

Appendix

Question No.	Question
	Chapter 3: Planning for the homes we need
1	<p>Do you agree that we should reverse the December 2023 changes made to paragraph 61?</p> <p>Note: the December 2023 changes to paragraph 61 included that the standard method is an advisory starting point and went on to refer to exceptional circumstances justifying an alternative approach. The proposal is to delete this part of the paragraph.</p>
	<p><i>Yes, the changes gave authorities a way to avoid meeting their requirement, away from a method which was nationally consistent, evidenced and fair. Clarity and consistency also provides certainty between developer/agents and reduces time needed to discuss this at examination.</i></p>
2	<p>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?</p>
	<p><i>Yes, see above</i></p>
	Urban Uplift
3	<p>Do you agree that we should reverse the December 2023 changes made on the urban uplift by deleting paragraph 62?</p> <p>Note i.e. the 35% uplift for the 12 largest urban centres including Nottingham.</p>
	<p><i>Yes, the uplift was unevidenced and arbitrary. It also created uncertainty for surrounding boroughs as to whether unmet need for the urban areas should be passed on.</i></p> <p><i>We welcome the commitment to introducing measures that strengthen cross boundary strategic planning ahead of introducing formal strategic planning mechanisms through new legislation.</i></p>
	Character and density
4	<p>Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130?</p>
	<p><i>Agree. However, we welcome the retention of text at paragraphs 129 and 134 of the current NPPF which state design codes could be prepared at an area-wide to recognise the strength of borough wide codes. While significant uplifts in the average density of residential development may be inappropriate if the resulting built form is out of character with the existing area, and evidence would need to be presented to ensure density of development is not out of character, paragraph 129 of the current NPPF (para of 127 of the consultation draft) sets out, this could be ensured by local plan policies, area-based character assessments and masterplans (rather than ‘authority wide design codes’ as set out in Para 130). A large number of authorities that do not have authority wide design codes in place could encounter issues which create uncertainty for neighbouring authorities.</i></p>

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5	<p>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?</p>
<p><i>Disagree. Emphasis is put on greater density which is an important consideration for some authorities that have limited brownfield land suitable for development. However, greater density should not be delivered through design codes; instead, a more comprehensive approach should be taken in order not to impact on area character. The focus of design codes should be smaller scale development.</i></p>	
<p>Strengthening and reforming the presumption in favour of sustainable development ('the presumption')</p>	
6	<p>Do you agree that the presumption in favour of sustainable development should be amended as proposed?</p>
<p><i>Welcome the change as it provides helpful clarification as to the policies that should be taken into account. Also clarified in footnote 8.</i></p>	
<p>Restoring the 5 year Housing Land Supply (5 YHLS)</p>	
7	<p>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?</p>
<p><i>Yes, provides for national consistency and ensures that those who have adopted their plan recently will still have to measure against the newly adjusted housing targets.</i></p>	
8	<p>Do you agree with our proposal to remove wording on national planning guidance in paragraph 77 of the current NPPF?</p>
<p><i>Significant and consistent oversupply should be considered as long as the calculation of over and under supply is clear. Need to ensure that authorities are not penalised for developers bringing sites forward quicker than expected,</i></p> <p><i>It is noted that the supporting text suggests that we should 'celebrate strong delivery records without diluting future ambitions' but for some authorities with a limited supply of suitable sites, this could result in development coming forward in inappropriate locations if past delivery is not recognised. Important to review plans every 5 years to ensure ongoing supply of sites, rather than sites coming forward through Development Management process.</i></p>	
<p>Restoring the 5% buffer</p>	
9	<p>Do you agree that all local planning authorities should be required to add a 5% buffer to their 5-year housing land supply calculations?</p>

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	<i>Yes, as stated this provides flexibility of choice and account for fluctuations in HDT.</i>
10	If yes, do you agree that 5% is an appropriate buffer, or should it be a different figure?
	<p><i>Yes 5% is appropriate - any higher would be considered unreasonable in the context of the penalty for significant under delivery over 3 years being 20%.</i></p> <p><i>Note that the 3 year period would be better extended to 5 years to better reflect fluctuations in the housing market.</i></p>
11	Do you agree with the removal of policy on Annual Position Statements?
	<i>Yes, not widely used.</i>
12	<p>Maintaining effective co-operation and move to strategic planning</p> <p>Do you agree that the NPPF should be amended to further support effective co-operation on cross boundary and strategic planning matters?</p>
	<i>Yes, and clarification of how this is achieved is welcomed. Gedling Borough is a member of the Greater Nottingham Joint Planning Advisory which is committed to cross boundary strategic planning which covers an appropriate geography.</i>
13	Should the tests of soundness be amended to better assess the soundness of strategic scale plans or proposals?
	It should be recognised that the same level of evidence relating to deliverability and viability can be difficult to demonstrate for large scale infrastructure projects compared to smaller housing and employment schemes. Mechanisms should be in place which encourages long term and ambitious planning for strategic projects.
14	Do you have any other suggestions relating to the proposals in this chapter?
	No comments
	A new Standard method for assessing housing needs
15	Do you agree that Planning Practice Guidance should be amended to specify that the appropriate baseline for the standard method is housing stock rather than the latest household projections?
	<p><i>No, household projections are well-evidenced and consider anticipated household compositions. Basing the standard method on housing stock has, for example, increased the requirement for Redcar and Cleveland from 45 to 642 per annum (952% increase).</i></p> <p><i>The proposed change in approach has resulted in a 65% increase in Nottinghamshire, moved from the City to wider county. Distribution should be based on capacity, whilst still understanding the demographics of the area. Needs to take account of under/over occupation- particularly in the rural areas where less opportunity to downsize.</i></p>

