outlined in response to Question 27, therefore remains preferable.

QUESTION 29: DO YOU AGREE WITH THE APPROACH FOR PLANNING CONDITIONS AND OBLIGATIONS SET OUT IN POLICY DM6, ESPECIALLY THE USE OF MODEL CONDITIONS AND OBLIGATIONS? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly agree.

QUESTION 30: DO YOU AGREE THAT POLICY DM7 CLARIFIES THE RELATIONSHIP BETWEEN PLANNING DECISIONS AND OTHER REGULATORY REGIMES? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.*

Partly disagree.

Please provide your reasons, particularly if you disagree

The overall intent of the policy is strongly supported. However, it must be clarified, that where a statutory provider, which is controlled by other consenting regimes advises that it has sufficient capacity to serve a development, it is not for the Local Planning Authority to come to an alternative view.

Such instances are currently causing significant delays in Districts such as Wealden, where the Council is not in agreement with the statutory providers assessment of its foul drainage capacity. This position is now unnecessarily preventing the delivery of thousands of homes. If the Council is not to duplicate the requirements of other consenting regimes, it can also not raise objection or unnecessarily delay development where service providers operating under those regimes do not raise objection. As such this must also be clarified in the Policy.

QUESTION 31: DO YOU AGREE WITH THE NEW INTENTIONAL UNAUTHORISED DEVELOPMENT POLICY IN POLICY DM8? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.*

Partially agree.

Please provide your reasons, particularly if you disagree.

In considering whether to take enforcement action, it is also material to consider efforts made to regulate the breach before the Local Planning Authority were made aware of it, how long the breach has occurred for (has it occurred for a long

time without harmful impacts) and whether the impact of remedying any breach is proportionate to the breach itself, in terms of the level of harm caused.

These are additional matters that the policy should also include, when considering whether retrospective permission is to be granted.

QUESTION 32: ARE THERE ANY SPECIFIC TYPES OF HARM ARISING FROM INTENTIONAL UNAUTHORISED DEVELOPMENT, AND ANY SPECIFIC IMPACTS FROM THE PROPOSED POLICY, WHICH WE SHOULD CONSIDER?

No further comment.

If so, are there any particular additions or mitigations which we should consider?

As above.

QUESTION 33: DO YOU AGREE WITH THE NEW ARTICLE 4 DIRECTION POLICY IN POLICY DM10? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly agree.

Please provide your reasons, particularly if you disagree

Agree with the policy where it seeks to limit the circumstances where Article 4 Directions can be used.

QUESTION 34: DO YOU AGREE WITH THE PROPOSED APPROACH TO SETTING A SPATIAL STRATEGY IN DEVELOPMENT PLANS? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.

Strongly agree.

Please provide your reasons, particularly if you disagree

The setting of a spatial strategy provides a clear indication of where development is to be located and to ensure sensitive areas are protected, guiding development to the most suitable locations. This also supports infrastructure planning.

QUESTION 35: DO YOU AGREE WITH THE PROPOSED DEFINITION OF SETTLEMENTS IN THE GLOSSARY? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.*

Partly agree.

Please provide your reasons, particularly if you disagree

Provides a reasonable definition of a settlement.

QUESTION 36: DO YOU AGREE WITH THE REVISED APPROACH TO THE PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.*

Strongly agree.

Please provide your reasons, particularly if you disagree

The proposed changes are considered to assist in removing barriers to delivery and will support the provision of much needed housing and economic development, in line with National targets and strategies.

QUESTION 37: DO YOU AGREE TO THE PROPOSED APPROACH TO DEVELOPMENT WITHIN SETTLEMENTS? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.*

Strongly agree.

Please provide your reasons, particularly if you disagree.

Only comment that separate comments are made in respect of Policy L2, cross referenced in the Policy. See Questions 116-119.

QUESTION 38: DO YOU AGREE TO THE PROPOSED APPROACH TO DEVELOPMENT OUTSIDE SETTLEMENTS? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.*

Strongly agree.

Please provide your reasons, particularly if you disagree

The new approach to define development within settlements (S4) and Outside Settlements (S5) is strongly supported.

It is noted that Policy S5 excludes reference to Green Belt sites, which is addressed separately under Policies GB7 and GB8. However, the final policy drafting should recognise that parts h and j of Policy S5 are repeated (in principle) in parts g and h of GB7. Accordingly, consistency in language and approach to referencing should be carefully considered as there is overlapping principles in respect of sustainable development, with the only difference being the application of the Golden Rules under Policy GB8.

QUESTION 39: DO YOU HAVE ANY VIEWS ON THE SPECIFIC CATEGORIES OF DEVELOPMENT WHICH THE POLICY WOULD ALLOW TO TAKE PLACE OUTSIDE SETTLEMENTS, AND THE ASSOCIATED CRITERIA? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.*

Strongly agree, subject also to the below.

Please provide your reasons

The list provided at criterion 1a-h and specifically criterion h is strongly supported. However, the policy should include an additional criterion, to acknowledge any other forms of development identified in the Development Plan, to capture any unforeseen forms of development.

QUESTION 40: DO YOU AGREE WITH THE PROPOSED APPROACH TO DEVELOPMENT AROUND STATIONS, INCLUDING THAT IT APPLIES ONLY TO HOUSING AND MIXED-USE DEVELOPMENT CAPABLE OF MEETING THE DENSITY REQUIREMENTS IN CHAPTER 12? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly agree – subject to points below.

Please provide your reasons, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers and other groups with protected characteristics.

The approach to supporting developments around stations which provide a high level of connectivity is supported, where it supports overall sustainable patterns of growth. However, as set in response to Question 12, it is unclear why the definition solely focuses on accessibility to train stations and fails to recognise other sustainable modes of travel such as buses, which can also be high frequency and offer the same sustainability benefits. The definition should therefore be expanded to include access to high frequency bus provision.

Allied to this, the number/frequency of train services should be reduced from 4 to 2 in one direction. The current required frequency is considered to be a lost opportunity to boost the supply of housing by identifying more areas that are considered to be well-connected. This is especially true in the south-east, which has good transport links to London and the towns at peak commuting times. The definition of well-connected should therefore be reviewed.

Separate comments have also been made in respect of the suitability of the density criteria and the responses to Questions 122 and 126 should also be considered.

More generally, what is considered to be a “reasonable walking distance” should be left undefined, as this will differ in different locations and will prevent the policy from becoming too restrictive and potentially precluding the delivery of sustainable development.

QUESTION 41: DO YOU AGREE THAT NEIGHBOURHOOD PLANS SHOULD CONTAIN ALLOCATIONS TO MEET THEIR IDENTIFIED HOUSING REQUIREMENT IN ORDER TO QUALIFY FOR THIS POLICY? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE OR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly agree, subject to the below.

If not, please provide your reasons

The provisions already echo those on the current NPPF (para 14). However, criterion b) should be expanded to clarify that the allocations meet “current”

identified housing requirements. This is essential to addressing the fact that many Neighbourhood Plans are currently not based on an up-to-date assessment of housing need due to out-of-date Local Plans, which also do not identify specific housing requirements for Neighbourhood Plan areas. Consequently, Neighbourhood Plans are coming forward reflecting out of date figures and benefit from the provisions (currently at para 14) and preventing otherwise suitable sites from coming forward.

QUESTION 42: DO YOU AGREE WITH THE APPROACH TO PLANNING FOR CLIMATE CHANGE IN POLICY CC1? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.

Strongly agree.

Please provide your reasons, particularly if you disagree.

No comment.

QUESTION 43: DO YOU AGREE WITH THE APPROACH TO MITIGATING CLIMATE CHANGE THROUGH PLANNING DECISIONS IN POLICY CC2? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.

Partly agree.

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

Criterion 1a should be amended to recognise that opportunities to maximise access to sustainable modes of transport varies between rural and urban areas and as such this should be taken into account, in terms of the locational considerations of development. This reflects the current NPPF (para 110) which make an important distinction between different the limitations of rural areas, but this does not inherently mean that development in such locations is not suitable.

QUESTION 44: DO YOU AGREE WITH THE APPROACH TO CLIMATE CHANGE ADAPTATION THROUGH PLANNING DECISIONS IN POLICY CC3? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly agree.

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

No comment.

QUESTION 45: DOES THE POLICY ON WILDFIRE ADAPTATION CLEARLY EXPLAIN WHEN SUCH RISKS SHOULD BE CONSIDERED AND HOW THESE RISKS SHOULD BE MITIGATED? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

No comment.

Please provide your reasons

No comment.

QUESTION 46: HOW SHOULD WILDFIRE ADAPTATION MEASURES BE INTEGRATED WITH WIDER PRINCIPLES FOR GOOD DESIGN, AND WHAT ADDITIONAL GUIDANCE WOULD BE HELPFUL?

No comment.

QUESTION 47: DO YOU HAVE ANY OTHER COMMENTS ON ACTIONS THAT COULD BE TAKEN THROUGH NATIONAL PLANNING POLICY TO ADDRESS CLIMATE CHANGE?

No.

QUESTION 48: DO YOU AGREE THE REQUIREMENTS FOR SPATIAL DEVELOPMENT STRATEGIES AND LOCAL PLANS IN POLICY HO1 AND POLICY HO2 ARE APPROPRIATE? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly agree.

Please provide your reasons, particularly if you disagree

Support is specifically expressed for the need for Plans to identify whether there is any unmet need from neighbouring authorities that needs to be met and for setting housing requirements for designated Neighbourhood Plan areas, to ensure housing needs are met.

QUESTION 49: IS FURTHER GUIDANCE REQUIRED ON ASSESSING THE NEEDS OF DIFFERENT GROUPS, INCLUDING OLDER PEOPLE, DISABLED PEOPLE, AND THOSE WHO REQUIRE SOCIAL AND AFFORDABLE HOUSING? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

No comment.

If so, what elements should this guidance cover?

No comment.

QUESTION 50: DO YOU AGREE WITH THE APPROACH TO INCORPORATING RELEVANT POLICIES OF PLANNING POLICY FOR TRAVELLER SITES WITHIN THIS CHAPTER? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

No comment.

Please provide your reasons, particularly if you disagree.

No comment.

QUESTION 51: IS FURTHER GUIDANCE NEEDED ON HOW AUTHORITIES SHOULD ASSESS THE NEED FOR TRAVELLER SITES AND SET REQUIREMENT FIGURES? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

No comment.

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

No comment.

QUESTION 52: DO YOU AGREE THE NEW ANNEX D TO THE DRAFT FRAMEWORK IS SUFFICIENTLY CLEAR ON HOW LOCAL PLANNING AUTHORITIES SHOULD SET THE APPROPRIATE BUFFER FOR THEIR LOCAL PLAN 5-YEAR HOUSING LAND SUPPLY? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly agree.

Please provide your reasons, particularly if you disagree

Annex D sets out in clear terms how the different buffers are to be applied and in what circumstances.

QUESTION 53: DO YOU AGREE THE NEW ANNEX D TO THE DRAFT FRAMEWORK IS SUFFICIENTLY CLEAR ON THE WIDER PROCEDURAL ELEMENTS OF 5-YEAR HOUSING LAND SUPPLY, THE HOUSING DELIVERY TEST AND HOW THEY RELATE TO DECISION-MAKING? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Partly agree.

Please provide your reasons, particularly if you disagree.

In the case of the 5 year housing land supply, this has not been linked back to decision making in the way the HDT results have been at criterion 12 c, which cross references to Policy S5(1)(J), making is clear how it relates to decision making. This needs to be done also in the case of the 5 year supply.

QUESTION 54: DO YOU AGREE THE REQUIREMENTS TO ESTABLISH A 5 YEAR SUPPLY OF DELIVERABLE TRAVELLER SITES AND MONITOR DELIVERY ARE SUFFICIENTLY CLEAR? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

No comment.

Please provide your reasons, particularly if you disagree

No comment.

QUESTION 55: DO YOU AGREE THE PLAN-MAKING REQUIREMENTS, FOR BOTH LOCAL PLANS AND SPATIAL DEVELOPMENT STRATEGIES, IN RELATION TO LARGE SCALE RESIDENTIAL AND MIXED-USE DEVELOPMENT ARE SUFFICIENTLY CLEAR? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Partly agree.

Please provide your reasons, particularly if you disagree

The policy provides generally suitable guidance for delivering large scale and mixed -use developments. However, it should be further added that such policies should be developed in consultation with the relevant landowners and service providers to such developments are deliverable.

