

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

Bath Preservation Trust

Consultation Response

24th September 2024

Planning, and its role to support housing and economic growth, has rarely been out of the headlines since the General Election. The new Government is moving fast with proposed amendments to legislation and policy with particular regard to housing provision (1.5 million new homes). And the Ministry of Housing, Communities and Local Government (MHCLG) consulted on 'proposed reform to the National Planning Policy Framework (NPPF) and other changes to the planning system' this summer.

Much change is proposed, including new top-down measures aim to incentivise local authorities to approve more building to address the housing crisis and other areas of significance outside of housing.

Planning delays have been blamed for slowing down attempts to build homes, renewables and decarbonise the power system. BPT agrees that reform is necessary to accelerate sustainable development, but this needs to be underpinned by a better understanding of the business and delivery models used by housing developers and better mechanisms that ensure private development is not the only option.

The solution to the housing crisis therefore lies partly in developing policies and programmes to incentivise economic development and job creation. However, planning reform alone is not the answer to all Britain's building problems. The housing market is in a downturn, materials costs continue to rise, there are skills shortages in construction and planning, and state and private investment needs to achieve much higher numbers of houses built per year.

And the houses which are built should be a response to an evaluation of need, not driven by the potential for profit. There is too little control for local authorities to challenge development which does not meet local need meaning LPA policies are over-ridden or ignored.

While housing delivery is a vital priority, so too are a range of other issues around healthy, inclusive and climate resilient communities. If a housing revolution is enabled, it is imperative to avoid poor quality, unhealthy housing and communities. The post-war mass housing revolution created countless homes which are now suffering from black mould and poor thermal insulation and have been blighted by sub-standard quality. They are unhealthy, expensive to heat and provide poor quality housing and we must learn from the past and ensure it is not repeated.

It is a relief that the suggestion of 'beauty' as a design consideration is to be removed, and one critical area where change is not proposed is the historic environment. This misses the opportunity to reintegrate heritage more strongly with planning which would help to create a focus on the economic values of design and heritage, rather than a narrower cultural focus.

A new era, providing plentiful housing for all offers the opportunity to lift aspirations and pride in communities throughout the UK. It would be a genuinely positive outcome and legacy to look back at

the period 2025-2035 and reflect on how the housing crisis was solved with high quality, design excellent, healthy homes which improved the lives of millions, enabling adaptable environmentally responsible homes and sustainable communities, enhancing the urban environment.

The key changes and BPT's response to the consultation addresses the following headline areas:

Sustainable Development

Another change intended to support housing supply is an amendment to the planning systems' 'presumption' in favour of sustainable development. The presumption means if local authority cannot demonstrate a five-year housing land supply, planning permission should be granted for sustainable development. The primary effect of the changes to the NPPF will be to disapply the presumption in favour of sustainable development by not requiring local authorities to demonstrate a five-year housing land supply.

Planning legislation had been framed for many years to grapple with climate change and contribute to sustainable development. Detailed policies on 'meeting the challenge of climate change, flooding and coastal change' and policies to support the transition to a low carbon future polices are included in the NPPF.

The final version of the NPPF must, as a minimum, restore more meaningful sustainable development goals in plan making and strategic planning by making clear that the UN SDGs are directly relevant to plan making and decision taking.

Sustainable development is, after all, the only development idea we have that has any chance of securing human wellbeing and planetary survival. (TCPA)

Climate change and adaptation

The NPPF must identify climate change as the government's priority for the planning system. This is simply because the climate crisis stands between us and all the other key delivery priorities, not least the delivery of housing.

Health and wellbeing

The planning system plays a major part in creating homes and neighbourhoods which enable healthy living, with vital long term cost reductions to the NHS and social care budget. The NPPF must prioritise public health and wellbeing and acknowledge the intrinsic connection between health outcomes and the design and operation of the built environment in tackling health inequalities.

The NPPF needs to bring forward national policy which supports an equal focus on reducing health inequality and local action for neighbourhoods suffering the worst health outcomes.

