

Report of the Portfolio Holder for Growth and Regeneration

Subject: Response to Government consultation – Proposed changes to the National Planning Policy Framework

Date: September 2024

Author: Planning Policy Manager

Wards Affected

Borough-wide

Purpose

To gain portfolio holder endorsement of Gedling Borough Council’s proposed response contained in **Appendix 1** to the Government consultation on proposed changes to the National Planning Policy Framework. The consultation response is required to be submitted by 24th September 2024.

Key Decision

This is not a Key Decision

Recommendation(s)

THAT:

The Portfolio Holder approves the proposed response to the consultation on proposed changes to the National Planning Policy Framework – as set out under the relevant questions reproduced in Appendix 1.

1 Background

1.1 The Government is currently proposing and consulting on a number of reforms to the National Planning Policy Framework (NPPF). The Government has made clear that sustained economic growth is the only route to improving prosperity and raising living standards. In this context, Government has set out specific changes to make immediately

	to the NPPF following consultation with the aim of ensuring the planning system delivers sustained economic growth.
1.2	The consultation proposes making the standard method for assessing housing needs mandatory requiring local authorities to plan for the resulting housing need figure and achieving ambitious local plan coverage considered vital to deliver the Government's commitment to achieve economic growth and build 1.5 million new homes.
1.3	The Government has reaffirmed its commitment to a plan-led system. The transitional arrangements allow for local plans prepared under the current system to be submitted for examination under the current 2023 NPPF. This is provided they include housing targets within 200 homes per annum of the new standard method for calculating housing need; and conditional on them reaching publication stage within one month following the publication of the revised NPPF. It is anticipated that subject to Council approvals the emerging Greater Nottingham Strategic Plan, which is almost at publication stage, would qualify to progress under the transitional arrangements. Plans at earlier stages of preparation will need to proceed against the revised NPPF and progress as quickly as possible.
1.4	Government has stated it intends to implement the new plan-making system as set out in the Levelling Up and Regeneration Act from summer or autumn 2025. Current system plans which are not subject to transitional arrangements will need to be submitted by December 2026.
1.5	The proposed changes to the NPPF are accompanied by a series of questions. The Council's proposed response to these questions is contained in Appendix 1 .
	<u>Housing Need and Targets</u>
1.6	The proposed reforms include a new standard method for assessing housing need using a base line set at a percentage of existing housing stock levels, a larger upward adjustment to the affordability multiplier and the removal of existing caps on any resulting increase to the housing target. This would be mandatory for all local planning authorities.
1.7	Government proposes to restore the 5-year housing land supply (5YHLS) by reinstating the requirement to demonstrate a 5-year housing land supply at all times. The existing presumption in favour of sustainable development set out in paragraph 11 of the NPPF would therefore come into play where plan policies are not up to date including where there is an insufficient supply of land. Paragraph 11 also "tilts the

	balance” towards approval by making it clear permission should be granted unless doing so would be contrary to protections for safeguarded areas such as habitat sites or the adverse impacts would significantly and demonstrably outweigh the balance. A 5% buffer on top of the 5-year housing land supply is also proposed.
1.8	Improved arrangements for strategic planning are also proposed, initially by strengthening the existing Duty to Cooperate and moving towards universal coverage of strategic plans based on the Spatial Development Strategies model within this Parliament.
	<u>Grey Belt/Green Belt</u>
1.9	For plan making and decision making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and any other parcels and/or areas of Green Belt that make a limited contribution to the Green Belt purposes. Local planning authorities must undertake a Green Belt review where they cannot meet identified housing, commercial or other need without altering Green Belt boundaries. Where it is necessary to release Green Belt for development, plans should give first consideration to previously developed land in sustainable locations, then consider grey belt land in sustainable locations which is not already previously developed, and only then consider other sustainable Green Belt locations. Land should not be released from Green Belt if it would fundamentally undermine the function of the Green Belt across the plan as a whole.
	<u>Golden Rules for land released from Green Belt</u>
1.10	The NPPF includes new “Golden Rules” for land released from Green Belt through plan making or individual planning decisions, which include: <ul style="list-style-type: none"> • Housing schemes should deliver 50% affordable housing • Improvements to local or national infrastructure (including new schools, GP surgeries, transport links, care homes and nursery places) • Improvements to local green spaces that are accessible to the public
	<u>Character and density</u>
1.11	It is proposed to delete paragraph 130 which states that local character can be taken into account when local planning authorities consider their ability to meet their housing needs. The proposals seek to identify opportunities for maximising the efficient use of land. In this respect the NPPF proposals including focussing local planning authorities on more site-specific design codes rather than district wide design coding.