QUESTION 56: DO YOU AGREE OUR PROPOSED CHANGES TO THE DEFINITION OF DESIGNATED RURAL AREAS WILL BETTER SUPPORT RURAL SOCIAL AND AFFORDABLE HOUSING? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly disagree.

Please provide your reasons, particularly if you disagree.

It is very unlikely that an RP could be secured for the provision of onsite affordable housing, since non-major developments critically do not provide sufficient housing numbers to make this commercially attractive or viable. Allowing for a reduced threshold for securing affordable housing is therefore unlikely to deliver additional affordable homes in the rural communities where the developments are delivered.

There are also wider concerns that setting a lower threshold across a broader range of sites could adversely impact the delivery of windfall sites, the supply of which normally forms an important element of a Council’s overall housing land supply. The introduction of affordable housing could further make the viability of such developments more marginal or unviable altogether. This could also have further knock on impacts in terms of the availability of sites from SMEs.

If the definition is to remain, then any policies seeking to change affordable housing requirements for development which is not major in Designated Rural Areas, must be supported by a robust Viability Assessment, demonstrating that such sites will remain deliverable and viable and will also not adversely impact the supply of housing.

QUESTION 57: DO YOU AGREE WITH OUR PROPOSALS TO ASK AUTHORITIES TO SET OUT THE PROPORTION OF NEW HOUSING THAT SHOULD BE DELIVERED TO M4(2) AND M4(3) STANDARDS? *STRONGLY*

AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Partly agree.

Please provide your reasons, particularly if you disagree

In the interests of delivering inclusive developments, the general aim to deliver M4(2) and M4(3) housing is supported. However, in line with the guidance in the PPG (para 008), site specific factors must be considered and any requirements applied flexibly, which should be recognised in the policy.

QUESTION 58: DO YOU AGREE 40% OF NEW HOUSING DELIVERED TO M4(2) STANDARDS OVER THE PLAN PERIOD IS THE RIGHT MINIMUM PROPORTION? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Neither agree nor disagree.

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

As set out in response to Question 57, any requirements must be applied flexibly taking into account site specific matters such as levels and the design outcomes of achieving M4(2), where they put additional space and engineering requirements on developments.

QUESTION 59: DO YOU AGREE THE PROPOSALS SUPPORT THE NEEDS OF DIFFERENT GROUPS, THROUGH REQUIRING AUTHORITIES TO IDENTIFY SITES OR SET REQUIREMENTS FOR PARTS OF ALLOCATED SITES ARE PROPORTIONATE? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly agree.

Please provide your reasons, particularly if you disagree

Often planning policies seek to require major developments to incorporate a proportion of specialist accommodation on a site (usually around 5%) which is not commercially viable, rather than allocate specific sites. Specialist accommodation can also not compete with residential land values. Consequently, the need for specialist accommodation frequently fails to be met. Specific sites therefore need to be allocated to address this need.

QUESTION 60: DO YOU AGREE WITH OUR PROPOSALS TO ASK AUTHORITIES TO SET OUT REQUIREMENTS FOR A BROADER MIX OF TENURES TO BE PROVIDED ON SITES OF 150 HOMES OR MORE? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly disagree.

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

Criterion d of the Policy only requires a mix of tenures to be identified, not necessarily a broader mix.

With the exception of affordable housing tenures, it will be for the market to decide what the tenure mix will be for the remaining market homes. This is not a matter for the Planning system to intervene with i.e. by identifying a specific proportion of homes for market rent.

In line with the current NPPF, it is queried whether this is intended to refer to housing mix, rather than tenure?

QUESTION 61: DO YOU AGREE WITH PROPOSALS FOR AUTHORITIES TO ALLOCATE LAND TO ACCOMMODATE 10% OF THE HOUSING REQUIREMENT ON SITES OF BETWEEN 1 AND 2.5 HECTARES? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly agree.

Please provide your reasons

To support housing delivery, a mixture of housing sites need to come forward to address different market needs and demands. The inclusion of smaller sites is also important to the overall housing land supply, particularly in the early years, especially where larger strategic sites might be being relied upon and have longer lead in periods due to associated infrastructure requirements, as documented in the Lichfields "Start to Finish" (version 4).

Allied to this, the inclusion of smaller sites, support wider Government initiatives to support SMEs, recognising these can often deliver sites more quickly than national house builders.

QUESTION 62 ARE ANY CHANGES TO POLICY HO7 NEEDED IN ORDER TO ENSURE THAT SUBSTANTIAL WEIGHT IS GIVEN TO MEETING RELEVANT NEEDS?

No.

QUESTION 63: DO YOU AGREE THAT PROPOSALS TO ADD MILITARY AFFORDABLE HOUSING TO THE DEFINITION OF AFFORDABLE HOUSING, AND ALLOW MILITARY HOUSING TO BE DELIVERED AS PART OF AFFORDABLE HOUSING REQUIREMENTS, WILL SUCCESSFULLY ENABLE THE PROVISION OF MILITARY HOMES? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Partially agree.

Please provide your reasons, particularly if you disagree

This is a very specific form of accommodation which will only benefit a limited number of people. Should the provision of military homes be incorporated into the definition of affordable housing, this should be monitored separately and identified as a separate need, to ensure that it does not dilute or undermine more general affordable provision.

QUESTION 64: DO YOU AGREE FLEXIBILITY RELATING TO THE SIZE OF MARKET HOMES PROVIDED WILL BETTER ENABLE DEVELOPMENTS PROVIDING AFFORDABLE HOUSING? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly disagree.

Please provide your reasons, particularly if you disagree.

It is not the size of the market homes that would better support housing delivery, but the housing mix. Criterion 3 of Policy HO8 should therefore be amended accordingly.

QUESTION 65: WOULD REQUIRING A MINIMUM PROPORTION OF SOCIAL RENT, UNLESS OTHERWISE SPECIFIED IN DEVELOPMENT

PLANS, SUPPORT THE DELIVERY OF GREATER NUMBER OF SOCIAL RENT HOMES? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Partly agree. This will only support greater delivery where there is available funding, which is currently the single biggest constraint to delivery.

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

No comment.

QUESTION 66: ARE CHANGES TO PLANNING POLICY NEEDED TO ENSURE THAT AFFORDABLE TEMPORARY ACCOMMODATION, SUCH AS STEPPING STONE HOUSING, IS APPROPRIATELY SUPPORTED, INCLUDING FLEXIBILITIES AROUND SPACE STANDARDS?

No comment.

If so, what changes would be beneficial?

No comment.

QUESTION 67: DO YOU AGREE THAT APPLICANTS SHOULD HAVE DISCRETION TO DELIVER SOCIAL AND AFFORDABLE HOUSING REQUIREMENTS VIA CASH PAYMENTS IN LIEU OF ON-SITE DELIVERY ON MEDIUM SITES?

Strongly agree.

An article published by the HBF in October 2025¹ identified that in the last three years alone, at least 700 housing developments are estimated to have been delayed due to a lack of commitment from social housing providers. The pressures on SMEs as a result of this, are exacerbated, where capital is tied up in uncontracted units, often funded by loans which could hinder investment or the ability to bring forward future developments.

¹ [HBF \(October 2025\): 8,500 new affordable homes risk standing empty as housing providers fail to take them on](#)

We are working closely with Local Planning Authorities to unlock these sites through the provision of cascade mechanisms within S106 Agreements. This allows developers to change tenure or make payment in lieu of affordable housing, in the event that an RP cannot be secured, providing more certainty and reassurance for developers, whilst unlocking a number of sites in the short to medium term.

We do not agree with Question 67(a) in that the ability to provide a financial contribution in lieu of affordable housing should be limited to certain circumstances. From our experience, the main issues we are facing with the affordable housing sector are as follows:

- Most RPs have a minimum threshold of 20 homes, with the larger RPs not interested in delivering less than 100 homes.
- From a management perspective, RPs generally do not take on flatted schemes, unless served by a separate stair core. Where housing is to be provided, the general preference is for this to be clustered together for efficiency.
- The lack of funding available for the development and the maintenance of social housing.
- Focus on refurbishment of existing stock, particularly where works are required to improve energy efficiency to meet Government targets.

Whilst we acknowledge and welcome the recent announcement from Homes England regarding the Social and Affordable Homes Programme 2026-2036 (SAHP) which seeks to accelerate the delivery of affordable homes, there is still a backlog of sites which need to be resolved.

QUESTION 68: WHAT RISKS AND BENEFITS WOULD YOU EXPECT THIS POLICY TO HAVE? PLEASE EXPLAIN YOUR ANSWER. THE GOVERNMENT IS PARTICULARLY INTERESTED IN VIEWS ON THE POTENTIAL IMPACT ON SME HOUSING DELIVERY, OVERALL HOUSING DELIVERY, LAND VALUES, BUILD OUT RATES, OVERALL SOCIAL AND AFFORDABLE

HOUSING DELIVERY, AND REGISTERED PROVIDERS (INCLUDING SME PROVIDERS).

It is recommended that further guidance is provided in respect of how payments in lieu are calculated, to ensure that a consistent method is adopted by LPAs. From experience, this is usually based on an assessment of the residual land value of the site, with and without a policy compliant level of affordable housing. The difference between the two would equate to the payment in lieu.

QUESTION 69: WHAT GUIDANCE OR WIDER CHANGES WOULD BE NEEDED TO ENABLE LOCAL PLANNING AUTHORITIES TO SPEND COMMUTED SUMS MORE EFFECTIVELY AND MORE QUICKLY? PLEASE EXPLAIN YOUR ANSWER.

Local Planning Authorities need sufficient resources to hire dedicated S106 and CIL monitoring officers. The Planning and Infrastructure Act, allows LPAs to set their own planning application fees at a level up to, but not exceeding, cost recovery for process. This should mean that LPAs are able to reinvest in services, including performance in spending developer contributions in a timely manner.

QUESTION 70: WOULD FURTHER GUIDANCE BE HELPFUL IN SUPPORTING AUTHORITIES TO CALCULATE THE APPROPRIATE VALUE OF CASH CONTRIBUTIONS IN LIEU?

Yes

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

This has been addressed under Questions 67-69 but to summarise, guidance should be provided to clarify when payments in lieu of affordable housing should be accepted. This should also confirm how this is calculated.

QUESTION 71: DO YOU SUPPORT PROPOSALS TO ENABLE OFF SITE DELIVERY WHERE AFFORDABLE HOUSING DELIVERY CAN BE OPTIMISED TO PRODUCE BETTER OUTCOMES IN TERMS OF QUALITY OR QUANTITY?

Strongly agree.

QUESTION 72: DO YOU AGREE WITH THE CRITERIA SET OUT REGARDING THE LOCATIONS OF SPECIALIST HOUSING FOR OLDER PEOPLE? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly agree.

Please provide your reasons, particularly if you disagree

Criterion 1 a ii of the policy recognises that services and facilities can be provided on site and as such specialist accommodation in such instances is less locationally constrained. This is supported where it recognises the different models for elderly accommodation, which can often provide integrated services.

QUESTION 73: DO YOU AGREE WITH THE CRITERIA SET OUT REGARDING THE LOCATIONS OF COMMUNITY-BASED SPECIALIST ACCOMMODATION, INCLUDING CHANGES TO THE GLOSSARY? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

No comment.

Please provide your reasons, particularly if you disagree

No comment.

QUESTION 74: DO YOU AGREE WITH THE CRITERIA SET OUT REGARDING THE LOCATIONS OF PURPOSE-BUILT STUDENT ACCOMMODATION AND LARGE-SCALE SHARED LIVING ACCOMMODATION, INCLUDING CHANGES TO THE GLOSSARY? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Partially agree.

Please provide your reasons, particularly if you disagree

As with housing for older people (criterion 1 a of Policy H09), it should be recognised that on-site services and facilities can be provided, especially in the case of student accommodation. In such instances, accommodation does not need to be so locationally constrained as is currently suggested by the policy, which might prevent the needs for this specific accommodation being met, where it will direct development towards locations where it would compete with open market

residential land values that can be prohibitive to student accommodation being delivered.

QUESTION 75: DO YOU AGREE THE PROPOSALS PROVIDE ADEQUATE ADDITIONAL SUPPORT FOR RURAL EXCEPTION SITES? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly disagree.

