

Consultation response form

This is the response form for the consultation on the draft revised National Planning Policy Framework. If you are responding by email or in writing, please reply using this questionnaire pro-forma, which should be read alongside the consultation document. The comment boxes will expand as you type. Required fields are indicated with an asterisk (*)

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Local Planning Authority

Please provide the name of the organisation (if applicable)

City of Bradford Metropolitan District Council
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Chapter 1: Introduction

Question 1

Do you have any comments on the text of Chapter 1?

Paragraph 2 removes previous explicit reference to the need for Neighbourhood Plans to take into account NPPF in their preparation. For clarity add in to second sentence after 'must be taken into account in preparing the development plan' explicit reference to including Neighbourhood Plans.

Reference to the importance of regional, sub regional and local strategic infrastructure is necessary, as a basis for coherent and integrated planning.

For completeness the Government's Planning Policy for Traveller Sites should be incorporated within the revised NPPF. The NPPF should be single consolidated policy document.

Chapter 2: Achieving sustainable development

Question 2

Do you agree with the changes to the sustainable development objectives and the presumption in favour of sustainable development?

Yes

Please enter your comments here

Broadly support the changes to sustainable development objectives.

The addition of 'including making effective use of land' under the 'environmental objective' is specifically supported.

The text in previous paragraph 9 about sustainable development seeking positive improvements – such as jobs, no net loss in biodiversity, design etc has been removed which is regrettable, as should still be a key ambition.

Presumption In favour of sustainable development

While broadly supported, there is scope for uncertainty over the meaning and interpretation of terms and phrases, in particular the meaning of 'up to date' and the meaning of the two key phrases 'strong' reason and 'clear' reason'

Plan Making:

In criteria b) it is not clear what is meant by insertion of words 'should as a minimum provide for the

objectively assessed needs for housing and other development' and there is tension with the revised soundness test for a 'Positively' prepared plan which allows plans to meet 'as much as possible' of housing need, suggesting there are circumstances where it can be lower.

Bi) this has an amended criteria for strategic plans - meeting needs unless 'the application of policies in this framework that protect areas or assets of particular importance provide a strong reason for restricting the overall scale, type or distribution of development in the plan area' – the criteria refers specifically to reducing scale and altering distribution of housing. It is not clear what is meant by 'strong reason'.

A footnote should be added or the text amended to ensure that it is explicit that the plan making aspect of the presumption applies equally to Neighbourhood Plans and not just to strategic plans and Local plans

Decision Taking:

Criteria c has amended wording to refer to approving development proposals which accord with an up to date development plan. Clarity is needed on meaning of 'up to date' in context of whole plan, strategic policies or local policies. This is particular relevant where following publication of final NPPF there is no transition for Development Management purposes which could mean most plans will in some way be potentially not up to date with the changes. These changes can then only come through a local plan review process.

Criteria d – Unclear as to the meaning of relevant development plan policies or policies which are most important. Clarity would be useful on what constitutes a clear reason and unclear why there is a different test (strong reason) for plan making.

Welcome, the clearer text in footnote 7 which sets out the types of areas and assets that framework policies protect when applying the presumption is welcome. However, care needs to be taken as these are not all absolute constraints with some being policy tools (eg Green Belt) and do not preclude change to meet needs in appropriate circumstances. This links to clarity over the planmaking presumption on this aspect.

The first sentence of paragraph 14 should be amended to 'where a Neighbourhood Plan contains policies and allocations to meet its identified housing requirement in full'. Neighbourhood Areas should not gain the specified benefits relating to the presumption and paragraph 11 if they are doing allocations on an ad hoc basis. NPPG makes this clear but for clarity paragraph 14 should be amended for no doubt.

With regards to Neighbourhood Plans (NPs) new paragraph 13 has a more general statement that NP's should support the delivery of strategic policies contained in local plans etc – the current NPPF currently refers more specifically to 'supporting strategic development needs set out in Local Plans, including policies for housing and economic development'. This change is a retrograde and regrettable. It is therefore important that the NPPF makes very clear and specific reference for the need for Neighbourhood Plans to support the housing and economic development needs as set out in the Local Plan. For similar reasons it's disappointing that the text in current paragraph 16 criteria that Neighbourhood Plans should 'plan positively to support local development ...' has been deleted.