	<u>Delivering affordable housing</u>
1.12	The Government proposes to remove the prescriptive requirements relating to affordable home ownership products such as First Homes. It is proposed to remove the requirement to deliver at least 10% of the total number of homes on major sites as affordable home ownership and also the requirement that a minimum of 25% of affordable housing units should be First Homes. Instead, the Government considers that local planning authorities are in the best position to determine the mix and tenure of affordable housing by setting policies in local plans.
	<u>Key Industries and other priorities</u>
1.13	Government has identified certain key growth industries fundamental to the UK's economic growth and productivity including research laboratories; gigafactories or battery cell manufacturing plants; data centres; and the freight and logistics sector. The proposed changes to the NPPF seek to ensure the planning system meets the needs of a modern economy with the expectation that suitable sites for these types of modern businesses are identified in local plans.
	<u>Supporting Green Energy and the Environment</u>
1.14	Changes already made to the NPPF effectively remove the additional tests placed on onshore wind schemes including "having proven community support" which placed a high bar for consent to be granted. In addition, the consultation is seeking views on bringing onshore wind back (for proposals of 100MW and above) into the Nationally Significant Infrastructure Regime where decision making rests with the relevant Minister. Other changes include advice to local planning authorities to give more weight in decision making to the benefits of low carbon energy and for plan making to be more proactive in identifying sites for renewable and low carbon energy development.
	<u>Changes to local plan intervention criteria</u>
1.15	The current intervention criteria, whereby the Secretary of State has powers to intervene in the local plan making progress, focus on lack of progress in local plan preparation. What is proposed in addition to lack of progress in plan making, would be consideration and regard to local development needs, sub-regional, regional and national development needs. Local planning authorities would still have the opportunity to set out any exceptional circumstances in relation to intervention action.
	<u>Changes to planning application fees</u>

1.16	In general, the proposals seek to increase the financial resources to local planning authorities by increasing planning fees, including for householder applications which make up the bulk of planning applications in Gedling Borough.
2	Proposal
2.1	It is proposed that the Council responds to the NPPF consultation with the responses to the questions on changes to plan making as set out in advance of the consultation deadline of 24th September 2024.
3	Alternative Options
3.1	The alternative options are for Gedling Borough Council not to respond to the consultation or to amend the drafted response. There is no requirement for the Council to respond to this public consultation but doing so will inform the Government's planning reform proposals from the Council's perspective. The draft response provided has been informed by the relevant Council officers and can be amended if the Portfolio Holder considers it necessary to do so.
4	Financial Implications
4.1	No financial implications. Cost of officer time drafting the response is met from existing budgets.
5	Legal Implications
5.1	None. This is an opportunity to comment on potential plan making reforms, which have not yet come into force.
6	Equalities Implications
6.1	None. This is an opportunity to comment on potential planning reforms which have not yet come into force. The consultation questions include an opportunity to comment on the potential equality implications of the proposals.
7	Carbon Reduction/Environmental Sustainability Implications
7.1	None. This is an opportunity to comment on potential planning reforms, which have not yet come into force. There is an opportunity, through comments on the consultation questions, to comment on the potential carbon reduction/environmental sustainability implications of the proposals.
8	Carbon Impact Assessment

8.1	This is an opportunity to comment on potential planning reforms by the UK Government and therefore it is not necessary for a Carbon Impact Assessment to be carried out.
9	Appendices
9.1	Appendix 1 - Proposed consultation response to the consultation on changes to the NPPF.
10	Background Papers
10.1	Proposed reforms to the National Planning Policy Framework and other changes to the planning system - GOV.UK (www.gov.uk)
11	Reasons for Recommendations
11.1	To inform the Government of the Council's perspective on proposed changes to the NPPF.

Statutory Officer approval

Approved by:

Date:

On behalf of the Chief Financial Officer

Approved by:

Date:

On behalf of the Monitoring Officer