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

In respect of criterion 1a, it must be added that any data must be robust, to ensure the evidence being relied upon is reliable. It must also take account of future need, for example accounting for children that are currently living at home.

We strongly disagree with the additional restriction regarding the site size (no larger than 1ha) or 5% of the existing settlement. This serves no useful purpose and only artificially limits development, when this will already be controlled through other policies in the NPPF. Such restrictions can also be unnecessarily restrictive, where site areas might be distorted by the need to account for requirements such as SuDs, BNG and access arrangements. Criterion 2 b should therefore be removed.

QUESTION 76: DO YOU AGREE WITH PROPOSALS TO REMOVE FIRST HOMES EXCEPTION SITES AS A DISCRETE FORM OF EXCEPTION SITE?

Strongly agree.

The social housing sector has expressed concern that First Homes has displaced other affordable housing tenures, in particular shared ownership which is often required to cross subsidise the social and affordable rented homes to make sites viable to deliver.

It also means that S106 allocations are 25% smaller on most sites, which makes them less attractive to RPs to pursue.

QUESTION 77: DO YOU AGREE PROPOSALS FOR A BENCHMARK LAND VALUE FOR RURAL EXCEPTION SITES WILL HELP TO BRING FORWARD MORE RURAL AFFORDABLE HOMES?

Strongly agree.

QUESTION 78: DO YOU AGREE THE PROPOSALS TO SET OUT REQUIREMENTS FOR TRAVELLER SITES AT POLICY HO12 ADEQUATELY CAPTURE RELEVANT ASPECTS FROM PLANNING POLICY FOR TRAVELLER SITES, WHILST ENSURING FAIR TREATMENT FOR TRAVELLER SITES IN THE PLANNING SYSTEM? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

No comment.

QUESTION 79: PLEASE PROVIDE YOUR REASONS, PARTICULARLY IF YOU DISAGREE

No comment.

QUESTION 80: DO YOU AGREE THE PROPOSALS IN POLICY HO13 WILL HELP TO ENSURE DEVELOPMENT PROPOSALS ARE BUILT OUT IN A REASONABLE PERIOD? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Partially agree.

Please provide your reasons, particularly if you disagree

As with pre-commencement conditions, where reduced timescales are proposed for implementation, this must be mutually agreed between the Council and applicant. This is to ensure implementation timescales are realistic, accounting for other consenting regimes, such as obtaining Natural England licences, which might impact when implementation can take place. Sufficient time must also be allowed for pre-commencement conditions to be discharged and for the sale of land where necessary.

Prior agreement with the applicant is essential to ensure permissions do not expire causing further delay and as such this must be recognised in the policy.

QUESTION 81: DO YOU AGREE THE REQUIREMENTS TO TAKE A FLEXIBLE APPROACH TO THE CONSENTING FRAMEWORK FOR LARGE

SCALE RESIDENTIAL AND MIXED-USE DEVELOPMENT IS SUFFICIENT TO ENSURE THE OPPORTUNITIES OF LARGE SCALE DEVELOPMENT ARE SUPPORTED? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Partly agree.

Please provide your reasons, particularly if you disagree

The considerations at criterion 3 of Policy HO13 are generally already considered and secured as part of major multi-phased developments. However, the flexible approach advocated at criteria 3b is welcomed, recognising that schemes often have to evolve and change over time in response to changing circumstances.

In respect of criterion 4 of the Policy, it is not clear what this is trying to achieve and how this relates to build out rates. This should be clarified.

QUESTION 82: ARE ANY MORE SPECIFIC APPROACHES OR DEFINITIONS NEEDED TO SUPPORT THE DELIVERY OF VERY LARGE (SUPER STRATEGIC) SITES, INCLUDING NEW TOWNS? *YES, NO*

No.

Please provide your reasons

Policy HO4 already provides general support for new settlements/strategic development as a potential option for addressing identified housing needs. Further policy and guidance on how these are to be delivered can be addressed through the Development Plan.

QUESTION 83: DO YOU AGREE WITH THE PROPOSED CHANGES TO THE HOUSING DELIVERY TEST RULE BOOK? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Neither agree nor disagree.

Please provide your reasons, particularly if you disagree

The changes seem to reflect the most current planning position in recognising spatial development strategies

QUESTION 84: DO YOU AGREE THAT MORE EMPHASIS SHOULD BE PLACED ON RELEVANT NATIONAL STRATEGIES AND THE NEED FOR

FLEXIBILITY IN PLANNING FOR ECONOMIC GROWTH, AS DRAFTED IN POLICY E1? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly agree.

Please provide your reasons, particularly if you disagree

Development Plans are the principal vehicle for delivering on the aims and objectives of National strategies. It therefore makes sense to reference these in National planning policy, to ensure these are taken into account in the Plan making process. Policies should also be flexible enough to respond to changes in circumstances should the aims of National policy change.

Criterion 2 of Policy E1 is also expressly supported, where it recognises, that due to changing market conditions Development Plans should not be too prescriptive over specific uses. This allows businesses to be more agile and supports take up of commercial floorspace, through adopting a more flexible approach on how spaces can be occupied.

QUESTION 85: DO YOU AGREE WITH THE APPROACH TO MEETING THE NEED FOR BUSINESS LAND AND PREMISES IN POLICY E2? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly agree.

Please provide your reasons, particularly if you disagree

Provision of new business land and premises is essential to the delivery of sustainable development across the Development Plan area. It is therefore welcomed that “substantial weight” is to be given to proposals which support business growth, especially at the local scale, when also considered in combination with the provisions in Policy E4.

QUESTION 86: DO YOU AGREE WITH THE PROPOSED NEW DECISION-MAKING POLICY SUPPORTING FREIGHT AND LOGISTICS DEVELOPMENT IN POLICY E3? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

No comment.

Please provide your reasons, particularly if you disagree

No comment.

QUESTION 87: DO YOU AGREE WITH THE APPROACH TO RURAL BUSINESS DEVELOPMENT IN POLICY E4? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.

Partly agree

Please provide your reasons, particularly if you disagree.

Policy E4 now removes reference to supporting the development of accessible local services and community facilities. It is noted in the consultation document that this element is deleted on the basis this is now covered by the section Promoting Healthy Communities (Policies HC1 & HC4).

However, these policies fail to recognise the benefits of providing such services in rural locations. This is considered necessary, since often these facilities can be in less sustainable locations, which can be weighed against proposals in decision making. Whilst “substantial weight” is to be given to the provision of community facilities, specific reference to provision of such facilities in rural locations, should either be expressly mentioned in either Policy E4 (which addresses specifically development in rural locations) or in Policies HC1 or HC4.

QUESTION 88: DO YOU AGREE WITH THE PROPOSED CHANGES TO POLICY FOR PLANNING FOR TOWN CENTRES? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Partially agree.

Please provide your reasons, particularly if you disagree

See responses to Question 91.

QUESTION 89: DO YOU AGREE WITH THE APPROACH TO DEVELOPMENT IN TOWN CENTRES IN POLICY TC2? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly agree.

If not, please explain how you would achieve this aim differently?

We specifically support the policy where it recognises that residential development can support the overall vitality and viability of Town Centres.

Allied to this, we further welcome the clarification that “substantial weight” is to be given to the benefits of developments which support Town Centres.

QUESTION 90: WHAT IMPACTS, IF ANY, HAVE YOU OBSERVED ON THE OPERATION OF PLANNING POLICY FOR TOWN CENTRES SINCE THE INTRODUCTION OF USE CLASS E?

No comment.

QUESTION 91: DO YOU BELIEVE THE SEQUENTIAL TEST IN POLICY TC3 SHOULD BE RETAINED? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Partially agree.

Please provide your reasons, particularly if you disagree

It is noted that the sequential test has been modified and expanded such that it should now consider whether the type of development proposed could be accommodated across multiple sites. There are likely to be significant operational and functional issues with this, including issues of viability in terms of paying for more than one premise This therefore seems to be a new and unnecessary policy hurdle which should be removed.

The amended wording of the policy also removes the clarification (as currently set out in the NPPF, para 93), that the sequential test is not to be applied to small scale rural offices or other small scale rural development. This clarification should be reinstated in the policy.

QUESTION 92: DO YOU AGREE WITH THE APPROACH TO TOWN CENTRE IMPACT ASSESSMENTS IN POLICY TC4? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Neither agree nor disagree.

Please provide your reasons, particularly if you disagree

The approach outlined mirrors that set out in the current adopted NPPF (para 94), as such no particular concern is raised with the policy approach.

QUESTION 93: DO YOU AGREE THAT THE UPDATED POLICIES PROVIDE CLEARER AND STRONGER SUPPORT FOR THE ROLLOUT OF 5G AND GIGABIT BROADBAND? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

No comment.

Please provide your reasons, particularly if you disagree

No comment.

QUESTION 94: DO YOU AGREE THE REQUIREMENTS FOR MINIMISING VISUAL IMPACT AND REUSING EXISTING STRUCTURES ARE PRACTICAL FOR APPLICANTS AND LOCAL PLANNING AUTHORITIES? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

No comment.

Please provide your reasons, particularly if you disagree

No comment.

QUESTION 95: DO YOU AGREE THE SUPPORTING INFORMATION REQUIREMENTS ARE PROPORTIONATE AND SUFFICIENT WITHOUT CREATING UNNECESSARY BURDENS? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

No comment

Please provide your reasons, particularly if you disagree.

No comment

QUESTION 96: DO YOU AGREE WITH THE APPROACH TO PLANNING FOR ENERGY AND WATER INFRASTRUCTURE IN POLICY W1? *STRONGLY*

AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.

Partly agree.

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

The intention to engage with infrastructure providers as part of the Plan making process is welcomed. However, it is recognised that engagement with statutory providers can be challenging. They can often be unwilling/or cannot actively engage with the Plan making process until final numbers and distribution of development is known or until the provider is engaging with its own infrastructure review process/cycle.

In such instances and especially within the new condensed programme for Local Plan review, it may not be possible to identify all infrastructure requirements. As with comments in respect of Policy W4, policies within the Development Plan should be worded as flexibly as possible to facilitate the delivery of necessary infrastructure. As such, this should be recognised as part of criterion 2 of the Policy.

QUESTION 97: DO YOU AGREE WITH THE AMENDMENTS TO CURRENT FRAMEWORK POLICY ON PLANNING FOR RENEWABLE AND LOW-CARBON ENERGY DEVELOPMENT AND ELECTRICITY NETWORK INFRASTRUCTURE IN POLICY W2? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly agree.

Please provide your reasons, particularly if you disagree.

Greater weight is now given to the provision of renewable, low carbon and electric network infrastructure, increasing from “significant” to “substantial”. This aligns with National policy in respect of energy security and moving to a net zero future.

Support for proposals outside previously identified suitable areas is also welcomed, to ensure opportunities to deliver renewable, low carbon and electric infrastructure projects are not unnecessarily frustrated, building confidence and delivery in the sector.

QUESTION 98: DO YOU AGREE WITH THE PROPOSED APPROACH TO SUPPORTING DEVELOPMENT FOR RENEWABLE AND LOW CARBON DEVELOPMENT AND ELECTRICITY NETWORK INFRASTRUCTURE IN POLICY W3? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly agree.

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

To support planned development and National targets to transition to carbon neutrality, it is essential that planning support is provided for renewable, low carbon and electric network infrastructure.

Policy W3 provides this support and clarifies that the provision of such infrastructure will attract “substantial weight” in the planning balance, even if it does come forward outside areas previously identified as suitable for that use. This is a position that is strongly supported and is essential to energy security.

QUESTION 99: DO YOU AGREE WITH THE PROPOSED APPROACH TO SUPPORTING DEVELOPMENT FOR WATER INFRASTRUCTURE IN POLICY W4? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly agree.

Please provide your reasons, particularly if you disagree.

To ensure development is not stalled in coming forward, it is agreed that the provision of water infrastructure is given substantial weight when considering such proposals.

QUESTION 100: DO YOU AGREE WITH THE PROPOSED PROHIBITION ON IDENTIFYING NEW COAL SITES IN POLICY M1, AND TO THE REMOVAL OF COAL FROM THE LIST OF MINERALS OF NATIONAL AND LOCAL IMPORTANCE? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

No comment.

Please provide your reasons, particularly if you disagree

No comment.