Question 3

Do you agree that the core principles section should be deleted, given its content has been retained and moved to other appropriate parts of the Framework?

Please select an item from this drop down menu

Please enter your comments here

It makes sense to delete the core principle section given that its content has been incorporated into other more appropriate parts of the Framework. Duplication of content just leads to confusion and the scope to miss important considerations.

Question 4

Do you have any other comments on the text of Chapter 2, including the approach to providing additional certainty for neighbourhood plans in some circumstances?

See response to question 2.

Chapter 3: Plan-making

Question 5

Do you agree with the further changes proposed to the tests of soundness, and to the other changes of policy in this chapter that have not already been consulted on?

Yes

Please enter your comments here

The proposals to simplify the 'tests of soundness' are broadly supported specifically the change to 'an appropriate strategy' rather than 'the most appropriate strategy' and the move to ensure a more proportionate approach to evidence and testing of local policies. Government should be certain that the introduction of these new tests of soundness including the 'effective' and 'positively prepared' soundness tests, is not inadvertently introducing a 'duty to agree'.

The recognition of strategic level planning is welcomed as is the clarification of strategic policies required to be in a plan. However, the removal of the need for a comprehensive plan including meeting development needs and the role of local policies given the other requirements in other chapters of the revised NPPF (eg health

, affordable housing etc) provides a tension. Especially as local policies are required to anchor any allocations and designations on the policies map (so not really optional as local plans are required to allocate for the objective needs),- so unclear how any local plan can just constitute strategic level policies in practice. However, welcome the flexibility this change suggests.

Question 6

Do you have any other comments on the text of chapter 3?

In principle the requirement for a Statement of Common Ground between authorities is supported as a useful tool in securing agreement on solutions to addressing cross-boundary issues. However, where there are existing local arrangements in place that are delivering positive outcomes the requirement for Statements of Common Ground should be suitably flexible to avoid duplication and the need for additional documentation/processes. The Leeds City Region has a long history of working together successfully on cross-boundary matters and is currently participating in a PAS pilot to prepare a draft Statement of Common ground that meets the needs of Leeds City Region Local Planning Authorities building on the Statement of Cooperation that we already have in place.

While the principle of clearly setting out polices for developer contributions in plans is supported, this needs to be linked to proportionate evidence and also recognise in low viability areas this could result in nil /lower contirbutions and or impact on viability of sites and their deliverability and as such ability to be allocated in local plan. This is particularly an area concern for complex brownfield sites. See question 10 for further comments in relation to developer contributions and viability.

Chapter 4: Decision-making

Question 7

The revised draft Framework expects all viability assessments to be made publicly available. Are there any circumstances where this would be problematic?

No

Please enter your comments here

Support the principle of making all viability assessments publicly available as this makes the decision-making process more transparent.

Question 8

Would it be helpful for national planning guidance to go further and set out the circumstances in which viability assessment to accompany planning applications would be acceptable?

Not sure

Please enter your comments here:

Setting out the circumstances where a viability assessment is required would be too prescriptive and not be able to take account of all the differing and complex circumstances that apply across a District like Bradford.

Question 9

What would be the benefits of going further and mandating the use of review mechanisms to capture increases in the value of a large or multi-phased development?

Please enter your comments below

In our view this should not be a mandatory requirement but Local Planning Authorities should be given the option to use review mechanisms where required.

A review mechanism would ensure that large or multi-phased developments make an appropriate contribution to policy obligations, where schemes have been approved in a different economic climate, and regeneration resulting from the ongoing development has increased development values, thereby increasing the capacity to deliver obligations that may not originally have been viable. This will help Councils to maximise the capture of the uplift in land values for the benefit of the public over longer timescales.

Question 10

Do you have any comments on the text of Chapter 4?

We welcome the new paragraphs 48 to 51 that set out the weight given to policies in emerging plans. It makes sense to have all related content in one place. We also support the approach to 'prematurity' being included within planning policy.