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	<i>Planning for the delivery of new homes across a wider geography, such as at the regional scale, provides greater flexibility and enables the distribution of new housing on the basis of capacity.</i>
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?
	<p><i>The certainty provided by the Standard Method is welcomed and the method of calculation is less important than the resultant figure. Planning for the delivery of new homes across a wider geography, such as at the regional scale, provides greater flexibility and enables the distribution of new housing on the basis of capacity.</i></p> <p><i>Median over 3 years is preferred to annual updates.</i></p>
17	Do you agree that affordability is given an appropriate weighting within the proposed standard method?
	<p><i>Welcome reference to affordability as it addresses over/under supply issue. Should be capped, so that figures don't fluctuate too much each year which is extremely difficult to plan for. The multiplier of 0.6 appears arbitrary and requires justification for the increase from 0.25.</i></p> <p><i>Planning for the delivery of new homes across a wider geography, such as at the regional scale, provides greater flexibility and enables the distribution of new housing on the basis of capacity.</i></p>
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?
	<i>Support in principle, provided the calculation is kept relatively simple as the Standard Method is already extremely complicated!</i>
	Result of the revised standard method
19	Do you have any additional comments on the proposed method for assessing housing needs?
	<p><i>Solely expanding upon housing stock doesn't take into consideration existing under and over occupation in the borough. Nor does it consider changes to household demographics (aging population, birth rate decline, increased single person households). We consider that population projections better reflect these factors.</i></p> <p><i>We note and support the statement in the consultation document that 'setting a target that is removed from reality just shifts numbers away from areas where they can be delivered'.</i></p> <p><i>We also note (c) i.e. maximising delivery in urban areas. Higher target for Gedling Borough Council can only be achieved if considered across combined authority areas.</i></p>

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	Brownfield, grey belt and the Green Belt
20	Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?
<p><i>The point is already covered by the requirement to give substantial weight to using suitable brownfield land. The existing wording better enables authorities to reject the redevelopment of unsuitable brownfield sites.</i></p> <p><i>Important to distinguish between brownfield land in sustainable locations and isolated brownfield land.</i></p>	
	Making it easier to develop PDL
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?
<p><i>Disagree. The existing test that development should not have a greater impact on openness sets a reference case and is therefore clearer and should be retained. In addition, the existing test that development that does not cause substantial harm to openness should also 'reuse PDL and contribute to meeting affordable housing need' sets a higher bar than the proposed change.</i></p>	
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?
<p><i>It is noted that question 22 only refers to expanding the definition of PDL to include glasshouses for horticultural purposes whereas the definition is also being expanded to include hardstanding.</i></p> <p><i>It is agreed that hardstanding should be defined as PDL.</i></p> <p><i>However, horticultural glasshouses should not be defined as PDL, to take a consistent approach with barns and polytunnels.</i></p> <p><i>If the proposed change is progressed, then the requirement that the glasshouses should be in horticultural use to fall within the definition of PDL is welcomed.</i></p> <p><i>There is an opportunity to clarify/correct the apparent anomaly in the NPPF definition of PDL, whereby residential gardens in rural ('non-built-up') areas are defined as PDL, and therefore, other things being equal, treated as a relative priority for development, whereas residential gardens in urban ('built-up') areas are defined as 'greenfield', and therefore a lower priority for development.)</i></p>	
	Defining the grey belt
23	Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend?