QUESTION 101: DO YOU AGREE WITH HOW POLICY M1 SETS OUT HOW THE DEVELOPMENT PLAN SHOULD CONSIDER OIL AND GAS? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

No comment.

Please provide your reasons, particularly if you disagree

No comment.

QUESTION 102: DO YOU AGREE WITH THE PROPOSED ADDITION OF CRITICAL AND GROWTH MINERALS TO THE GLOSSARY DEFINITION OF 'MINERALS OF NATIONAL AND LOCAL IMPORTANCE'? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

No comment.

Please provide your reasons, particularly if you disagree.

No comment.

QUESTION 103: DO YOU AGREE CRITERIA B OF POLICY M2 STRIKES THE RIGHT BALANCE BETWEEN PREVENTING MINERALS STERILISATION AND FACILITATING NON-MINERALS DEVELOPMENT? *STRONGLY AGREE PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Partly disagree.

Please provide your reasons, particularly if you disagree

It is unclear from the definitions how the Mineral Consultation Area is different from the Safeguarding Area, other than to suggest this is a potentially larger area than the Safeguarded Area (otherwise what is the point of the distinction). In this context what purpose does it serve, other than to require consultation with the relevant mineral authority in respect of land proposed to be developed which is not safeguarded? This will potentially delay the delivery of otherwise acceptable development by introducing an additional and unnecessary planning hurdle.

See response to Question 113 also, which also identifies the role and purpose of the Mineral Consultation Area is unclear.

QUESTION 104: DO YOU AGREE POLICY M3 APPROPRIATELY REFLECTS THE IMPORTANCE OF CRITICAL AND GROWTH MINERALS? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.

No comment.

Please provide your reasons, particularly if you disagree

No comment.

QUESTION 105: DO YOU AGREE WITH THE EXCLUSION OF DEVELOPMENT INVOLVING ONSHORE OIL AND GAS EXTRACTION FROM POLICY M3? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

No comment.

QUESTION 106: PLEASE PROVIDE YOUR REASONS, PARTICULARLY IF YOU DISAGREE

No comment

QUESTION 107: DO YOU AGREE POLICY M4 SUFFICIENTLY ADDRESSES THE IMPACTS OF MINERAL DEVELOPMENT, NOTING THAT OTHER NATIONAL DECISION-MAKING POLICIES WILL ALSO APPLY? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

No comment

QUESTION 108: PLEASE PROVIDE YOUR REASONS, PARTICULARLY IF YOU DISAGREE.

No comment

QUESTION 109 DO YOU AGREE WITH APPROACH TO COAL, OIL AND GAS IN POLICY M5? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

No comment.

Please provide your reasons, particularly if you disagree

No comment.

QUESTION 110: ARE THERE ANY OTHER EXCEPTIONAL CIRCUMSTANCES IN WHICH COAL EXTRACTION SHOULD BE PERMITTED? YES/NO

No comment.

QUESTION 111: IF YES, PLEASE OUTLINE THE EXCEPTIONAL CIRCUMSTANCES IN WHICH YOU THINK COAL EXTRACTION SHOULD BE PERMITTED

No comment.

QUESTION 112: DO YOU AGREE POLICY M6 STRIKES THE RIGHT BALANCE BETWEEN PREVENTING THE STERILISATION OF MINERALS RESERVES AND MINERALS-RELATED ACTIVITIES, AND FACILITATING NON-MINERALS DEVELOPMENT? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Partially disagree.

Please provide your reasons, particularly if you disagree

The policy fails to make it clear that if the prior extraction of minerals in a safeguarded area, is not practical, viable or environmentally feasible, then permission should not be refused for an alternative proposed development.

This is critical, to ensure developments, that would not prejudice the safeguarding of minerals can still come forward. The policy must therefore be amended accordingly to reflect these circumstances.

QUESTION 113: DOES POLICY M6 PROVIDE SUFFICIENT CLARITY ON THE ROLE OF MINERALS CONSULTATION AREAS? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Partially disagree.

Please provide your reasons, particularly if you disagree

The policy clarifies when this might trigger consultation but does not clarify its role and how this matter is to be considered in the planning balance. Further clarification is therefore required about how this might inform decision making.

QUESTION 114: DO YOU AGREE POLICY L1 PROVIDES CLEAR GUIDANCE ON HOW LOCAL PLANS SHOULD BE PREPARED TO PROMOTE THE EFFICIENT USE OF LAND? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Partly agree.

QUESTION 115: IF NOT, WHAT FURTHER GUIDANCE IS NEEDED?

See responses to Questions 116-121.

QUESTION 116: DO YOU AGREE POLICY L2 PROVIDES CLEAR GUIDANCE ON HOW DEVELOPMENT PROPOSALS SHOULD BE ASSESSED TO ENSURE EFFICIENT USE OF LAND? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly disagree.

Please provide your reasons, particularly if you disagree.

The policy is tasked with making the “effective use of land”. However, it provides limited guidance on the “efficient” use of land, save for criterion 3, which is addressed under Question 118.

QUESTION 117: DO YOU AGREE POLICY L2 IDENTIFIES APPROPRIATE TYPOLOGIES OF DEVELOPMENT TO SUPPORT INTENSIFICATION? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Partially agree.

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

The wording of criterion c specifically refers to “bringing back into” use homes and other buildings. The wording suggests this is focussed on proposals which re-use buildings for their originally intended purpose. However, it fails to reference the conversion of existing buildings. Criterion c should be expanded to specifically refer

to this, where it supports the aims of sustainable development. Its inclusion would also align with the aims of Policy E4.

It is useful to establish at a national level, those instances where making the most effective use of land will be supported. However, this should not be considered an exhaustive list and it should be recognised in the Policy that this can be expanded on through Local Plans.

QUESTION 118: DO YOU AGREE THE HIGH-LEVEL DESIGN PRINCIPLES PROVIDED IN POLICY L2(D) APPROPRIATE FOR NATIONAL POLICY?
STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Partially agree.

Please provide your reasons, particularly if you disagree

Separate to the above and in response to Questions 119 & 120 representation have been made on the specific criteria, that should also be taken into account.

Whilst the requirement of criterion 3 is broadly supported, the context of specific sites must also be taken into account. It is also unclear why the guidance seems to apply only to sites which have not been previously developed. This guidance is equally applicable to previously developed sites, where it is also not covered in the previous criteria in the policy. The policy should therefore be amended accordingly.

QUESTION 119: DO YOU AGREE POLICY L2 (D)(I) ACHIEVES ITS INTENT TO ENABLE APPROPRIATE DEVELOPMENT THAT MAY DIFFER FROM THE EXISTING STREET SCENE, PARTICULARLY IN CASES SUCH AS CORNER PLOT REDEVELOPMENT AND UPWARDS EXTENSIONS.
STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly disagree.

Please provide your reasons, particularly if you disagree

It is unlikely that any intensification of development will be consistent (which is defined as meaning the same or uniform) with a street scene, especially where such intensification has not taken place before. The measure of the acceptability

of the proposals is whether it compliments and is not harmful to the local area. Reference to proposals being “consistent” should therefore be removed.

QUESTION 120: DO YOU AGREE WITH THE PROPOSED SAFEGUARDS IN POLICY L2 THAT ALLOW DEVELOPMENT IN RESIDENTIAL CURTILAGES? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly disagree.

Please provide your reasons, particularly if you disagree

The approach to criterion iii is overly restrictive and fails to consider scenarios where properties can have excessively large gardens and/or the existing property has a small footprint. In such instances this could mean sites are underutilised. If development is not harmful to the area or to the residential amenity of existing and proposed residents, there is no justified need for additional restrictions around the extent of development. Accordingly, criterion iii should be removed.

QUESTION 121: DO YOU AGREE POLICY L3 PROVIDES CLEAR GUIDANCE ON ACHIEVING APPROPRIATE DENSITIES FOR RESIDENTIAL AND MIXED-USE SCHEMES? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.*

Strongly agree. However, see response to Questions 122, & 126, in respect of criterion 3

If not, please explain how guidance could be clearer?

N/A

QUESTION 122: DO YOU AGREE WITH THE MINIMUM DENSITY REQUIREMENTS SET OUT WITHIN POLICY L3? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly disagree.

Please provide your reasons, particularly if you disagree

The minimum density requirements are linked solely to the accessibility of a railway station and those which are “well connected”. As set out in response to Question 126, this promotes density ranges which might not be contextually

appropriate in all instances, especially in less urban or more rural locations, which still fall within the ambit of benefitting from high levels of connectivity. Consequently, the density threshold could exclude otherwise sustainable and suitable sites from coming forward. Accordingly, the minimum density range should be excluded, and all applications must demonstrate how they have made the most efficient use of land, taking into account the site context.

See response to Question 126 also.

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

No comment.

QUESTION 123: DO YOU AGREE THAT USING DWELLINGS PER HECTARE IS AN APPROPRIATE METRIC FOR SETTING MINIMUM DENSITY REQUIREMENTS? ADDITIONALLY, IS OUR DEFINITION OF 'NET DEVELOPABLE AREA' WITHIN THE NPPF SUITABLE FOR THIS POLICY? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.

Partly agree.

Please provide your reasons, particularly if you disagree

Notwithstanding comments on the use of the density ranges, measuring site efficiency based on dwellings per ha is common practice and the definition is considered broadly suitable

QUESTION 124: DO YOU AGREE WITH THE PROPOSED DEFINITION OF A 'WELL-CONNECTED' STATION USED TO HELP SET HIGHER MINIMUM DENSITY STANDARDS IN TARGETED GROWTH LOCATIONS? IN PARTICULAR, ARE THE PARAMETERS WE'RE USING FOR THE NUMBER OF TRAVEL TO WORK AREAS AND SERVICE FREQUENCY APPROPRIATE FOR DEFINING A 'WELL-CONNECTED' STATION? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Partly agree.

Please provide your reasons and preferred alternatives

Overall, this new provision is welcomed. However, it is unclear why the definition solely focuses on accessibility to train stations and fails to recognise other sustainable modes of travel such as buses, which can also be high frequency and offer the same sustainability benefits. The definition should therefore be expanded to include access to high frequency bus provision.

Allied to this, the number/frequency of train services should be reduced from 4 to 2 in one direction. The current required frequency is considered to be a lost opportunity to boost the supply of housing by identifying more areas that are considered to be well-connected. This is especially true in the south-east, which has good transport links to London and the towns at peak commuting times. The definition of well-connected should therefore be reviewed.

QUESTION 125: ARE THERE OTHER TYPES OF LOCATION (SUCH AS URBAN CORE, OR OTHER TYPES OF PUBLIC TRANSPORT NODE) WHERE MINIMUM DENSITY STANDARDS SHOULD BE SET NATIONALLY? YES/NO

No. See responses to Questions 122 & 126.

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

No comment

QUESTION 126: SHOULD WE DEFINE A SPECIFIC RANGE OF RESIDENTIAL DENSITIES FOR LAND AROUND STATIONS CLASSIFIED AS 'WELL-CONNECTED'?

No.

Whilst developments should seek to make the most efficient use of land, densities still need to be contextually appropriate. Through the application of specific density requirements this could prevent otherwise sustainable developments from coming forward.

Consequently, the current density requirement of 50 dwellings per ha, suggests that only very urban locations could be considered suitable. It is unlikely that such densities would be supported in less urban or more rural locations which still

benefit from being within walking distance of a well-connected station or stop. Consequently, policy directs developments to fewer locations, failing to capitalise on the purpose of the policy which is to locate development in the most sustainable locations.

Density is not an indicator of sustainable development and therefore the policy should just seek to make sure that the most efficient use of land is made, taking into account the site context.

QUESTION 127: IF SO, WHAT SHOULD THAT RANGE BE, AND WHICH LOCATIONS SHOULD IT APPLY TO?

As set out in response to 126, there should be no density range. It should just be demonstrated that proposals have made the most efficient use of sites taking into account its local context.

QUESTION 128: DO YOU AGREE POLICY L4 PROVIDES CLEAR HIGH-LEVEL GUIDANCE ON GOOD DESIGN FOR RESIDENTIAL EXTENSIONS?
STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Neither agree nor disagree.

QUESTION 129: PLEASE PROVIDE YOUR REASONS, PARTICULARLY IF YOU DISAGREE

Provides generally high-level nonspecific guidance.