We support in principle the proposal that viability should not be tested again at planning application stage when proposals for development accord with all relevant policies in an adopted development plan. However, we have some concerns over how viability assessment will be undertaken at the plan making stage with any certainty on marginal schemes and a further concern that once this assessment has been undertaken it will be locked-in for a period of 5 years (or until the Local Plan is reviewed). The requirement that viability assessments should be carried out in accordance with national planning guidance, which recommends an approach to defining key standardised inputs is welcomed and the illustrative examples of circumstances where further viability assessment may be required at the decision making stage are welcome. However, it is likely that the listed circumstances could be applied to most schemes by the applicant if in the applicants interests. We also consider that the guidance could go further in recommending the use of a standard appraisal tool to ensure further consistency (for example relating to cash flow over what term), the Homes England Development Appraisal Tool is a good example. Of an existing tool. We have some concerns over the Practice Guidance (page 10) reference to 20% of Gross Development Value (GDV) being used as a suitable return to developers as this sets a benchmark that may not be realistic or relevant in all circumstances, it is suggested that reference to 20% being used as a starting point may be appropriate.

Chapter 5: Delivering a wide choice of high quality homes

Question 11

What are your views on the most appropriate combination of policy requirements to ensure that a suitable proportion of land for homes comes forward as small or medium sized sites?

Please enter your comments here

The principle of supporting small and medium size developers through the land supply is broadly supported but the approach needs to recognise local circumstances and not slow down plan making and increase burdens disproportionately to the value and scale of development from small sites.

A pragmatic response would be to seek to encourage a range of different types of sites to come forward. Brownfield registers should be the most appropriate place to record suitable small scale housing sites. There are also programmes in place to target smaller sites such as the Small Sites Remediation programme funded by the Land Release Fund. Mechanisms to break up the delivery of larger, strategic sites should also be considered, as this creates opportunities for SMEs and smaller house builders.

We consider that if a size threshold is to be applied an appropriate site size threshold should be set by individual local authorities (potentially guided by a national range) to ensure that there are no unintended consequences of applying a small sites target. This approach allows for infrastructure to be provided for in a planned way, the cumulative impact of infrastructure (for example school provision and transport requirements) on small scale sites can be challenging to deliver, which in turn makes gaining local support for housing development challenging to secure. If a national threshold is to remain in NPPF we would advise that it is increased to 1.0ha to ensure that it is less restrictive, there are other programmes targeting small sites that use a higher threshold than 0.5ha.

The 20% threshold for allocations of small sites seems arbitrary (it has increased from 10% in previous consultations) and while it will be achievable for some places it will be a big challenge for others. A more flexible threshold which takes into account local context would be more appropriate. It is considered that while the proposed policy could be positive in enabling SMEs and smaller housing associations to compete in the market, this could be achieved without applying an arbitrary national threshold by targeting small sites programmes and encouraging the breaking up of larger sites for delivery.

With regard to paragraph 65 (Affordable Home Ownership), we consider that, the imposition of a standardised NPPF policy requirement for one particular form of affordable housing is inconsistent with affordable housing requirements being appropriately set to meet the needs identified locally. Affordable home ownership is only a small component of our affordable housing need in Bradford District. Any approach should be related to local evidence.

Question 12

Do you agree with the application of the presumption in favour of sustainable development where delivery is below 75% of the housing required from 2020?

No

Please enter your comments here

It is understood that this policy is designed to increase housing delivery. We are supportive in principle of identifying ways to increase housing delivery however we do not consider this an appropriate policy as Local Planning Authorities do not have control over the implementation of planning permissions therefore this policy will not act as an incentive, as intended. In areas where implementation of permissions is a problem, the locally specific issues need to be identified and addressed. We have concerns that this policy could have the unintended consequences of undermining Local Plans and allowing sub-standard developments in inappropriate locations to gain approval. Some developers may manage delivery to bring the presumption into play to unlock the better market sites.

Delivery reflects private sector appetite to risk and take forward development. It would seem more appropriate to apply the presumption in favour of sustainable development to planning authorities who do not meet a threshold of planning approval targets, (the English average is 86%) or to find alternative ways to incentivise developers / land owners to implement existing permissions.