Housing

The Government proposes the reintroduction of a mandatory Standard Method for calculating housing need to ensure local plans are ambitious enough. This means local authorities are required to plan for the resulting housing need figure, planning for a lower figure if they can demonstrate hard constraints or that they have exhausted all other options. The targets will and are intended to exert more pressure for development. Research has demonstrated that there are two significant problems with the method include, firstly, the difficulty of overlaying this top-down target-driven method of identifying housing requirement onto a development industry that is private and driven by its own business models and, secondly, the omission of variables that have a significant bearing on housing requirement. Furthermore, housing targets have been demonstrated led to a reduction in housing supply, not least by widening viability gaps in underperforming areas.

We do not see how this would take account of declining prospects in an area, for example, which has lost a vital industry which is unlikely to be replaced: household projections would be more effective in that scenario.

Affordable housing

The NPPF makes wider changes to ensure that local planning authorities are able to prioritise the types of affordable homes their communities need on all housing development and that the planning system supports a more diverse housebuilding sector. Stronger definitions of affordable housing must be clarified in the final NPPF.

Strategic Planning

Given the aim of providing 1.5 new homes, this need cannot be met without planning on a larger than local scale. Therefore, government is proposing amendments to the NPPF to further support effective co-operation on cross boundary and strategic planning matters. BPT is broadly supportive of this approach, providing that the right democratic processes are in place to ensure that strategic policy making authorities engage meaningfully with local communities.

Brownfield development

National planning policy has always been supportive of brownfield development. The draft NPPF would take this further, coming close to a new presumption in favour for brownfield development, which “should be regarded as acceptable in principle”, and that plans should promote an uplift in density in urban areas. BPT supports this helpful additional weight in favour of urban proposals that are on brownfield land.

Design Codes

Design codes and policies should focus equally on aspects of social impact that matter to communities and businesses, such as active travel, connectivity, safety, creating proper streets, green building, mixed-use, quality and functionality of the public realm, durability, green infrastructure and biodiversity. It would be useful for the NPPF to make clear that design codes and policies should focus

on design fundamentals and not seek to impose subjective stylistic preferences or to restrict creative green design.

Reforming the Green Belt- Introducing the Grey Belt

Local Authorities will be expected to review their green belt if the government feels they have blocked a development that would benefit the regional and national economy.

New “golden rules” for land released in the Green Belt intend to ensure housing is delivered in the public interest. A new definition of Grey Belt is land which is previously developed and “any other” parcel of land that makes a limited contribution to Green Belt purposes, is to be brought forward into the planning system through both plan and decision-making to meet development.

We broadly agree with the changes proposed with proviso of other policies which allow for the protection of World Heritage Sites.

Commercial development

The changes proposed state that LPAs should identify appropriate sites for commercial development “which meet the needs of a modern economy.” This includes laboratories, gigafactories, data centres, digital infrastructure, freight and logistics. BPT would seek to ensure that local sites would be appropriate for these uses and comprehensive public/community engagement is undertaken to better inform the delivery of worthwhile public benefits.

Embodied carbon

The consultation asks how stronger action can be taken to tackle climate change but very little, is said about the issues of carbon, especially embodied carbon, in relation to planning decision making. No changes are proposed to the NPPF on the topic and neither the NPPF, nor the consultation document, provides any additional direction on this challenging issue. BPT recognises that putting climate ambitions into planning practice is technically challenging, especially around carbon assessment, and strengthened national and local policies are needed.

Renewable energy

Local Planning Authorities will be expected to support clean and actively “identify suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development” the NPPF says decision makers should give “significant weight” to a proposal’s contribution to renewable energy generation and a net zero future. Greater support for renewables in the right location, avoiding sites that are important for carbon sequestration, is supported.

Upwards extensions

The NPPF continues support for upward extensions but reduces previous emphasis on this being in the form of mansard roofs, recognising that this is just one form of upwards extension, the revision

allows the way for other forms of extension, potentially less traditional (or historic). This change is supported.

Consultation Questions

Respondent details

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c What is your organisation?

Organisation: Bath Preservation Trust

d What type of organisation are you representing?

Interest group or voluntary organisation

Question 1

Do you agree that we should reverse the December 2023 changes made to paragraph 61? [Draft NPPF here].

No.

“There are both practical, conceptual and political issues with this approach. Two significant problems with the method include, firstly, the difficulty of overlaying this top-down target-driven method of identifying housing requirement onto a development industry that is private and driven by its own business models and, secondly, the omission of a significant number of variables that have a significant bearing on housing requirement.”