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	<p><i>The consideration of grey belt in conjunction with the existing five Green Belt purposes is welcomed. The key consideration will be whether Green Belt and grey belt makes a 'limited' contribution to the five Green Belt purposes through the plan preparation and decision-making processes.</i></p> <p><i>It is understood that the wording of (a) enables land to be defined as grey belt if it does not strongly perform against the Green Belt purposes (taken as a whole) AND it does not strongly perform against any one of the Green Belt purposes. If this interpretation is correct then the proposed approach is welcomed.</i></p> <p><i>The criteria in (b) are already covered by the Green Belt purposes apart from land which is fully enclosed by built form. Whilst this clarification is welcomed, the requirement is likely to be covered by the existing requirement of paragraph 154 (g) to not have a greater impact on the openness of the Green Belt.</i></p> <p><i>However, the key matter to be addressed is in relation to scale – it would be extremely onerous for local authorities to identify very small areas of grey belt through their green belt review, such as <u>any</u> area of land which is fully enclosed by built form. It is therefore important that a threshold should be set for the purpose of Green Belt reviews.</i></p> <p><i>See response to question 24 in relation to timing. Transitional arrangements are needed.</i></p> <p><i>The consultation document refers to the contribution that the grey belt can make to providing new housing. . The reference to grey belt in sustainable locations in the NPPF (paragraphs 147 and 152) is welcomed. However, this should be taken further, and the definition of grey belt should also include reference to sustainable locations.</i></p>
24	<p>Are any additional measures needed to ensure that high performing Green Belt land is not degraded to meet grey belt criteria?</p>
	<p><i>There is an issue of timing, in that it is likely that the revised NPPF will come into force before local authorities have had an opportunity to undertake Green Belt reviews to identify areas which make a limited contribution to the five Green Belt purposes.</i></p> <p><i>See response to Q23 regarding the need for a threshold. Local authorities will also need to consider the scale at which Green Belt reviews are undertaken. Historically, reviews have been at a scale to support plan preparation and reviewed areas of a size which might be released for development (around 50 dwellings) and focussing on land adjoining urban areas and existing settlements. The introduction of grey belt means that more refined reviews will need to be undertaken, including smaller areas.</i></p> <p><i>The references to grey belt are welcomed as they clarify that it is only grey belt land in sustainable locations that should be considered for development and that development of grey belt in isolated locations will continue to be inappropriate.</i></p>

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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?
<p><i>Additional guidance on how to define 'limited contribution' is welcomed so that a consistent approach is taken nationally. See response to Q23.</i></p> <p><i>It is considered that this additional guidance is more appropriately contained within planning practice guidance.</i></p>	
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?
<p><i>Additional guidance on how to define 'limited contribution' is welcomed so that a consistent approach is taken nationally.</i></p> <p><i>The identification of grey belt should be determined through the plan-making process. If left to decision making, this will result in speculative applications whereby the principle of development will hinge on whether the land meets the definition of grey belt. It is likely applicants will exploit any uncertainty, which will add significant time to decision making and result in increased appeals.</i></p> <p><i>See response to Q23 and 24.</i></p>	
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?
<p><i>By prioritising potential sites for habitat creation around the urban/fringe Green Belt by taking into account existing and emerging local plan growth strategies and settlement hierarchies.</i></p> <p><i>It is unclear how the role of Local Nature Recovery Strategies fits with the provision of BNG and existing requirements for open space provision through S106 requirements.</i></p>	
Land release through plan-making	
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?
<p><i>It is essential that local planning authorities prioritise the most sustainable development and avoid development in isolated locations. The wording of paragraph 147 could cause confusion, in that it sets a hierarchy for considering Green Belt land for release but does not recognise that an authority may have a settlement hierarchy (so that some locations within the authority area may be more sustainable than others). Local authorities should look at each stage of the settlement hierarchy in turn, prioritising PDL and then grey belt land at each stage of the hierarchy.</i></p> <p><i>The requirement for local planning authorities to prioritise the most sustainable development locations is welcomed.</i></p>	

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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?
<i>Strongly agree.</i>	
30	Do you agree with our approach to allowing development on Green Belt land through decision making? If not, what changes would you recommend?
<p><i>The NPPF already allows development on Green Belt land through decision making. However, the proposed changes would regard housing, commercial and other development as not inappropriate. This would undermine the plan making process and would be likely to result in incremental harm to the Green Belt, albeit that individual proposals may not ‘fundamentally undermine the function of the Green Belt’.</i></p> <p><i>As a Green Belt authority, where all land outside of the urban area is designated as Green Belt, this change would have a significant impact on Gedling Borough Council. It will be important for the Council to review the local plan promptly in order to ensure an ongoing supply of land. The strong preference is for housing to come forward through the plan-led system rather than through decision making. It is essential that plan preparation is informed by a review of the green belt and a thorough site selection process is undertaken so that all relevant planning issues can be considered.</i></p> <p><i>Any lack of five year land supply should only impact on decision making on housing, not commercial and other development as there is no link back to the five year housing land supply.</i></p> <p><i>The test for allowing development on Green Belt land through decision making is extremely complex and will result in confusion. The test should be simplified and more clearly worded.</i></p> <p><i>The golden rules are unclear, in terms of whether they reiterate existing requirements for infrastructure provision.</i></p>	
Supporting release of Green Belt land for commercial and other development	
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?
<i>See response to question 30.</i>	
Planning Policy for Traveller Sites	
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?