The onus should not just be on the local authority to monitor performance – structural changes are needed in the house building industry to improve the performance of home builders. We note that the Rt Hon Sir Oliver Letwin MP is leading The Independent Review of Build Out and that the letter dated 9th March 2018 refers to the findings of this review being timed with the Autumn Statement 2018. The review aims to ‘explain the significant gap between housing completions and the amount of land allocated or permissioned in areas of high housing demand, and make recommendations for closing it’. It is suggested that the proposed policy is premature in the context of this review and the proposed finalisation of NPPF in advance of the recommendations of this review being reported is a missed opportunity.

It is considered that Local Authorities may require additional powers or tools to ensure implementation of permissions. It is suggested that further regulation is required to ensure quicker delivery, this could include a conditioned requirement for delivering in the timescale as set out in an Implementation Plan (submitted as part of the planning application) with fines applied where these targets are not met.

Question 13

Do you agree with the new policy on exception sites for entry-level homes?

Yes

Please enter your comments here

We would support this as a measure to increase delivery of affordable tenures including home ownership, although care needs to be taken that quality is high and produces a sustainable housing product and that it does not support unsustainable development.

Question 14

Do you have any other comments on the text of Chapter 5?

Standard methodology for calculating housing need:

The draft Planning Practice Guidance under the heading 'Deviation from the standard method: Can identified need be higher than the number identified by the standard method?' states 'There may be circumstances where it is justifiable to identify need above the need figure identified by the standard method. The need figure generated by the standard method should be considered as a minimum starting point in establishing a need figure for the purposes of plan production'. The guidance also identifies circumstances where this may apply.

Paragraph 61 of NPPF anchors the approach to the standard methodology but requires exceptional circumstances for an alternative approach. It is unclear whether this means a completely new approach or also an approach based on the standard methodology but looking at growth due to economic ambitions and /or taking need from elsewhere. It would be helpful if the Government can be clearer where exceptional circumstances have to be proven where LPA's are wishing to deviate from the standard method by incorporating a growth element and therefore adopting a higher figure.

On page 27 the proposed NPPG states – "When using the standard method it is not necessary to factor in previous levels of under supply into the calculation of local housing need, since any such under delivery will be reflected in the affordability adjustment. Where an alternative approach is taken, past under delivery should be taken into account." Clarification is needed as to whether past under delivery has to be taken into account where the LPA is using the standard method amended to include a growth element – as worded this would be required as the LPA would be using a variant approach.

Page 31 last paragraph states "An increase in the total housing figures included in the strategic plan may need to be considered where it could help deliver the required number of affordable homes." This is at odds with the new LHNA standard model which claims to have factored in affordable housing demand.

With regard to the period for which an estimate of local housing need can be relied upon, NPPG (p27), we would prefer that this were to state 'from the time that a plan

is submitted to the Planning Inspectorate for examination until its adoption' rather than limiting this to two years after submission. This would allow the public to have confidence that a plan will carry weight for a reasonable period but also ensures that planning authorities review and update plans, if necessary, every five years.

Neighbourhood Plan Requirement Figures:

We do not support the proposal introduced in paragraphs 66-67 that local authorities should provide a housing requirement figure for designated neighbourhood areas. Apportionment of targets is not necessarily carried out at the same geography as neighbourhood planning therefore it would be difficult for a housing requirement figure to be set in the Local Plan and would place an unnecessary additional burden on Local Planning Authorities.

A related concern is the proposal in final paragraph of page 33 of NPPG which allows neighbourhood planning groups to propose an alternative housing requirement figure ('in exceptional circumstances where it has compelling evidence to support a departure from the strategic policies').

Housing Mix:

Page 28 of NPPG requires Local Plans to give a specific housing need figure broken down by tenure, household type etc which will be challenging – although various information sources relating to different types of need are outlined, it is unclear how such a precise split of the LHNA could be derived. There is no methodology proposed in the NPPG to achieve this. There is also a challenge of how this would translate into an effective local policy without becoming overly prescriptive on a site by site basis.

Length of Planning Permissions:

We support the proposal introduced in paragraph 78 of the draft NPPF encouraging Local Planning Authorities to consider imposing a planning condition providing that development must begin within a timescale shorter than the relevant default period, where this would expediate the development without threatening its deliverability or viability. This could incentivise landowners and developers to bring forward sites more quickly by committing planning permissions to be delivered within a set timeframe, shorter than the default three year period. We are supportive of a shorter timescale for implementation of planning approvals. It would be useful if the onus was placed on land owners/promoters and developers to produce an evidence, where an extension or further planning application was required.