QUESTION 130: DO YOU AGREE THAT POLICY GB1 PROVIDES APPROPRIATE CRITERIA FOR ESTABLISHING NEW GREEN BELTS?
STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly agree.

QUESTION 131: PLEASE PROVIDE YOUR REASONS, PARTICULARLY IF YOU DISAGREE

New Green Belts should only be established in exceptional circumstances, where it poses a significant constraint to future development. As such, it is correct that

the need to establish new area of Green Belt is robustly tested as set at criteria a-c of the Policy.

QUESTION 132: DO YOU AGREE POLICY GB2 GIVES SUFFICIENT DETAIL ON THE EXPECTED ROLES SPATIAL DEVELOPMENT STRATEGIES AND LOCAL PLANS PLAY IN ASSESSING GREEN BELT LAND? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly agree.

Please provide your reasons, particularly if you disagree

Specifically reference the Annex E is supported and the need to consider Grey Belt as part of the overall Green Belt assessment.

QUESTION 133: DO YOU AGREE WITH PROPOSALS TO BETTER ENABLE DEVELOPMENT OPPORTUNITIES AROUND SUITABLE STATIONS TO BE BROUGHT FORWARD? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly agree.

Please provide your reasons, particularly if you disagree

By providing greater flexibility for development to occur around stations further supports the aims of the framework to deliver development in sustainable locations.

QUESTION 134: DO YOU AGREE THE EXPECTATIONS SET OUT IN POLICY GB5 ARE APPROPRIATE AND DELIVERABLE IN LOCAL PLANS? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Partly agree.

QUESTION 135: PLEASE PROVIDE YOUR REASONS, PARTICULARLY IF YOU DISAGREE

Close consultation will need to take place with relevant landowners, to ensure these proposals are deliverable, especially where land might be identified or allocated to achieve any of these purposes.

QUESTION 136: DO YOU AGREE POLICIES GB6 AND GB7 SET OUT APPROPRIATE TESTS FOR CONSIDERING DEVELOPMENT ON GREEN BELT LAND? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly agree.

Please provide your reasons, particularly if you disagree

Criterion 3, of Policy GB6 should also recognise the benefits of renewable energy improving energy security, supporting economic development and moving to a net zero future, as set out under Policy W3.

Policy GB7 is supported where it provides for development on Grey Belt land and separately around well-connected stations.

QUESTION 137 DO YOU AGREE POLICY GB7(1H) SUCCESSFULLY TARGETS APPROPRIATE DEVELOPMENT TYPES AND LOCATIONS IN THE GREEN BELT, INCLUDING THAT IT APPLIES ONLY TO HOUSING AND MIXED-USE DEVELOPMENT CAPABLE OF MEETING THE DENSITY REQUIREMENTS IN CHAPTER 12? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Partly disagree.

Please provide your reasons, particularly if you disagree

Whilst in general Policy GB7(1H) is strongly supported, separate representations have been submitted in respect of the link with density and well-connected stations, which is not considered necessary or appropriate and should be removed. See responses to Questions 122 and 126.

QUESTION 138: PLEASE PROVIDE YOUR REASONS, INCLUDING ANY EVIDENCE THAT THIS POLICY WOULD LEAD TO ADVERSE IMPACTS ON GYPSIES AND TRAVELLERS

No comment.

QUESTION 139: DO YOU AGREE THAT SITE-SPECIFIC VIABILITY ASSESSMENT SHOULD BE PERMITTED ON DEVELOPMENT PROPOSALS SUBJECT TO THE GOLDEN RULES IN THESE THREE CIRCUMSTANCES?

STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly agree.

Please provide your reasons, particularly if you disagree.

The principal purpose of the Golden Rules is to help over deliver social and affordable housing to offset development in the Green Belt with additional social benefits.

However, this should not undermine the ability for some well-connected and sustainable sites from coming forward due to issues of viability. Green Belt sites are not immune to such issues and therefore the provisions at criterion 3 are welcomed.

However, the list of circumstances where viability assessments might be applied, should include taking into account unforeseen circumstances following the grant of planning permission. This is essential to ensuring planned development is not stalled or fails to be completed.

QUESTION 140: WITH REGARDS TO PREVIOUSLY DEVELOPED LAND, ARE THERE FURTHER CHANGES TO POLICY OR GUIDANCE THAT COULD BE MADE TO HELP ENSURE SITE-SPECIFIC VIABILITY ASSESSMENTS ARE USED ONLY FOR GENUINELY PREVIOUSLY DEVELOPED LAND, AND NOT PREDOMINANTLY GREENFIELD SITES?

Strongly disagree.

As a result of the 2024 NPPF which prohibited the use of viability assessments on Grey Belt sites, a number of developments have been stalled, particularly on previously developed land (PDL), or lower value areas. We therefore welcome this amendment which would assist in the delivery of housing.

QUESTION 141: DO YOU AGREE WITH SETTING AN AFFORDABLE HOUSING 'FLOOR' FOR SCHEMES SUBJECT TO THE GOLDEN RULES ACCOMPANIED BY A VIABILITY ASSESSMENT SUBJECT TO THE TERMS SET OUT? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.

Strongly disagree.

QUESTION 142: PLEASE EXPLAIN YOUR ANSWER, INCLUDING YOUR VIEW ON THE APPROPRIATE APPROACH TO SETTING A 'FLOOR', AND THE RIGHT LEVEL FOR THIS?

The inclusion of an affordable housing floor has the potential to sterilise smaller sites where this would result in a small number of affordable units, which RPs are unlikely to take on.

If a floor is to be implemented, then we request that this is kept to a minimum and would strongly recommend that the wording of the policy is adapted to acknowledge that due to the number of units this may provide on smaller sites, an off-site contribution may be more appropriate.

QUESTION 143: DO YOU AGREE WITH LOCAL PLANNING AUTHORITIES TESTING VIABILITY AT THE PLAN-MAKING STAGE USING A STANDARDISED BENCHMARK LAND VALUES SCENARIO OF 10 TIMES EXISTING USE VALUE FOR GREENFIELD, GREEN BELT LAND? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.*

Strongly disagree.

Please explain your answer.

The HCA Area Wide Viability Model (Annex 1 Transparent Viability Assumptions) which is often referred to in development plan viability assessments, sets out that for greenfield land, benchmarks tend to be in the range of 10 to 20 times agricultural value.

The provision of a standardised x10 multiplier may prevent higher value sites from coming forwards for development and disincentivises landowners from selling or promoting sites.

QUESTION 144: DO YOU HAVE ANY OTHER COMMENTS ON THE USE OF NATIONALLY STANDARDISED BENCHMARK LAND VALUES FOR LOCAL PLANNING AUTHORITIES TO TEST VIABILITY AT THE PLAN-MAKING STAGE?

The application of nationally standardised Benchmark Land Values (BLV) for LPAs to test at the plan-making stage, would not reflect locational disparities in values.

Each site should be assessed on its own individual merits, and this is particularly the case on PDL which would not be reflected through a standardised approach.

QUESTION 145: DO YOU AGREE THAT PROPOSED CHANGES TO THE GREY BELT DEFINITION WILL IMPROVE THE OPERABILITY OF THE GREY BELT DEFINITION, WITHOUT UNDERMINING THE GENERAL PROTECTIONS GIVEN TO OTHER FOOTNOTE 7 AREAS? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly agree.

Please provide your reasons, particularly if you disagree

Support removal of reference to the footnotes where this will assist with the identification of grey belt land and remove unnecessary hurdles in respect of grey belt applications.

However, this does not undermine the general protection given to footnote 7 areas, on the basis there continue to be protected by other policies within the framework.

QUESTION 146: DO YOU AGREE THAT POLICY DP1 PROVIDES SUFFICIENT CLARITY ON HOW DEVELOPMENT PLANS SHOULD DELIVER HIGH QUALITY DESIGN AND PLACEMAKING OUTCOMES? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Partly agree.

Please provide your reasons, particularly if you disagree

Whilst the principles outlined are generally high level, it should be noted that policies should not be too restrictive where they could stifle innovation or be too burdensome that they might prevent/restrict development in coming forward.

QUESTION 147: DO YOU AGREE WITH THE APPROACH TO DESIGN TOOLS SET OUT IN POLICY DP2? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Partly agree.

Please provide your reasons, particularly if you disagree

In the main the requirements of the policy are supported. However, there must be a flexible approach to community engagement that must also be proportionate to a development and should be recognised in policy.

Recognising the need that design documents might need to evolve in response to changing circumstances is further supported. However, it is unclear how a review process might work or be instigated i.e. would a Design Code need to be re-submitted back to a Council for approval? More generally, a flexible approach to the drafting of documents should be taken, as opposed to a formal review process, allowing variations to be considered through future applications where there has been a change in circumstances, to avoid unnecessary delay in getting amended documents re-approved.

QUESTION 148: DO YOU AGREE POLICY DP3 CLEARLY SET OUT PRINCIPLES FOR DEVELOPMENT PROPOSALS TO RESPOND TO THEIR CONTEXT AND CREATE WELL-DESIGNED PLACES? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly agree.

Please provide your reasons, particularly if you disagree.

Policy sets out generally accepted high-level design principles.

QUESTION 149: DO YOU AGREE WITH THE PROPOSED APPROACH TO USING DESIGN REVIEW AND OTHER DESIGN PROCESSES IN POLICY DP4? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Partly agree.

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

The use of processes such as Design Review must be applied proportionately, considering the scale of the development and whether the Site is sensitive or not. It should not be treated as a blanket requirement, especially where it is genuinely not required/necessary.

QUESTION 150: DO YOU AGREE THAT POLICY TR1 WILL PROVIDE AN EFFECTIVE BASIS FOR TAKING A VISION-LED APPROACH AND SUPPORTING SUSTAINABLE TRANSPORT THROUGH PLAN-MAKING?
STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Partly agree.

Please provide your reasons, particularly if you disagree

The focus on vision-led approach is welcomed, but it is considered that TR1 could better emphasise the procedures needed to ensure this approach is deliverable and consistently applied, including how 'vision-led' outcomes should be evidenced. Overall, the guidance is high level and will be interpreted differently by local authorities, including modelling approaches, monitoring methodology, and the scale of development at which these methods are appropriate.

The intention behind The Connectivity Tool is recognised, but its practical role requires clarification. It is not yet clear how connectivity scores should be interpreted and used. From a consultancy perspective, the tool can be used to justify the sustainability of a site but cannot be used to select a site for its sustainable properties. Justifications for the sustainable credentials of a location using The Connectivity Tool will therefore risk being retrospective, rather than to inform the site selection itself.

The Connectivity Tool also has limitations in terms of its assessment of future transport interventions; its current capability is limited to introducing new bus routes with a minimum frequency of hourly services. This omits considerations of how pedestrian and cycle improvements can affect connectivity, as well as how improvements to existing bus services (such as route diversions or increases in frequency) would affect the score.

We would welcome further guidance on the application and interpretation of the Connectivity Tool, to aid local authorities and consultants in providing a consistent and defensible approach to its use.

Para 1 e. should be amended to read: "...freight interchanges and terminals associated with sustainable transport modes...".

A design hierarchy must consider freight, to avoid creating accident hotspots or ongoing repairs due to freight vehicles damaging new infrastructure.

QUESTION 151: DO YOU AGREE THAT POLICY TR2 STRIKES AN APPROPRIATE BALANCE BETWEEN SUPPORTING MAXIMUM PARKING STANDARDS WHERE THEY CAN DELIVER PLANNING BENEFITS, AND REQUIRING A DEGREE OF FLEXIBILITY AND CONSIDERATION OF BUSINESS REQUIREMENTS IN SETTING THOSE STANDARDS? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly agree

Please provide your reasons, particularly if you disagree

Policy TR2 is broadly supported and its emphasis on aligning parking standards with the development vision. Flexibility is acknowledged but there are a lack of criteria or thresholds for when maximum standards should be applied. Vision-led maximum parking standards should be tied to demonstrable evidence on the availability and quality of sustainable modes, propensity for modal shift, and ongoing monitoring of parking demand aligned to trigger points within the vision-led monitoring framework. This is to ensure parking provision can be adapted over time to prevent over or under provision of parking.

QUESTION 152: DO YOU AGREE WITH THE CHANGES PROPOSED IN POLICY TR3(1A), INCLUDING THE REFERENCE TO PROPOSALS WHICH COULD GENERATE A SIGNIFICANT AMOUNT OF MOVEMENT, AND THE PROPOSED USE OF THE CONNECTIVITY TOOL? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Partly agree.