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<i>Agree for plan making, disagree for decision-making for the reasons set out above (see response to question 30).</i>	
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?
<i>Guidance on how to undertake need assessments within PPG would be helpful especially if approach to decision making relies on need assessments.</i>	
<p>Golden rules to ensure public benefit to ensure that major development on land released from Green Belt benefits both communities and nature.</p> <p>Golden rules include:</p> <ul style="list-style-type: none"> • Affordable housing @ 50% of site capacity • Delivering improved public access to good quality green space including by bolstering environmental requirements such as BNG. 	
34	Do you agree with our proposed approach to the affordable housing tenure mix?
<i>Agree.</i>	
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?
<i>See answer to Q46.</i>	
Delivering improved access to green space	
36	Do you agree with the proposed approach to securing benefits for nature and public access to green space where Green Belt release occurs?
<i>It is unclear whether the golden rule requirement would be over and above existing requirements for open space provision. Policies within the Council's local plan already require new development to link to existing blue and green infrastructure and to contribute towards new or improved open space. It is unclear whether a lower threshold would apply to the golden rule requirement so that all new development in the green belt would be subject to a S106 agreement (which would impact on delivery timescales).</i>	
Green Belt land and Benchmark Land Values	
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?
<i>Disagree as may result in a two tier land market for Green Belt and non-Green Belt. Particularly significant for Green Belt authorities such as Gedling. May result in very little land coming forward as landowners unable to achieve a reasonable return.</i>	

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	<i>See response to Q39.</i>
38	How and at what level should Government set benchmark land values?
	<i>See responses to Q37 and Q39.</i>
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?
<p><i>See response to Q37.</i></p> <p><i>It is unclear whether the golden rules are intended to deliver over and above what is already delivered through section 106 contributions, in terms of infrastructure and open space. In terms of open space, there is already a requirement to deliver BNG and open space in accordance with the local plan and planning guidance. The golden rule refers to improvements to existing green spaces, but it is unclear whether these spaces should be accessible by residents of the new development (the reference is to ‘members of the public’).</i></p> <p><i>“We will bolster the environmental requirements that are already in place for new developments, such as Biodiversity Net Gain, by setting out additional requirements including an objective for new residents to be able to access good quality green spaces within a short walk of their homes.” This seems to suggest that improvements should be made for new residents.</i></p> <p><i>The role of the golden rules is unclear, it appears to exceed the CIL tests which require contributions to mitigate the impacts of development. Whilst it is understood that the role of the rules is to provide additional benefits for local residents when Green Belt is lost to development, it could be perceived as ‘bribery’.</i></p> <p><i>It is unclear whether the golden rules apply to <u>any</u> size development i.e. whether they apply below normal policy thresholds. If this is the case, then this would be onerous for developers and would also require a S106 agreement for minor development which would impact on timescales for determining planning applications.</i></p> <p><i>It is unclear whether there is a hierarchy of Golden Rules, if viability concerns are demonstrated.</i></p>	
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?
<p><i>It is unclear whether this question is referring to contributions of 50% only being required where development is not policy compliant.</i></p> <p><i>In any event, it is considered that contributions for affordable housing should only be sought in accordance with local plan policies.</i></p>	

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	<p><i>As per comments above, it is not clear as to the hierarchy of Affordable Housing provision. If not compliant with local plan requirements for Affordable Housing does this then result in the penalty of 50%? Seems excessive if policy is currently far below this level. If this is the case would seem likely to heavily impact upon viability of sites and prevent delivery?</i></p>
41	<p>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?</p>
	<p><i>Agree. This approach provides flexibility and enables requirements to respond to changes in viability. However, we note that there are time implications arising from the need to review additional viability assessments, which may not be possible without the opportunity to enter into Extension of Time agreements. Also, further clarification at which point the late stage viability takes place in the planning process would be helpful, i.e. s106 process or prior.</i></p>
42	<p>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?</p>
	<p><i>It is unclear whether the definition of 'necessary' in proposed paragraph 155 (b) accords with the CIL tests. The references to 'necessary' and 'improvements' in paragraph 155 (b) and (c) should be clearly defined.</i></p> <p><i>It is unclear how the requirement for infrastructure such as education and health provision can be linked to new commercial development.</i></p> <p><i>Existing local plan policies already require new employment development to be well designed, including linkages to the wider area.</i></p>
43	<p>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?</p>
	<p><i>Whilst we disagree with the principle of the golden rules in relation to allocated sites, if implemented they should only apply to new Green Belt release so that developers can build any requirements into land purchase prices. The golden rules should not apply to draft plans at the regulation 19 stage.</i></p>
44	<p>Do you have any comments on the proposed wording for the NPPF (Annex 4)?</p>
	<p><i>The guidance suggested in Annex 4 is unhelpful. Councils already have procedures in place to deal with viability where developers are arguing that</i></p>