Chapter 6: Building a strong, competitive economy

Question 15

Do you agree with the policy changes on supporting business growth and productivity, including the approach to accommodating local business and community needs in rural areas?

No

Please enter your comments here

The proposed change detailed at paragraph 85 could lead to development in unsustainable locations. At the very least applicants who wish to develop sites outside of existing settlements in locations not well served by public transport should be required to demonstrate they have undertaken a site search exercise to ensure that there are no more sustainable sites available in the local area within settlements or on PDL or that there are particular reasons why these locations are not suitable.

Question 16

Do you have any other comments on the text of chapter 6?

Given the importance of economic development and the Governments new Industrial Strategy the section is relatively limited compared to the focus given in NPPF on housing. It is also light on inclusive economic growth priorities and the benefits of planning across economic geographies.

Chapter 7: Ensuring the vitality of town centres

Question 17

Do you agree with the policy changes on planning for identified retail needs and considering planning applications for town centre uses?

Not sure

Please enter your comments here

In principle support the proposed changes to the sequential approach to planning applications so that out of centre sites should only be considered if suitable town centre or edge of centre sites are

unavailable or not available within a reasonable period. This provides some clarity and will support town centres that are a focus for regeneration and will contribute to maintaining the vitality of existing town centres. However, What constitutes a 'reasonable' time period is ambiguous. Local Plans need further clarity to be provided in the NPPF (or amended NPPG).

We would support diversification and re-purposing town centres as part of a clear strategy for their future and the opportunity this brings to bring a good high quality residential offer back into towns and smaller cities.

Question 18

Do you have any other comments on the text of Chapter 7?

Support the additional focus in chapter 7 on the importance of a residential offer in town centres to promote long term vitality and viability. This supports the need of most Cities and Town Centres to adapt, working to create a well-rounded town/city centre offer which includes good quality housing, making town centres places of choice to live for a range household types. However, to achieve this appropriate amenities are required to be in place such as good schools, childcare, healthcare and leisure options. Communities also need to be supported and well connected by fast and reliable transport and digital infrastructure.

Support the proposal to remove the requirement for impact assessments for office developments outside town centres.

Given the uncertainty in forecasting long-term retail trends, support the need for policies to look at least ten years ahead and not necessarily over the full plan period.

Chapter 8: Promoting healthy and safe communities

Question 19

Do you have any comments on the new policies in Chapter 8 that have not already been consulted on?

Support the introduction of the new policies in chapter 8 relating to social interaction, healthy lifestyles and safety. The built environment can be a key determinant of health and well being.

Question 20

Do you have any other comments on the text of Chapter 8?

Although it seeks to encourage planning for a range of community uses and integrated development, it remains weak in relation to guarding against provision for and loss of valued community facilities and services, in a context where housing need puts pressure in relation to the conversion of buildings and use of previously developed land.

Chapter 9: Promoting sustainable transport

Question 21

Do you agree with the changes to the transport chapter that point to the way that all aspects of transport should be considered, both in planning for transport and assessing transport impacts?

Yes

Please enter your comments here

We welcome the proposal that planning policies provide for high quality, safe, convenient and attractive walking and cycling networks, and the suggestion that policies should draw on Local Cycling and Walking Infrastructure Plans (LCWIPs).

Question 22

Do you agree with the policy change that recognises the importance of general aviation facilities?

No

Please enter your comments here

Further clarity is required. Paragraph 105 (f) makes reference to the need for planning policies to recognise the national network of 'general aviation facilities'. Further clarity would be helpful to determine the scale at which such facilities need to be retained and the role of such facilities, especially at a regional or sub regional level. This will enable more effective planning at a 'strategic' level and at a 'local' plan level.

Question 23

Do you have any other comments on the text of Chapter 9?

The term 'promoting' sustainable transport, and in particular cycling and walking, should be changed to 'promoting and enabling' or simply 'enabling'. The current terms of 'promotion' and 'encouragement' are widely used but appear to infer that cycling is

an option that needs to be made more attractive. Our view is that with current facilities cycling is not an option apart from a small minority who choose to cycle in traffic, and that cycling needs to be enabled (through facilities and environment) and then promoted. This is also true to an extent for other modes, especially walking which is often compromised by an inability to cross major roads or a significant delay in crossing.