Please provide your reasons, particularly if you disagree

Using analytical tools is welcome, but there is a risk that undue weight will be placed on The Connectivity Tool which does not take account of real-world barriers to connectivity including severance, route quality and gradients. This should be accompanied by detailed audits and on-site assessments of the sustainable infrastructure on and off site.

The Connectivity Tool currently focuses on people movement (walking, cycling, public transport, driving to services) and does not yet include freight movement/needs. Until freight datasets and analytics are incorporated, we suggest TR3 clarifies that the Connectivity Tool should be complemented by freight-specific evidence (e.g., HGV routing/safety data, lorry parking demand, rail freight paths, port capacity) when assessing proposals that “generate a significant amount of movement”. This avoids systematic under-consideration of freight in development management.

QUESTION 153: DO YOU AGREE THAT PROPOSED POLICY TR4 PROVIDES A SUFFICIENT BASIS FOR THE EFFECTIVE INTEGRATION OF TRANSPORT CONSIDERATIONS IN CREATING WELL-DESIGNED PLACES?
STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.

Partly agree.

Please provide your reasons, particularly if you disagree.

We welcome this policy overall but would note that TR4 risks being applied retrospectively to a layout, rather than informing the development from the earliest stages of design to maximise the propensity for modal shift. Para 1 d. should be amended to read:

"To support the effective and efficient movement of goods, all developments must include consideration of adequate and timely space provision for delivery of goods and servicing activity, ideally off-road or across the kerbside without impacting accessibility for walking, wheeling, cycling and emergency vehicles, and in ways which do not compromise key place-making principles (set out in policy DP3)."

QUESTION 154: DO YOU AGREE WITH POLICY TR5 AS A BASIS FOR SUPPORTING THE PROVISION AND RETENTION OF ROADSIDE

FACILITIES WHERE THERE IS AN IDENTIFIED NEED? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly agree.

Please provide your reasons, particularly if you disagree

We strongly support policy language that supports provision and retention of roadside facilities where there is an identified need, including safe, secure lorry parking and driver welfare. This addresses a well evidenced national shortfall and is material to safety, compliance and decarbonisation (reduced detouring/engine idling). We suggest referencing design and security standards and allowing planned spatial identification of priority locations on the Strategic and Principal Road Networks. The cross-border test for Wales and Scotland and English locations proximate to the borders should be formally applied.

QUESTION 155: DO YOU AGREE THAT THE AMENDED WORDING PROPOSED IN POLICY TR6 PROVIDES A CLEARER BASIS FOR CONSIDERING WHEN TRANSPORT ASSESSMENTS AND TRAVEL PLANS WILL BE REQUIRED, AND FOR CONSIDERING IMPACTS ON THE TRANSPORT NETWORK? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.*

Partly disagree.

Please provide your reasons, particularly if you disagree.

It is disappointing that the highways "severity test" remains embedded within this policy, as this risks continuing to facilitate car-dependent development, and is often interpreted in significantly different ways at different local authorities. Clearer guidance should be provided to understand how sustainable modes can be prioritised to meet a sustainable transport vision while still complying with highways severity impact tests and reflecting the different needs and viable transport options of different local areas. We would welcome further clarity on the thresholds and circumstances in which different scales of vision led transport assessment should apply, how these assessments should be undertaken, and how they should be interpreted by local authorities.

We would suggest that a requirement for a Delivery and Servicing Plan is also included within this policy

QUESTION 156: DO YOU AGREE THE PROPOSED TEXT IN POLICY TR7 PROVIDE AN EFFECTIVE BASIS FOR ASSESSING PROPOSALS FOR MARINE PORTS, AIRPORTS AND GENERAL AVIATION FACILITIES? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly agree.

Please provide your reasons, particularly if you disagree

We would request that 'freight interchanges' is added to the title of this policy and to para 1.

Ports and airports are national gateways in the freight system. TR7 should cross-refer to policies E1 and E3 and emphasise surface access strategies for freight (rail and road), rail-served inland terminals, and energy/grid needs for zero-emission ground operations and HGVs. This integrates Triple Access Planning by aligning strategic nodes (proximity), multi-modal mobility, and digital operations across the whole chain.

QUESTION 157: DO YOU AGREE WITH THE ADDITIONAL POLICY ON MAINTAINING AND IMPROVING RIGHTS OF WAY PROPOSED IN POLICY TR8? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Partly agree.

Please provide your reasons, particularly if you disagree

We agree with Policy TR8 but believe it would benefit from stronger wording to ensure public rights of way are embedded within the transport strategy for new development from its inception. There are often opportunities for PROWs to form part of the primary movement network and inform the design from the outset as these routes typically represent established desire lines for local people. These desire lines should be treated as a core design component to achieve the most direct and convenient active travel routes across the site, rather than as a constraint.

QUESTION 158: DO YOU AGREE WITH THE APPROACH TO PLANNING FOR HEALTHY COMMUNITIES IN POLICY HC1, INCLUDING THE EXPECTATION THAT THE DEVELOPMENT PLAN SET LOCAL STANDARDS FOR DIFFERENT TYPES OF RECREATIONAL LAND, DRAWING UPON

RELEVANT NATIONAL STANDARDS? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Partially agree.

Please provide your reasons, particularly if you disagree

Agree that Local Plans should set clear expectations for the provision of facilities including open space. Any requirements should however be clearly evidence based and where appropriate informed by a whole plan Viability Assessment. This needs to be further acknowledged in the policy.

QUESTION 159: DO YOU AGREE THAT LOCAL GREEN SPACE SHOULD BE 'CLOSE' TO THE COMMUNITY IT SERVES? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly agree.

Please provide your reasons, particularly if you disagree

For green spaces to be of value to a community, it stands to reason that they must be close to the community they serve.

QUESTION 160: DO YOU AGREE THAT THE PROPOSED POLICIES AT HC3 AND HC4 WILL SUPPORT THE PROVISION OF COMMUNITY FACILITIES AND PUBLIC SERVICE INFRASTRUCTURE SERVING NEW DEVELOPMENT? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.*

Partly agree.

Please provide your reasons, particularly if you disagree

In respect of criterion a. it is unclear as to whose responsibility it is for a development to be "informed by an understanding of the need for any associated improvements to local facilities". We assume this will principally be the responsibility of the determining authority to identify through the Development Plan or other supplementary guidance infrastructure needs.

Support that "substantial weight" is given to the benefits of providing new or improved facilities.

QUESTION 161: DO YOU HAVE ANY VIEWS ON WHETHER FURTHER CLARITY IS REQUIRED TO IMPROVE THE APPLICATION OF THIS POLICY, INCLUDING THE TERM 'FAST FOOD OUTLETS', AND THE TYPES OF USES TO WHICH IT APPLIES?

As currently worded, the policy is very restrictive with only exemptions being in the case of designated Town centres. The policy should also except local centres, or any other exempted local centres (if under a different name) as set out in the Development Plan.

Currently the wording of the policy could undermine the commercial viability and vitality of centres which are not located in a Town.

QUESTION 162: DO YOU AGREE WITH THE PROPOSED APPROACH TO RETAINING KEY COMMUNITY FACILITIES AND PUBLIC SERVICE INFRASTRUCTURE IN POLICY HC6? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly agree.

Please provide your reasons, particularly if you disagree.

Criterion 2 of the policy is specifically supported where it clarifies the policy only comes into effect where the facility would be the last of its type in the area.

QUESTION 163: DO YOU AGREE WITH THE APPROACH TAKEN TO RECREATIONAL FACILITIES IN POLICY HC7, INCLUDING THE ADDITION OF 'AND/OR' WITH REFERENCE TO QUANTITY AND QUALITY OF REPLACEMENT PROVISION? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly agree.

Please provide your reasons, particularly if you disagree

We support the policy recognising that open space does not have to be re-provided on a like for like basis and qualitative improvements will therefore also be considered.

QUESTION 164: DO YOU AGREE WITH THE CLARIFICATION THAT LOCAL GREEN SPACE SHOULD NOT FALL INTO AREAS REGARDED AS GREY BELT OR WHERE GREEN BELT POLICY ON PREVIOUSLY DEVELOPED

LAND APPLY? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.

Strongly disagree.

Please provide your reasons, particularly if you disagree

The policy approach could prevent otherwise suitable and sustainable sites from coming forward for development. As such Local Green Spaces should benefit from grey belt and previously developed land provisions.

QUESTION 165: DO YOU AGREE WITH POLICY P1 AS A BASIS FOR IDENTIFYING AND ADDRESSING RELEVANT RISKS WHEN PREPARING PLANS? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.

No comment.

Please provide your reasons, particularly if you disagree

No comment.

QUESTION 166: ARE ANY ADDITIONAL TOOLS OR GUIDANCE NEEDED TO ENABLE BETTER DECISION-MAKING ON CONTAMINATED LAND?

No comment

QUESTION 167: DO YOU AGREE WITH THE CRITERIA SET OUT IN PROPOSED POLICY P3 AS A BASIS FOR SECURING ACCEPTABLE LIVING CONDITIONS AND MANAGING POLLUTION? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Partly disagree.

Please provide your reasons, particularly if you disagree

Criterion a, cumulative effects need only be considered “where appropriate” this is not necessary in all cases and risks overburdening minor developments. Words “where appropriate” should therefore be inserted.

Criterion c, reference to tranquillity should be removed. To achieve National housing targets significant new areas will need to be developed, which will

inevitably introduce noise into new areas which are locally considered as “tranquil” How an area is considered “prized” is also unclear. As currently drafted, criterion c is likely to represent a significant constraint to development and should be removed.

It is unclear what the purpose of criterion 3 is and how this is intended to operate alongside the requirements of Policy DM7.

QUESTION 168: DO YOU AGREE POLICY P4 MAKES SUFFICIENTLY CLEAR HOW DECISION-MAKERS SHOULD APPLY THE AGENT OF CHANGE PRINCIPLE? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Partly agree.

Please provide your reasons, particularly if you disagree

Criterion 4 sets out that both current and permitted levels of operation of existing activities should be considered. However, where development is found to be operating outside consented limits, this should not necessarily set a new baseline, and it is reasonable for the applicant to assume that the neighbouring use will and should operate within its permitted limits (unless this position is subsequently regularised) and the planning authority will be exercising its powers accordingly.

This should be acknowledged in the policy, to ensure developments are not unnecessarily restricted or prevented.

QUESTION 169: DO YOU AGREE POLICY P5 PROVIDES SUFFICIENT BASIS FOR ADDRESSING POSSIBLE MALICIOUS THREATS AND OTHER HAZARDS WHEN CONSIDERING DEVELOPMENT PROPOSALS? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

No comment.

Please provide your reasons, particularly if you disagree

No comment.

QUESTION 170: DO YOU AGREE THAT SUBSTANTIAL WEIGHT SHOULD BE GIVEN TO THE BENEFITS OF DEVELOPMENT FOR DEFENCE AND

PUBLIC PROTECTION PURPOSES? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.*

Strongly agree.

Please provide your reasons, particularly if you disagree

No comment.

QUESTION 171: DO YOU AGREE WITH THE PROPOSED CHANGES SET OUT IN POLICY F3 TO IMPROVE HOW COASTAL CHANGE MANAGEMENT AREAS ARE IDENTIFIED AND TAKEN INTO ACCOUNT IN DEVELOPMENT PLANS? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Partly agree.

Please provide your reasons, particularly if you disagree

Development should only be avoided in these locations, unless it can be demonstrated that suitable mitigation/protection measures can be secured, which should be recognised in the policy.

QUESTION 172: DO YOU AGREE WITH THE PROPOSED CLARIFICATIONS TO THE SEQUENTIAL TEST SET OUT IN POLICY F5? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Partly disagree.

Please provide your reasons, particularly if you disagree.

It is not uncommon for accesses to fall within areas of flood risk. In such instances and where only the access is located in an area of flood risk and as long as a suitable and safe access and escape route can be demonstrated, this too should be excluded from the application of the sequential test.

This is considered justified on the basis that as long as an access can be demonstrated to be safe, it does not propose a real world threat and would not endanger users/occupants of the development.

QUESTION 173: DO YOU AGREE WITH THE PROPOSED APPROACH TO THE EXCEPTION TEST SET OUT IN POLICY F6? *STRONGLY AGREE,*

PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

No comment.