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	<p><i>development is unable to deliver all policy requirements. The provision of different guidance for use in Green Belt areas only is unnecessary and overcomplicates matters.</i></p> <p><i>Land for new housing should be delivered through a plan led approach. The golden rules and taking a different approach to viability in relation to Green Belt release would result in a two tier approach which is both confusing and complicated and would be less likely to enable Green Belt sites to come forward for development.</i></p> <p><i>Paragraph 2 of proposed Annex 4 reflects the current approach, in that non-policy compliant development will be refused unless material considerations indicate otherwise.</i></p> <p><i>The use of bench mark land values would require the value to be updated regularly which would be onerous.</i></p> <p><i>Paragraph 4 is unclear as to the weighting that should be given in the planning balance for instances where non-policy compliant developments derive from land sold below benchmark value. This will lead to further confusion and uncertainty for decision makers and developers alike.</i></p>
45	<p>Do you have any comments on the proposed approach set out in paragraphs 31 and 32?</p>
	<p><i>It is unclear whether this requirement relates to all grey belt that it is to be released for development or only those parts of the grey belt that are not being brought forward by the landowner but are needed to ensure a wider areas of land (that is being promoted) can be delivered.</i></p> <p><i>If the former then we disagree – the identification of suitable sites for development should be developer led initially, in order that appropriate due diligence is undertaken to determine a site’s suitability in practical terms for development.</i></p> <p><i>If it is a matter for local authorities to CPO all grey belt for development, it would be extremely costly and time consuming for under-resourced local authorities to undertake the necessary due diligence and then the CPO process itself.</i></p> <p><i>However, increased/simplified CPO powers generally would be welcomed, to enable land to come forward.</i></p>
46	<p>Do you have any other suggestions relating to the proposals in this chapter?</p>
	<p><i>We welcome the principle of golden rules on non-allocated sites that are designated Green Belt when an application is received. However, when a site is allocated, its Green Belt designation no longer applies and, in these cases, we would prefer to determine the levels of affordable provision, open space and infrastructure through the site allocation process. Local authorities should set</i></p>

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	<p>requirements through the plan led system based on plan wide viability assessments.</p> <p><i>It is unclear whether the requirements to deliver new infrastructure is over and above the existing requirement to contribute to education and health provision etc.</i></p> <p><i>Whether or not this is the case, it is unclear whether a threshold applies to this requirement. If it is intended that the requirement relates to all development, then this will result in small scale development requiring a S106 agreement which will have a significant impact on delivery timescales.</i></p>
	<p>Delivering affordable, well-designed homes and places</p>
47	<p>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?</p>
	<p><i>Yes. This approach would enable us to better meet the needs of people on our housing register, being the most vulnerable. This approach is supported by the recommendations of the Council's Housing Need Assessment.</i></p>
48	<p>Do you agree with removing the requirement to deliver 10% of housing on major sites as affordable home ownership?</p>
	<p><i>The Council would welcome the proposal as the overriding need in the Borough is for affordable and social rented housing, so this might give us more flexibility to negotiate more affordable/social rent.</i></p>
49	<p>Do you agree with removing the minimum 25% First Homes requirement?</p>
	<p><i>Yes, the Council agrees to the removal of the requirement for First Homes to account for 25% of all affordable homes delivered on site.</i></p>
50	<p>Do you have any other comments on retaining the option to deliver First Homes, including through exception sites?</p>
	<p><i>The Council would prefer to be able to negotiate tenure on sites depending on the overriding need for both intermediate and social/affordable rented homes. The Council's overriding need is for social and affordable rented homes, however there is a small requirement for affordable home ownership products.</i></p>
51	<p>Do you agree with introducing a policy to promote developments that have a mix of tenures and types?</p>
	<p><i>The Council agrees with a policy to promote developments with a mix of tenures, to ensure communities are mixed, promoting social mobility, and inclusion.</i></p>
52	<p>What would be the most appropriate way to promote high percentage Social Rent/affordable housing developments?</p>
	<p><i>Additional funding through Homes England would support increased percentages of social and affordable rented homes on sites where there are viability issues.</i></p>
53	<p>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?</p>
	<p><i>Mixed sites of affordable ownership and affordable and social rented without market housing should be limited to a maximum number of homes on site to</i></p>