The commitment to sustainable patterns of development that support sustainable transport appears to have been weakened in paragraph 104 compared to the current paragraph 34. The Stronger 'ensure' has been lost, while only 'choice' is required rather than any commitment to maximise sustainable modes.

Chapter 10: Supporting high quality communications

Question 24

Do you have any comments on the text of Chapter 10?

This Chapter should go further than at present and require proposals for new housing, commercial and industrial development to include provision for 4G/5G mobile phone coverage within the development.

This section should also make it clear that new residential and commercial development should make provision for full fibre broadband infrastructure as a minimum. This can be achieved by requiring adequate duct space for multiple network providers to operate within as part of the design and build of new development. This is relatively cheap to provide as space for ducting will be provided for other services. It is predominantly a matter of robust project management to ensure the relevant services are installed at the correct point in the build process and that suppliers have the opportunity to connect their services.

This would have a number of advantages, including providing greater potential for economic growth within the area, cost efficiencies and reduces the scope for future issues with regard to provision of full fibre and mobile phone coverage which often require public subsidy to address areas of poor coverage and digital exclusion.

In addition, this Chapter should also make reference to the services that support high quality communications, such as access to the electrical power that is resilient.

Chapter 11: Making effective use of land

Question 25

Do you agree with the proposed approaches to under-utilised land, reallocating land for other uses and making it easier to convert land which is in existing use?

Yes

Please enter your comments here

In principle, we are supportive of a flexible approach to make best use of land, but due consideration to maintaining high quality design principles must be given.

Making more effective use of land above shops and other underutilised space which will positively contribute to the goal of increasing available housing in city/town centre locations, increasing vitality of town centres and enabling intensification of housing around transport hubs is supported. However, there must be consideration given to the quality of housing created in these locations to ensure that they can be locations of choice for a range of household types.

We support in principle the measures outlined to enhance the flexibility and efficiency of land use such as through reallocating land where there is no reasonable possibility of it coming forward for the allocated use and making it easier to convert retail and employment land to housing, however it remains paramount that local discretion can be used as to what the most appropriate land use is on particular sites. Issues relating to the release of employment land for housing are particularly difficult as in some cases employment land can take a long time to come forward (in some cases the full plan period) and it is essential that an adequate supply of employment land is maintained in local areas. There is also a concern relating to some employment sites in our supply that if this proposed policy change provides a potential opportunity (hope) for allocated employment land to come forward for residential use the prospect of these sites coming forward for employment use will be greatly reduced. This risk is also increased linked to the potential impact if an area does not meet the housing land supply and or housing delivery test.

Question 26

Do you agree with the proposed approach to employing minimum density standards where there is a shortage of land for meeting identified housing needs?

Yes

Please enter your comments here

We support this in principle, particularly regarding intensification of development around transport hubs. However, it is important a locally determined approach to density standards is maintained to enable local authorities to judge the appropriate level based on local context. Paragraph 123 would benefit from a reference to the use of high quality design.

Question 27

Do you have any other comments on the text of Chapter 11?

Intensification of development in certain locations could deliver creative alternative living options but the quality has to be high and schemes need to be delivered as part of a wider regeneration place making approach. Public realm needs to be integral to proposals in areas where there is a shortage of land for housing to address wider environmental issues and safety and access issues (which can be particularly problematic for residential uses over retail).

We support the introduction of paragraph 123c which proposals the refusal of planning applications not making the effective use of land where there is an existing or anticipated shortage of land for meeting housing needs.

Chapter 12 : Achieving well-designed places

Question 28

Do you have any comments on the changes of policy in Chapter 12 that have not already been consulted on?

We are generally supportive of measures which promote higher quality environments but place-based solutions taking account of local circumstances must be paramount.

Question 29

Do you have any other comments on the text of Chapter 12?

No

Chapter 13: Protecting the Green Belt

Question 30

Do you agree with the proposed changes to enable greater use of brownfield land for housing in the Green Belt, and to provide for the other forms of development that are 'not inappropriate' in the Green Belt?