Please provide your reasons, particularly if you disagree

No comment.

QUESTION 174: DO YOU AGREE WITH THE PROPOSED REQUIREMENT IN POLICY F8 FOR SUSTAINABLE DRAINAGE SYSTEMS TO BE DESIGNED IN ACCORDANCE WITH THE NATIONAL STANDARDS? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Neither agree nor disagree.

Please provide your reasons, particularly if you disagree

There is also usually local guidance which further dictates/informs drainage design.

QUESTION 175: DO YOU AGREE WITH THE PROPOSED NEW POLICY TO AVOID THE ENCLOSURE OF WATERCOURSES, AND ENCOURAGE THE DE-CULVERTING AND RE-NATURALISATION OF RIVER CHANNELS? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

No comment.

Please provide your reasons, particularly if you disagree.

No comment.

QUESTION 176: DO YOU AGREE WITH THE PROPOSED CHANGES TO POLICY FOR MANAGING DEVELOPMENT IN AREAS AFFECTED BY COASTAL CHANGE? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

No comment.

Please provide your reasons, particularly if you disagree.

No comment.

QUESTION 177: THE NATIONAL COASTAL EROSION RISK MAP SETS OUT WHERE AREAS MAY BE VULNERABLE TO COASTAL CHANGE BASED ON DIFFERENT SCENARIOS. DO YOU HAVE VIEWS ON HOW THESE SCENARIOS SHOULD BE APPLIED TO ENSURE A PROPORTIONATE APPROACH IN APPLYING THIS POLICY?

No comment.

QUESTION 178: DO YOU AGREE WITH THE PROPOSED NEW ADDITIONS TO TABLE 2: FLOOD RISK VULNERABILITY CLASSIFICATIONS? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

No comment.

Should any other forms of development should be added? Please give your reasoning and clearly identify which proposed or additional uses you are referring to.

No comment.

QUESTION 179: DO YOU AGREE THAT THE PROPOSED APPROACH TO PLANNING FOR THE NATURAL ENVIRONMENT IN POLICY N1, INCLUDING THE PROPOSED APPROACH TO BIODIVERSITY NET GAIN, STRIKES THE RIGHT BALANCE BETWEEN CONSISTENCY, VIABILITY, DELIVERABILITY, AND SUPPORTING NATURE RECOVERY? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.

Strongly disagree.

Please provide your reasons, particularly if you disagree.

Criterion c, specifically seeks to limit the scale and extent of development within protected landscapes, including avoiding the use of high-grade agricultural land.

Depending on the scale of development required in a Local Plan area this might not always be possible. The current form of wording could result in many authorities seeking not to address in full identified local housing need, which cumulatively could have a significant impact on achieving National housing targets and especially in the context that there is no legal requirement for cross-boundary cooperation.

Whilst in general it is supported that development should be directed to less sensitive areas, the requirement to limit the scale and extent of development within protected landscapes and to avoid using BMV land should therefore be removed.

The general approach to BNG is supported, where it does not seek to go above statutory requirements. However, as set out in Question 180, it is not considered necessary for site specific policies to set out additional BNG requirements.

QUESTION 180: IN WHAT CIRCUMSTANCES WOULD IT BE REASONABLE TO SEEK MORE THAN 10% BIODIVERSITY NET GAIN ON SITES BEING ALLOCATED IN THE DEVELOPMENT PLAN, ESPECIALLY WHERE THIS COULD SUPPORT MEETING BIODIVERSITY NET GAIN OBLIGATIONS ON OTHER NEIGHBOURING SITES IN A PARTICULAR AREA?

It is not considered to be reasonable to require this. If a site can achieve more than 10% it will naturally achieve this, it does not need to be a policy requirement, which can unnecessarily burden developments.

QUESTION 181: DO YOU AGREE POLICY N2 SETS SUFFICIENTLY CLEAR EXPECTATIONS FOR HOW DEVELOPMENT PROPOSALS SHOULD CONSIDER AND ENHANCE THE EXISTING NATURAL CHARACTERISTICS OF SITES PROPOSED FOR DEVELOPMENT? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.

Strongly disagree.

Please provide your reasons, particularly if you disagree

It is unclear how the environmental qualities of the “natural beauty of the countryside” could be incorporated into any development. Its natural beauty is generally associated with its “unbuilt character”, which is not compatible with development. Reference to this should therefore be removed.

To meet housing needs, it will also not always be possible to direct development to areas of poorer agricultural land quality, especially in the case of “significant development”. Criterion b should therefore be prefaced with “where possible”.

QUESTION 182: DO YOU AGREE THE POLICY IN POLICY N4 PROVIDES A SUFFICIENTLY CLEAR BASIS FOR CONSIDERING DEVELOPMENT

PROPOSALS AFFECTING PROTECTED LANDSCAPES AND REFLECTING THE STATUTORY DUTIES WHICH APPLY TO THEM? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

No comment

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

The provisions generally align with existing policy

QUESTION 183: DO YOU AGREE POLICY N6 PROVIDES CLARITY ON THE TREATMENT OF INTERNATIONALLY, NATIONALLY AND LOCALLY RECOGNISED SITE WITHIN THE PLANNING SYSTEM? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

No comment.

Please provide your reasons, particularly if you disagree

No comment.

QUESTION 184: ARE THERE ANY FURTHER ISSUES FOR PLANNING POLICY THAT WE NEED TO CONSIDER AS WE TAKE FORWARD THE IMPLEMENTATION OF ENVIRONMENTAL DELIVERY PLANS?

No comment.

QUESTION 185: DO YOU AGREE THE GOVERNMENT SHOULD IMPLEMENT THE ADDITIONAL REGARD DUTIES UNDER SECTION 102 OF THE LEVELLING-UP AND REGENERATION ACT? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

No comment.

Please provide your reasons.

No comment.

QUESTION 186: DO YOU HAVE ANY EVIDENCE AS TO THE IMPACT OF IMPLEMENTING THE ADDITIONAL REGARD DUTIES FOR DEVELOPMENT?

No comment.

QUESTION 187: DO YOU AGREE WITH THE APPROACH TO PLAN-MAKING FOR THE HISTORIC ENVIRONMENT, INCLUDING THE SPECIFIC REQUIREMENTS FOR WORLD HERITAGE SITES AND CONSERVATION AREAS, SET OUT IN POLICIES H1 - H3? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly agree.

Please provide your reasons, particularly if you disagree

Those elements of the policies which seek to more positively address heritage assets and include them as a positive feature that can shape development, rather than prevent development from happening are supported.

QUESTION 188: DO YOU AGREE WITH THE APPROACH TO ASSESSING THE EFFECTS OF DEVELOPMENT ON HERITAGE ASSETS SET OUT IN POLICY H5? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

No comment.

Please provide your reasons, particularly if you disagree

No comment.

QUESTION 189: DO YOU AGREE WITH THE APPROACH TO CONSIDERING IMPACTS ON DESIGNATED HERITAGE ASSETS IN POLICY HE6, INCLUDING THE CHANGE FROM "GREAT WEIGHT" TO "SUBSTANTIAL WEIGHT", AND IN PARTICULAR THE INTERACTIONS BETWEEN THIS AND THE STATUTORY DUTIES? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Partly agree.

Please provide your reasons, particularly if you disagree

The wording clarification generally aligns with the overall approach applied, with great weight generally meaning "significant" or "substantial".

QUESTION 190: DO YOU AGREE WITH THE NEW POLICIES IN RELATION TO WORLD HERITAGE, CONSERVATION AREAS AND ARCHAEOLOGICAL ASSETS IN POLICIES HE8 – HE10? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

No comment.

Please provide your reasons, particularly if you disagree

No comment.

QUESTION 191: DO YOU HAVE ANY OTHER COMMENTS ON THE REVISIONS TO THE HERITAGE CHAPTER?

No comment.

QUESTION 192: DO YOU AGREE WITH THE TRANSITIONAL ARRANGEMENTS APPROACH TO DECISION-MAKING? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly disagree.

Please provide your reasons, particularly if you disagree

Whilst in general the Plan led approach is supported the proposed transitional arrangements, specifically in respect of the 5 year housing land supply, means that in effect that Local Planning Authorities which have an up-to-date Plan but are not currently planning on meeting their current identified housing need in full (because of current transitional arrangements) are protected from Policy S5(j) being engaged.

Where Plans are not currently meeting identified needs in full, this could therefore cumulatively significantly impact Government's ability to deliver on its housing targets, the achievement of which relies on all Council's meeting identified housing needs.

The policy must therefore be amended accordingly with the 5 year supply being based on the most current identified need.

QUESTION 193: DO YOU HAVE ANY FURTHER THOUGHTS ON THE POLICIES OUTLINED IN THIS CONSULTATION?

No comments.

QUESTION 194: DO YOU AGREE WITH THE LIST OF WRITTEN MINISTERIAL STATEMENTS SET OUT IN ANNEX A TO THE DRAFT FRAMEWORK WHOSE PLANNING CONTENT WOULD BE SUPERSEDED BY THE POLICIES PROPOSED IN THIS CONSULTATION? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly agree.

Please provide your reasons, particularly if you disagree.

All recent statement appear to be included.

QUESTION 195: DO YOU CONSIDER THE PLANNING REGIME, INCLUDING REFORMS BEING DELIVERED THROUGH THE PLANNING AND INFRASTRUCTURE ACT, PROVIDE SUFFICIENT FLEXIBILITY FOR ENERGY GENERATION PROJECTS CO-LOCATED WITH DATA CENTRES TO BE CONSENTED UNDER EITHER THE NSIP OR TCPA REGIME? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly agree.

Please give reasons

The ability to bring forward large data centres and/or data centres co-located with solar through either the TCPA regime or via the S35 Direction into the NSIP regime is a positive move forward.

Data centre projects vary in scale and the prospects of success of bringing these forward through the Town and Country Planning Act alone is materially affected by local politics.

The flexibility proposed is welcomed.

QUESTION 196: WOULD RAISING THE PLANNING ACT 2008 ENERGY GENERATION THRESHOLDS FOR RENEWABLE PROJECTS THAT ARE CO-

LOCATED WITH DATA CENTRES IN ENGLAND (FOR THE REASON OUTLINED ABOVE) BE BENEFICIAL? YES/NO

No.

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

This wouldn't be necessary in light of the S35 process introduced and discussed above.

QUESTION 197: DO YOU HAVE ANY VIEWS ON HOW WE SHOULD DEFINE 'CO-LOCATED ENERGY INFRASTRUCTURE'? PLEASE PROVIDE YOUR REASONS.

No comment.

QUESTION 198: DO YOU THINK THE RENEWABLE ENERGY GENERATION THRESHOLDS UNDER SECTION 15 OF THE PLANNING ACT 2008 FOR OTHER USE TYPES OF PROJECTS SHOULD BE INCREASED, OR SHOULD THIS BE LIMITED TO PROJECTS CO-LOCATED WITH DATA CENTRES? YES/NO

Partly agree.

Please provide your reasons

For solar farms yes. However, for onshore wind >100MW it is going to prove very difficult to secure through this through the TCPA regime. Increasing further, for example to 150MW, will create a void whereby these 'medium' scale projects are either very slow to come forward or just do not get delivered.

QUESTION 199: WHAT BENEFITS OR RISKS DO YOU FORESEE FROM MAKING THIS CHANGE? PLEASE PROVIDE YOUR REASONS

Please see above answer to Q198.

QUESTION 200: WOULD YOU SUPPORT THE USE OF GROWTH TESTING FOR STRATEGIC, MULTI-PHASE SCHEMES? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE*

Strongly disagree.

Please explain your answer

As set out under Question 25, viability assessments are intended to demonstrate a “snapshot in time”.

The application of growth testing has been considered recently at an appeal in the London Borough of Tower Hamlets (APP/E5900/W/24/3356375). At para 24 of the Appeal decision, the Inspector concluded that growth forecasting is not appropriate to embed into viability assessments.

Notwithstanding the above, any improvements in the viability of the scheme of the lifetime of the development would be captured through subsequent review mechanisms, which would be based on actual achieved values and costs.

QUESTION 201: WOULD YOU SUPPORT THE OPTIONAL USE OF GROWTH TESTING FOR REGENERATION SCHEMES? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.*

Strongly disagree.