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	<i>ensure areas do not become socially excluded, however the only benchmark in the recent past in the Borough is approximately 150 homes (Rolleston).</i>
54	What measures should we consider to better support and increase rural affordable housing?
	<i>There are no rural areas in the borough, however where there is a requirement for rural housing it would be helpful to have planning guidance that supports this type of housing.</i>
55	Do you agree with the changes proposed to paragraph 63 of the existing NPPF?
	<i>The Council is broadly supportive of this to ensure the needs of different groups are met.</i>
	Delivering a diverse range of homes and high-quality places
56	Do you agree with these changes? Strengthening support for community-led development.
	<i>No strong opinions.</i>
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?
	<i>Any changes that mean more delivery of affordable rented housing that the Council can nominate to would be welcome, so long as the Housing Benefit regulations align to include any changes so that affordable rents are met by housing benefit and universal credit.</i>
	Making the small site allocation mandatory
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?
	<i>The threshold for allocating sites in the local plan is around 50 dwellings, which exceeds the size threshold for small sites. It would not be appropriate to lower this threshold – the smaller sites could not easily be shown on the policies map, and it would be necessary to list out (or have a specific policy) in relation to a large number of sites. However, it is anticipated that 26% of the Council’s housing target will be met on sites no larger than one hectare, thereby significantly exceeding the target of 10%. It is noted that over the last 10 years, an average of 83% of windfall completions have been on small sites.</i>
	<i>The site selection process already takes account of a wide range of factors, relating to the availability, suitability and deliverability of the site. A stronger requirement to identify small sites could skew this site assessment process so that unsuitable sites were brought forward solely to ensure the small sites requirement was met. A general requirement to allocate a range and choice of sites would ensure that a number of sites were delivered, to meet the needs of residents and delivered by a range of housebuilders.</i>
	Requiring “well designed” development

Question No.	Question
59	<p>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?</p>
<p><i>Agree with the approach to retain references to ‘well-designed buildings and places’ and remove references to ‘beauty’ and ‘beautiful’. The principles of good design or methodologies to achieve well-designed places can be set out using measurable criteria and objectives, however, the term ‘beauty’ is ambiguous, and introduces subjectivity into decision making which is likely to cause uncertainty.</i></p>	
<p>Supporting upward extensions</p>	
60	<p>Do you agree with proposed changes to policy for upwards extensions?</p>
<p><i>Agree. The proposed change from ‘mansard roofs’ to a more general term ‘upward extensions’ is likely to broaden the scope and allow for a wider range which would welcome more appropriate and/or local vernacular forms of upward extension based on local circumstances and character.</i></p>	
61	<p>Do you have any other suggestions relating to the proposals in this chapter?</p>
<p><i>The use of ‘new homes’ in paragraph 124(e) of the current Framework is ambiguous and requires clarification. Clarification is sought whether the airspace above existing residential and commercial premises can be used for ‘new homes’ only, or could be used to extent an existing home:</i></p> <p><i>“124. Planning policies and decisions should:</i></p> <p style="padding-left: 40px;"><i>(e) support opportunities to use the airspace above existing residential and commercial premises for new homes.”</i></p>	
<p>Building infrastructure to grow the economy</p>	
62	<p>Do you agree with the changes proposed to paragraphs 86 b) and 87 of the existing NPPF?</p>
<p><i>Yes, agree but requires some qualification in that there may be occasions where other policy considerations mean it is inappropriate to meet need in full such as Green Belt policy. An issue is that it is difficult to predict future employment land requirements for different economic sectors. Employment land studies tend to be broad brush often using labour demand forecasts to assess future need and tend not to be sector specific. Government guidance which could be set out in the Planning Practice Guidance on assessing need and planning for specific sectors would be most welcome.</i></p> <p><i>The NPPF could also encourage the use of criteria-based policies which could be triggered should hitherto unforeseen needs arise.</i></p> <p><i>The proposed National Industrial Strategy along with local economic strategies may also increase certainty and in this context, it is suggested that paragraph 86 (a) states:</i></p>	

Question No.	Question
	<p>84 <i>Planning Policies should:</i></p> <p>a) <i>set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to <u>National</u> and Local Industrial Strategies and other local policies for economic development and regeneration;</i></p>
63	<p>Are there other sectors you think need particular support via these changes? What are they and why?</p>
	<p><i>Paragraph 87 (renumbered 85) is probably sufficient, the key being to ensure there are sufficient sites and supporting infrastructure of the right quality in appropriate locations. An issue is to ensure such sites remain available for knowledge based sectors which may necessitate protective policies in Local Plans and such safeguarding policies should be referenced in the NPPF.</i></p>
	<p>Directing data centres, gigafactories, and laboratories into the NSIP consenting regime process</p>
64	<p>Would you support the prescription of data centres, gigafactories, and/or laboratories as types of business and commercial development which could be capable (on request) of being directed into the NSIP consenting regime?</p>
	<p><i>Yes, agreed.</i></p>
65	<p>If the direction power is extended to these developments, should it be limited by scale, and what would be an appropriate scale if so?</p>
	<p><i>Yes, suggest 50 hectares or greater.</i></p>
66	<p>Do you have any other suggestions relating to the proposals in this chapter?</p>
	<p><i>No</i></p>
	<p>Chapter 8 - Delivering community needs</p>
67	<p>Do you agree with the changes proposed to paragraph 100 of the existing NPPF?</p>
	<p><i>Yes, agreed.</i></p>
68	<p>Do you agree with the changes proposed to paragraph 99 of the existing NPPF?</p>
	<p><i>Yes, agreed.</i></p>
	<p>A vision led approach to transport planning</p>
69	<p>Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?</p>
	<p><i>Agree. We welcome the shift to a 'vision-led' approach to transport planning which can reduce car dependency. However, further clarity on what is meant by 'vision-led' would be useful, perhaps referring to local modal split targets. Agree to the addition to Para 113 (was 115) to read "Development should only be prevented or refused on highways grounds if... the residual cumulative impacts on the road</i></p>