<https://www.liverpooluniversitypress.co.uk/doi/10.3828/tpr.2023.22>

Question 2

Do you agree that we should remove reference to the use of alternative approaches to assessing housing need in paragraph 61 and the glossary of the NPPF? [Draft NPPF here].

No. Alternative approaches including bottom-up aggregation of local housing needs to arrive at a national-scale statement is also potentially attainable.

Question 3

Do you agree that we should reverse the December 2023 changes made on the urban uplift by deleting paragraph 62? [Draft NPPF here].

Yes, provided the Duty to Cooperate allows larger urban areas to share mandatory housing growth targets with adjoining areas of smaller size which may have greater constraints on development, such as through World Heritage Site status.

Question 4

Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130? [Draft NPPF here].

No, many of our historic cities, often recognised with international designations which have supported significant “invisible export” income through tourism, may not be able to support out-of-proportion expansion without irreversible damage.

Question 5

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

Yes. But this move would have to be carried out with extreme caution, to avoid out-of-character growth in some areas of historic importance, although modest density increases could be supported. Any increase of density should not be at the expense of providing sufficient public and private open space. Design codes should adhere to the principles that a variety of spaces should be accessible, including for the community to grow food close to their homes.

Design codes and policies should focus equally on aspects of social impact that matter to communities and businesses, such as active travel, connectivity, safety, creating proper streets, green building, mixed-use, quality and functionality of the public realm, durability, green infrastructure and biodiversity. It would be useful for the NPPF to make clear that design codes and policies should focus on design fundamentals and not seek to impose subjective stylistic preferences or to restrict creative green design.

Question 6

Do you agree that the presumption in favour of sustainable development should be amended as proposed? [Draft NPPF here – see para. 11].

Again, the presumption needs to consider the Local Authority’s progress to date in allocating land for development, and constraints in exceptional areas such as World Heritage Sites or AONBs.

Question 7

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

No, not where a Local Authority has achieved an over-supply in previous years.

Question 8

Do you agree with our proposal to remove wording on national planning guidance in paragraph 77 of the current NPPF? [Draft NPPF here].

No.

Question 9

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

No comment

Question 10

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

No comment

Question 11

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

No comment

Question 12

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

Yes, this should be reinstated providing that “the right democratic mechanisms” are in place and strategic policy-making authorities meaningfully engage with their local communities.

Question 13

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

Yes probably. The fact that plans come forward at different times is recognised at the proposed NPPF paragraph 28. The elements of a sound plan are at proposed paragraph 36. It is likely that the tests should be amended in some way and/or perhaps greater guidance is provided through Planning Practice Guidance.

Question 14

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

No.

Question 15

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

We don't see how this would take account of declining prospects in an area, for example, which has lost a vital industry which is unlikely to be replaced: household projections would be more effective in that scenario.

Question 16

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

This needs caution in cases where a high median house price to median earnings ratio is driven by desirability based on quality of environment rather than employment opportunities.

Question 17

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

Yes

Question 18

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

Yes; originally domestic rateable values were based upon rental potential – could this not be used as a starting point?

Question 19

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

No

Question 20

Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports? [Draft NPPF here].

Yes. If proposals for brownfield sites are "regarded as acceptable in principle", they will still be subject to other relevant policies and legislation. Though decision makers will no doubt use this clause as/when they see fit.

Question 21

Do you agree with the proposed change to paragraph 154g of the current NPPF to better support the development of PDL in the Green Belt? [Draft NPPF here].

It is unfortunate to lose the affordable housing clause; however, this is a provision for major sites (50%) subject to viability at the proposed para. 155. No doubt continued testing of 'substantial harm'. Development on car-parks which have no 'above ground' structures should be added to the exclusions to PDL, since at present these might not intrude into the Green Belt at all.

Question 22

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

No.

Question 23

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

Broadly, yes. With proviso of maintaining the protection of World Heritage Sites.

Question 24

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

Consideration should be given to the inclusion of an additional paragraph such as the following or similar. The NPPF as existing, has a comparable approach at para. 202 (“deliberate neglect of, or damage to, a heritage asset”).