Please explain your answer

Disagree for the reasons stated under Question 200.

QUESTION 202: DO YOU AGREE GREATER SPECIFICITY, INCLUDING SINGLE FIGURES, WHICH LOCAL PLANNING AUTHORITIES COULD CHOOSE TO DIVERGE FROM WHERE THERE IS EVIDENCE FOR DOING SO, WOULD IMPROVE SPEED AND CERTAINTY? *STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.*

Strongly disagree.

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

PPG states at para 019, that for the purpose of plan-making an assumption of 15-20% of GDV may be considered an appropriate return to developers. This is largely reflected in Development Plan viability assessments through the application of a return of 20% on open market housing.

We strongly disagree that the suggested figure of 17.5% is appropriate and this contradicts the PPG where it makes allowance for alternative figures to be used, where it is justified.

This also places additional pressures on SME developers, who may be required to accept lower returns despite inflationary pressures and changes in market circumstances. This could prevent the delivery of small and medium sites, which the draft NPPF acknowledges tend to be built out quickly and can go some way towards meeting the Government's housing objectives.

We are therefore of the view that the range should be maintained and agreed through appropriate negotiation based on market circumstances at the time of the assessment.

QUESTION 203: ARE THERE ANY SITE TYPES, TENURES, OR DEVELOPMENT MODELS TO WHICH ALTERNATIVE, LOWER FIGURES TO 15-20% OF GROSS DEVELOPMENT VALUE MIGHT REASONABLY APPLY?

Please explain your answer. The government is particularly interested in views on whether clarifying an appropriate profit of 6% on Gross Development Value for affordable housing tenures would make viability assessments more transparent and speed up decision-making.

Development Plan viability assessments assume a figure of 6% on GDV for affordable homes.

QUESTION 204: ARE THERE FURTHER WAYS THE GOVERNMENT CAN BRING GREATER SPECIFICITY AND CERTAINTY OVER PROFIT EXPECTATIONS ACROSS LANDOWNERS, SITE PROMOTERS AND DEVELOPERS SUCH THAT THE SYSTEM PROVIDES FOR THE LEVEL OF PROFIT NECESSARY FOR DEVELOPMENT TO PROCEED, REDUCING THE NEED FOR SUBJECTIVE EXPECTATIONS?

Please explain your answer.

Please refer to question 202

QUESTION 205: EXISTING VIABILITY PLANNING PRACTICE GUIDANCE REFERS TO DEVELOPER RETURN IN TERMS A PERCENTAGE OF GROSS

DEVELOPMENT VALUE. IN WHAT WAYS MIGHT THE CONTINUED USE OF GROSS DEVELOPMENT VALUE BE USEFULLY STANDARDISED?

Please refer to question 202

QUESTION 206: DO YOU AGREE THE CIRCUMSTANCES IN WHICH METRICS OTHER THAN PROFIT ON GROSS DEVELOPMENT VALUE WOULD SUPPORT MORE OR FASTER HOUSING DELIVERY, OR HELP TO MAXIMISE COMPLIANCE WITH PLAN POLICY? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

No comment

Please explain your answer.

No comment.

QUESTION 207: ARE THERE TYPES OF DEVELOPMENT ON WHICH METRICS OTHER THAN PROFIT ON GROSS DEVELOPMENT VALUE SHOULD BE ROUTINELY ACCEPTED AS A MEASURE OF RETURN E.G. STRATEGIC SITES LARGE MULTI-PHASED SCHEMES, OR BUILD TO RENT SCHEMES?

No comment.

Please explain your answer.

No comment.

QUESTION 208: DO YOU AGREE THAT GUIDANCE SHOULD BE UPDATED TO REFLECT THE FACT A PREMIUM MAY NOT BE REQUIRED IN ALL CIRCUMSTANCES? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly disagree.

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

See below.

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

It is unlikely that a landowner would ever sell their land for the existing use value (EUV) and the PPG is clear that the benchmark land value should be based upon the EUV and an allowance for a premium to landowners (para 015).

If the premium is removed or reduced, this may disincentivise landowners from selling sites, which could prevent development from coming forward.

QUESTION 209: DO YOU AGREE THAT EXTANT CONSENTS SHOULD NOT BE ASSUMED TO BE SUFFICIENT PROOF OF ALTERNATIVE USE VALUE, UNLESS OTHER PROVISIONS RELATING TO SET OUT IN PLANS ARE MET? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly disagree.

Please explain your answer

Providing that the extant permission is deliverable and in accordance with policy requirements, then there is no reason why it should not form sufficient proof of alternative use.

An Inspector for an appeal decision in Bristol (APP/Z0116/W/24/3341173) confirmed that where there is no development plan policy, the PPG (para 018) sets out that an AUV of the land may be informative in establishing benchmark land value, and outlines the following circumstances where AUV might be used:

- If there is evidence that the alternative use would fully comply with up-to-date development plan policies.
- If it can be demonstrated that the alternative use could be implemented on the site in question.
- If it can be demonstrated there is market demand for that use; and
- If there is an explanation as to why the alternative use has not been pursued.

QUESTION 210: IF EXTANT CONSENTS WERE NOT TO BE ASSUMED AS SUFFICIENT PROOF OF ALTERNATIVE USE VALUE, SHOULD THIS BE AT THE DISCRETION OF THE DECISION-MAKER, OR SHOULD ANOTHER

**METRIC (E.G. PERIOD OF TIME SINCE CONSENT GRANTED) BE USED?
DECISION MAKER DISCRETION / ANOTHER METRIC / NEITHER**

Please refer to Question 209. We would suggest that further guidance be provided on this point, instead of leaving this for the Local Planning Authority to determine, to prevent delays in decision making.

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

See above.

QUESTION 211: WHAT FURTHER STEPS SHOULD THE GOVERNMENT TAKE TO ENSURE NON-POLICY COMPLIANT SCHEMES ARE NOT USED TO INFORM THE DETERMINATION OF BENCHMARK LAND VALUES IN THE VIABILITY ASSESSMENTS THAT UNDERPIN PLAN-MAKING?

This would be picked up the Local Planning Authorities appointed viability consultant.

QUESTION 212 DO YOU AGREE THAT THE RESIDUAL LAND VALUE OF THE DEVELOPMENT PROPOSAL SHOULD BE CROSS-CHECKED WITH THE RESIDUAL LAND VALUES AND LAND TRANSACTION DATA OF COMPARABLE SCHEMES AND/OR THE SUBJECT SITE; TO HELP SET THE VIABILITY ASSESSMENT IN CONTEXT. STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE.

Strongly disagree.

Please explain your answer.

Comparing the residual land values of a scheme with residual land values of comparable schemes requires extremely careful consideration. Whilst a scheme may be comparable in terms of the quantum of development, it would need to reflect any adjustments including policy compliance, quality of the land, site scale, market performance and types of development. It also does not take into account site-specific and abnormal costs, which are often informed by site-specific independent cost plans and have the ability to significantly alter the residual land value produced.

The assessment of whether a site is comparable is therefore subjective and will inevitably lead to delays in negotiations and delivery, where parties do not agree.

QUESTION 213: DO YOU AGREE THAT A 2.5 HECTARE THRESHOLD IS APPROPRIATE? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Partly agree.

Please provide your reasons, particularly if you disagree.

It is noted that this threshold reflects Government's earlier consultation on the "Reforming Sites Threshold Working Paper". On this basis no objection is raised.

QUESTION 214: DO YOU AGREE THAT A UNIT THRESHOLD OF BETWEEN 10 AND 49 UNITS IS APPROPRIATE? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Partly agree.

Please provide your reasons, particularly if you disagree.

It is noted that this threshold reflects Government's earlier consultation on the "Reforming Sites Threshold Working Paper". On this basis no objection is raised.

QUESTION 215: DO YOU FORESEE RISKS OR OPERABILITY ISSUES ANTICIPATED WITH THE PROPOSED DEFINITION OF MEDIUM DEVELOPMENT? YES/NO

No.

QUESTION 216: IF SO, PLEASE EXPLAIN YOUR ANSWER AND PROVIDE VIEWS ON POTENTIAL MITIGATIONS.

As long as the proposed simplification is brought into effect.

QUESTION 217: DO YOU HAVE ANY VIEWS ON WHETHER THE CURRENT SMALL DEVELOPMENT EXEMPTION SHOULD BE EXTENDED TO COVER A WIDER RANGE OF SITES – INDICATIVELY TO SITES OF FEWER THAN 50

DWELLINGS, OR FEWER THAN 120 BEDSPACES IN PURPOSE-BUILT STUDENT ACCOMMODATION?

Please provide your reasons.

This exemption is strongly supported as it will improve the viability of developments. As set out under Question 202, the draft NPPF acknowledges that sites built out by SMEs tend to be built out quickly and can go some way towards meeting the Government’s housing objectives, and this exemption would assist with that.

QUESTION 218: IF THE EXEMPTION WERE TO BE EXTENDED, DO YOU HAVE ANY VIEWS ON WHETHER THE DEVELOPMENT OF 120 PURPOSE-BUILT STUDENT ACCOMMODATION BEDSPACES IS AN APPROPRIATE EQUIVALENT TO A DEVELOPMENT OF 50 DWELLINGS FOR THE PURPOSES OF THE LEVY EXEMPTION?

Please provide your reasons.

The threshold for purpose-built student accommodation should be increased. Landlords often develop their own assets, which then generate Return on Investment on a trading basis over many years, rather than through phased unit sales. Increased costs through the building safety levy, could reduce returns in the short to medium term, with knock on impacts on finance and investment.

QUESTION 219: IF THE EXEMPTION WERE TO BE EXTENDED, DO YOU HAVE ANY VIEWS ON WHETHER THE EXEMPTION SHOULD BE BASED SOLELY ON THE EXISTING METRICS (DWELLINGS/BEDSPACES) OR WHETHER THERE SHOULD ALSO BE AN AREA THRESHOLD

No comment.

QUESTION 220: IF YOU DO HAVE VIEWS ON POSSIBLE CHANGES TO THE SMALL DEVELOPMENTS LEVY EXEMPTION, PLEASE SPECIFY THE POTENTIAL IMPACT OF THE POSSIBLE CHANGE OF THE LEVY EXEMPTION ON PEOPLE WITH PROTECTED CHARACTERISTICS AS DEFINED IN SECTION 149 OF THE EQUALITY ACT 2010

No comment.

QUESTION 221: WHAT DO YOU CONSIDER TO BE THE POTENTIAL ECONOMIC, COMPETITIVE, AND BEHAVIOURAL IMPACTS OF POSSIBLE

CHANGES TO THE LEVY EXEMPTION? PLEASE PROVIDE ANY EVIDENCE OR EXAMPLES TO SUPPORT YOUR RESPONSE

No comment

QUESTION 222: DO YOU AGREE WITH THE PROPOSAL TO EXTEND THE PERMISSION IN PRINCIPLE APPLICATION ROUTE TO MEDIUM DEVELOPMENT? STRONGLY AGREE, PARTLY AGREE, NEITHER AGREE NOR DISAGREE, PARTLY DISAGREE, STRONGLY DISAGREE

Strongly agree.

Please provide your reasons, particularly if you disagree

This is a useful and efficient route for determining the acceptability of development proposals with limited cost to the applicant. As identified in the consultation text, the expansion of this route would be particularly of benefit to SMEs in assisting in derisking sites without the full cost of a planning application.

QUESTION 223: DO YOU HAVE VIEWS ABOUT WHETHER THERE SHOULD BE CHANGES TO THE REGULATORY PROCEDURES FOR THESE APPLICATIONS, INCLUDING WHETHER THERE SHOULD BE A REQUIREMENT FOR A SHORT PLANNING STATEMENT?

The submission of a short Planning Statement to set out clearly why a site is suitable is supported. However, this is not considered necessary as a mandatory requirement and should only be encouraged, since the process is designed not to be burdensome on applicants.

QUESTION 224: DO YOU HAVE ANY VIEWS ON THE IMPACTS OF THE ABOVE PROPOSALS FOR YOU, OR THE GROUP OR BUSINESS YOU REPRESENT AND ON ANYONE WITH A RELEVANT PROTECTED CHARACTERISTIC?

No comment.

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

No comment.

QUESTION 225: IS THERE ANYTHING THAT COULD BE DONE TO MITIGATE ANY IMPACT IDENTIFIED?

No comment.