Question No.	Question
	<p>network would be severe, <i>in all tested scenarios</i>” which could be effective in unlocking developments blocked by highway objections.</p> <p><i>It would be helpful to have further guidance on what constitutes a ‘significant’ impact to aid clarity. The proposed approach will help to change habits and encourage modal shift and will need to be accompanied by the provision of alternatives to the car. It will be important to manage expectations of local residents.</i></p>
	<p>Promoting healthy communities</p>
70	<p>How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity?</p>
	<p><i>National planning policy can support local authorities by strengthening the tools to limit the number of hot food takeaways around schools and encouraging active travel.</i></p>
71	<p>Do you have any other suggestions relating to the proposals in this chapter?</p>
	<p>The inclusion of ‘early years’ and ‘post-16 facilities’ in addition to schools is welcomed.</p>
	<p>Chapter 9 – Supporting green energy and the environment</p>
72	<p>Do you agree that large onshore wind projects should be reintegrated into the NSIP regime?</p>
	<p><i>Yes, agreed.</i></p>
	<p>Supporting renewable deployment</p>
73	<p>Do you agree with the proposed changes to the NPPF to give greater support to renewable and low carbon energy?</p>
	<p><i>Yes, agreed.</i></p>
74	<p>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?</p>
	<p><i>Yes, agreed on the basis that peatland is a vitally important land resource for storing carbon and there should be additional protection for this particular habitat and compensatory mechanisms.</i></p>
	<p>Setting the NSIP threshold for solar generating stations and onshore wind</p>
75	<p>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?</p>
	<p><i>Yes, agree</i></p>

Question No.	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?
<i>Yes, agree</i>	
77	If you think that alternative thresholds should apply to onshore wind and/or solar, what would these be?
<i>No opinion.</i>	
Tackling climate change	
78	In what specific, deliverable ways could national planning policy do more to address climate change mitigation and adaptation?
<i>The NPPF could state that planning policies should aim to achieve carbon neutral development as a clear aim. It would also be helpful to reflect the Planning and Energy Act 2008 which grants local planning authorities the power to set “reasonable requirements for energy efficiency standards that exceed the energy requirements of building regulation and a proportion of energy used in development in their area to be from renewable or low carbon sources. In this context the Written Ministerial Statement 13th December 2023 should be withdrawn as its tone is generally discouraging towards any local policy that goes beyond current or planned building regulations.</i>	
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?
<i>There is a lack of a standard approach towards carbon accounting in plan making, inconsistent methodologies and a lack of an agreed definition of what is to be measured. It is by its nature a complex area of work but for the purposes of plan making it would be desirable to roll out a relatively straight forward standard assessment across the country. A slight concern is adding to the burdens on local planning authorities and developers and it may be that a more generic climate impact assessment could cover a number of measures for climate change including carbon accounting.</i>	
80	Are any changes needed to policy for managing flood risk to improve its effectiveness?
<p><i>NPPF paragraph 168 states the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. There is some confusion, therefore, whether applicants for planning permission have to pass the sequential test in relation to surface water flood risk to demonstrate that there is no alternative site available at a lower risk of surface water flooding. Surface water flood risk is not uncommon, particularly on large sites, and is generally managed through well designed drainage. In this context reference is made to a recent legal judgement Substation Action Save East Suffolk v SoS for Energy (EWHC3177) which provides clarification on the application of the sequential test.</i></p> <p><i>The NPPF/PPG should be amended to clarify the sequential test to site selection which is quite onerous is applied in connection with fluvial flood risk only.</i></p>	

Question No.	Question
	<i>It would also be helpful to clarify whether a sequential approach is needed when part of the site falls within a higher flood risk area but is not proposed for built development.</i>
81	Do you have any other comments on actions that can be taken through planning to address climate change?
	<i>See response to question 78.</i>
	Availability of agricultural land for food production
82	Do you agree with removal of this text from the footnote?
	<i>Yes, agreed.</i>
83	Are there other ways in which we can ensure that development supports and does not compromise food production?
	<i>No suggestions.</i>
	National Landscapes
	Supporting water resilience
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?
	<i>Yes, agreed.</i>
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?
	<i>No suggestions.</i>
86	Do you have any other suggestions relating to the proposals in this chapter?
	<i>No</i>
	Chapter 10 – Changes to local plan intervention criteria
87	Do you agree that we should we replace the existing intervention policy criteria with the revised criteria set out in this consultation?
	<i>Pleased to see that LPAs would continue to have an opportunity to put forward any exceptional circumstances. Certain “events” such as a change of political control can amount to exceptional circumstances and cannot be foreseen.</i>
	<i>The existing policy criteria were reasonably clear and aimed at speeding up plan making. Whilst c) continues to cover local plan progress the other criteria are overly interventionist in tone and ill defined. Regard should be had to (a), (b) <u>and</u> (c) – not ‘<u>or</u> (c)’.</i>
	<i>Intervention generally where local authorities are not progressing plan making would be helpful, in encouraging members who <u>are</u> progressing local plans and having to make difficult decisions.</i>
88	Alternatively, would you support us withdrawing the criteria and relying on the existing legal tests to underpin future use of intervention powers?
	<i>No, it is generally helpful to have policy based criteria to aid understanding.</i>