“Where there is evidence of deliberate degradation of the qualities of Green Belt land, the land should not be considered as meeting the grey belt criteria”.

Question 25

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

Yes. Ideally, perhaps this would be included in the NPPF, if there is any greater weight given to the framework than the planning practice guidance (PPG); however, it may be too involved for inclusion in the former and therefore be best suited to the PPG.

Question 26

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

As per para. 11 above, “specific and quantifiable measures of terms” should be given. Their inclusion is unlikely to prevent the guidance being tested; however, it may assist decision makers.

Question 27

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

No

Question 28

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

Broadly, yes. Provided Local Authorities have the final say and released through plan making will be subject to examination.

Question 29

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

Broadly, yes.

Question 30

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

Broadly, yes.

Question 31

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

No.

With reference to para. 21 as above, comprehensive public/community engagement, is likely to better inform the delivery of worthwhile public benefits.

Question 32

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

No.

Question 33

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

No.

Question 34

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

Broadly, yes.

Question 35

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

The 50% target should apply everywhere.

Question 36

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

Yes, but there may need to be a mechanism/agreement to ensure that the “good quality green spaces” and the access to them is appropriately maintained. Such as a S106 to be effective.

Question 37

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

Yes, because unrestricted ‘hope value’ added to land prices has artificially inflated house prices in recent decades.

But if this can be done for Green Belt land it should also apply to brownfield sites. To democratise the process of housebuilding, the application of a national or regionally average value for land per hectare would significantly reduce the risk of premium prices and improve the opportunity for LPAs to better enable housing types built according to need.

Question 38

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

Probably lower than those in the Letwin Report.

Question 39

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

Agree: viability reports are regularly used to avoid providing affordable housing on brownfield sites.

Question 40

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

Agree.

Question 41

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

Agree. A post-viability audit would enable an understanding of any windfall profits arising. Any windfall profits could be split to ensure developers retain a proportionate profit margin equivalent to

the percentage agreed in the initial viability assessment with the remains allocated to a future public housing reinvestment fund.

An LPA would benefit from the ability to create a reinvestment company, or a local model similar to the Development Corporations of the 90s or the Regional Development Agencies.

Question 42

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

No comment

Question 43

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

No comment

Question 44

Do you have any comments on the proposed wording for the NPPF (Annex 4)? [Draft NPPF [here](#)].

No comment

Question 45

Do you have any comments on the proposed approach set out in paragraphs 31 and 32? [Draft NPPF [here](#)].

No comment

Question 46

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

The framework should include provision for the requirement of LPAs to seek opportunities to enhance the qualities of the Green Belt.

Question 47

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

Yes, this is very important.

Question 48

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

Yes.

Question 49

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

Yes.

Question 50

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

No.

Question 51

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

Yes.

Question 52

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

By aiming to provide them in small sites where the numbers are not overwhelming, integrated with the variety of the other housing types in the area.

Question 53

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

It is difficult to fix a number, but probably not more than 20 units.

Question 54

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

Subsidised public transport, where required, to avoid a reliance on cars.

Though not an endorsement, for reference CPRE published - How to improve the supply of rural affordable housing: a guide for members of CPRE, the countryside charity (June 2020).

Question 55

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

Yes.

Question 56

Do you agree with these changes?

Yes.

Question 57

Do you have views on whether the definition of 'affordable housing for rent' in the Framework glossary should be amended? If so, what changes would you recommend?

No comment

Question 58

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

No comment

Question 59

Do you agree with the proposals to retain references to well-designed buildings and places, but remove references to 'beauty' and 'beautiful' and to amend paragraph 138 of the existing Framework?

Yes. Definitely.

Question 60

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

Yes, mansards should be only **one** of many options.

Question 61

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

No.

Question 62

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

Broadly, yes.

Question 63

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

For too many years our waterways have been neglected as a freight transport route, unlike our European neighbours who have invested heavily in this ultra-low carbon means of moving heavy freight around the country: this urgently needs investment.

Question 64

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

This would have to be dependent upon location.

Question 65

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

Yes, it should be limited in scale.

Question 66

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

No.

Question 67

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

Broadly, yes.

Question 68

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

Yes.

Question 69

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

Yes.