Question No.	Question
	Changes to planning application fees and cost recovery for local authorities related to Nationally Significant Infrastructure projects
89	Do you agree with the proposal to increase householder application fees to meet cost recovery?
	Yes
90	<p>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.</p> <p>If Yes, please explain in the text box what you consider an appropriate fee increase would be.</p>
	<i>An appropriate increase would be an increase in line with cost recovery</i>
91	<p>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?</p> <p>Yes</p> <p>No – it should be higher than £528</p> <p>No – it should be lower than £528</p> <p>no - there should be no fee increase</p> <p>Don't know</p> <p>If No, please explain in the text box below and provide evidence to demonstrate what you consider the correct fee should be.</p>
	<i>We agree with £528 as a nationally consistent minimum fee and then authorities (if they wish) should be able to gather evidence to demonstrate a higher fee if needed to meet cost recovery</i>
	Proposed fee increase for other planning applications
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.
	<p><i>Some of the prior notification application fees e.g. Class AA upward extension, are low and such applications can be time consuming and controversial.</i></p> <p><i>It would be difficult to identify would what would be an appropriate fee.</i></p>
	Fees for applications where there is currently no charge
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.
	<i>Applications and Consents which require expertise from a Conservation Officer and/or Tree Officer. Without additional information, it would be difficult to offer advice on a fee requirement.</i>
	Localisation of planning application fees

Question No.	Question
94	<p>Do you consider that each local planning authority should be able to set its own (non-profit making) planning application fee? Please give your reasons in the text box below.</p>
<p><i>There should be a nationally set minimum application fee and local authorities should be able to set higher fees if they can demonstrate evidence which supports that.</i></p>	
95	<p>What would be your preferred model for localisation of planning fees?</p> <p>Full Localisation – Placing a mandatory duty on all local planning authorities to set their own fee.</p> <p>Local Variation – Maintain a nationally-set default fee and giving local planning authorities the option to set all or some fees locally.</p> <p>Neither</p> <p>Don't Know</p> <p>Please give your reasons in the text box below.</p>
<p><i>Local variation sets a national fee for consistency but allows for flexibility to increase if supported by evidence</i></p>	
<p>Increasing fees to fund wider planning services</p>	
96	<p>Do you consider that planning fees should be increased, beyond cost recovery, for planning applications services, to fund wider planning services?</p>
<p>Yes, for retrospective applications and enforcement appeal as an increased fee could serve as a deterrent, especially to repeat offenders and deterring unauthorized development is in the public interest</p>	
97	<p>What wider planning services, if any, other than planning applications (development management) services, do you consider could be paid for by planning fees?</p>
<p><i>As above, this should include areas of planning which we are obliged to provide a service for e.g. enforcement, ecology, conservation</i></p>	
98	<p>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?</p>
<p><i>Yes, cost recovery is important</i></p>	
99	<p>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.</p>

Question No.	Question
<i>PPA's is something the Council rarely uses so it is not an issue on which GBC would have a strong opinion. Not many agents/applicant seem to suggest them either.</i>	
100	What limitations, if any, should be set in regulations or through guidance in relation to local authorities' ability to recover costs?
<i>Fees should be set to meet cost recovery, not exceed the equivalent planning application fee</i>	
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.
<i>We have no experience of DCO applications</i>	
102	Do you have any other suggestions relating to the proposals in this chapter?
The key issue is cost recovery to offer a good service to applicants/agents. Ensuring that application fees are ring fenced for LPA's would be welcome. Ensuring that planning application fees meet the costs of delivering planning services is most welcome and the Council would support proposals to ring fence the fees to further improve our planning services.	
103	Do you agree with the proposed transitional arrangements? Are there any alternatives you think we should consider?
<i>The proposed transitional arrangements are welcomed, as they allow local authorities at an advanced stage of plan preparation to continue as long as the housing requirement set by the emerging plan isn't significantly lower than that required by the proposed standard method.</i>	
<i>We would welcome greater clarity around timescales.</i>	
104	Do you agree with the proposed transitional arrangements?
<i>See response to question 103.</i>	
105	Do you have any other suggestions relating to the proposals in this chapter?
<i>No.</i>	
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?
<i>No comment.</i>	