Question 70

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

Though not an endorsement, for reference, in 2019 the TCPA published – [The state of the union: reuniting health with planning in promoting healthy communities.](#)

Question 71

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

No.

Question 72

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

Yes.

Question 73

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

Yes.

Question 74

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

There should be additional protections rather than compensation: these habitats are irreplaceable.

Question 75

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

Yes.

Question 76

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

Yes.

Question 77

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

No comment

Question 78

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

By ensuring that LPAs fully involve communities in the development of local policy. As local knowledge is invaluable and appropriate engagement can highlight the direct benefits of schemes to the community.

By requiring that the carbon impact of proposals is evident and that this is used to inform plan and decision making.

The planning system must ensure that action on climate change is prioritised, and this should be defined as a key purpose of planning in any revised framework. Reflecting the crucial role that planning has in securing our future in the face of a changing climate.

Question 79

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

Technically challenging and requires stronger integration in the planning system.

Question 80

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

No comment

Question 81

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

By making suitable improvements to strategic planning, as this is often the appropriate scale for many measures to be implemented. Strategic plans can provide the basis for often disperse issues being brought together and addressed spatially.

Consideration should be given to the reform of viability assessment, so that commitments to climate polices are not diluted due to costs.

A detailed metric tool could be created which would evaluate the relative carbon emissions across all scopes and climate resilience – best scoring options could be fast-tracked through planning (subject to other design controls).

Alongside freeing up grey / green belt sites, there should be a commitment to improve the condition of remaining Green Belt and green sites. A world without trees would be dead and the UK needs to significantly increase its biomass and biodiversity.

Question 82

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

We support the removal of this statement as a footnote; however, we would not support simply removing the footnote without reflecting it in main policy.

Question 83

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

Agricultural assets are vital national infrastructure for food security, public health and tackling the cost-of-living crisis. The way food is produced, transported and sold is fundamental to sustainable development (refer to the 17 UN Sustainable Development Goals).

There is a need for a revised framework to more clearly define how planning can support sustainable food and farming. Currently, many activities that use land and that are vital for food security (for example forestry and many aspects of agriculture) aren't considered 'development' for planning purposes, even though the infrastructure necessary for them to happen are considered development (including for example storage facilities, polytunnels, markets, housing). As a result, there is no guidance about how planning authorities can support sustainable food and farming through planning.

Question 84

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

Yes, more stress could be given to current water transfer schemes, such as that between the Severn and Thames basin.

Question 85

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

Question 86

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

No.

Question 87

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

No comment

Question 88

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

No comment

Question 89

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

Such a large percentage increase would be problematic and might, for a period, see a drop-in applications – a more modest increase should be considered.

The 'income' from planning fees should be properly 'ringfenced', so that LPA's can only use it for better resourcing their planning/development management teams.

Question 90

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

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

We would suggest that 40% to 50% is just about sustainable.

Question 91

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

Yes

No – it should be higher than £528

No – it should be lower than £528

No - there should be no fee increase

Don't know

[No comment](#)

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

Question 92

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

Question 93

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

[Standalone listed building consent \(LBC\) applications can of course involve a significant amount of work for LPAs and often the quality of the submissions can be inadequate, leading to additional work.](#)

[Anecdotally, it is considered that where applications do not attract a fee, that they are seen as being less important to the applicant and more of a process to go through. Again, anecdotally, there has been a concern that a fee may make the applicant inclined not to apply and undertake the work without consent; however, of course this is unlawful and subject to enforcement – though if after the fact, it can be more problematic.](#)

[Perhaps appropriate evidence base needs to be established, if possible, in order to inform an approach to fees for LBC.](#)

Question 94

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

[No comment](#)

Please give your reasons in the text box below.

Question 95

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

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

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

Neither

Don't Know

Please give your reasons in the text box below.

[No comment](#)

Question 96

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

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

[No comment](#)

Question 97

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

[No comment](#)

Question 98

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

[No comment](#)

Question 99

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

[No comment](#)

Question 100

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

[No comment](#)

Question 101

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

No comment

Question 102

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

No.

Question 103

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

No comment

Question 104

Do you agree with the proposed transitional arrangements?

No comment

Question 105

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

No.

Question 106

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

No