Not sure

Please enter your comments here

While the use of brownfield land is broadly supported, it is noted that brownfield land in the Green Belt is not necessarily located in sustainable locations. Brownfield land within the Green Belt has the potential to be in isolated locations with poor or inadequate infrastructure. It is essential that the purpose of Green Belt and the purpose of environmental protection policies remain distinct.

The change to the wording of green belt policy which clarifies that burial grounds, allotment sites and rural exception sites are not inappropriate development is welcomed.

Question 31

Do you have any other comments on the text of Chapter 13?

There are a couple of points about how LPA's or Neighbourhood Areas should makes decisions about detailed boundary changes / site releases once the general need for changes to green belt i.e. exceptional circumstances have been established in the strategic plan.

Paragraph 137 deals with drawing up and reviewing boundaries and deals with factors to be taken into account in making changes – however the wording seems to have forgotten that N Areas / plans can now review green belt boundaries as the second sentence begins “Strategic plan making authorities should”

Para 137 states,

“Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport. “

Given that Green Belt is a policy tool and is designated with reference to the five purposes any change should in first instance be assessed as to the degree to which the land meets the functions of green belt and then having established potential areas for change which would not have significant impacts on green belt function, priority given to other considerations such as as re use of previously developed land and proximity to public transport

The reference to ‘been’ before ‘previously developed’ could include previously developed land which has been regenerated into the landscape over time. The reference needs to clearly anchor to the definition in the glossary which does not include previously developed land which has been restored or regenerated over time even if it has ‘been’ at some time in the past previously developed.

The Change at paragraph 144 (g) allows for use of previously developed land without reference to sustainable locations or access to public transport which allows for potentially large scale development in unsustainable locations.

Chapter 14: Meeting the challenge of climate change, flooding and coastal change

Question 32

Do you have any comments on the text of Chapter 14?

Paragraph 148, which focusses on taking a proactive approach to mitigating and adapting to climate change, would benefit from acknowledging the vulnerability of certain groups to climate change, such as the vulnerability of elderly resident to overheating.

This section could also make reference to the importance of managing flood risk and resilience at a catchment level. This approach ensures that resources are used efficiently and that a wide range of solutions (including Natural Flood Management) can be considered and deployed as part of holistic solutions.

The text presented under Paragraph 150, a) and 153, b) and accompanying footnote pose an overly cautious technology specific barrier to onshore wind. The text in its current form serves to limit the delivery of low cost renewable power needed to meet the UK Climate Change Act obligations.

The revised NPPF could be more forceful about the requirement to use Sustainable Drainage Systems (SuDS). The lack of National Standards makes the approval process through Planning difficult. The text in paragraph 163 replaces the Ministerial Statement dated 18 December 2014. The paragraph only refers to SuDS and major developments with no reference to use of SuDS for minor developments. It is understood that given the range of SuDS techniques available, there is generally a type of SuDS that can be deployed in most circumstances. This should be reflected in the Framework. Further guidance should also be provided as to what is meant by the term 'inappropriate' in this context. For example does this refer to construction requirements or cost and viability. Point d) refers to 'multifunctional benefits'. This term may include water quality and biodiversity which are considered to be integral parts of the SuDS regime. However, these issues and wider benefits are often ignored by developers. This point should include reference to these issues so that developers are clear that these are benefits which need to be incorporated into SuDS.

Question 33

Does paragraph 149b need any further amendment to reflect the ambitions in the Clean Growth Strategy to reduce emissions from building?

Yes

The Leeds City Region's Strategic Economic Plan outlines a resilient zero carbon energy economy and the need for warmer homes. To allow for greater regional ambition with this regard, the text under Paragraph 149, b) could be amended to state: 'Any local requirements for the sustainability of buildings should as a minimum, reflect the Government's policy for national technical standards'.

Chapter 15: Conserving and enhancing the natural environment

Question 34

Do you agree with the approach to clarifying and strengthening protection for areas of particular environmental importance in the context of the 25 Year Environment Plan and national infrastructure requirements, including the level of protection for ancient woodland and aged or veteran trees?

Yes

Please enter your comments here

While the strengthening of protections for areas of particular environmental importance is welcomed there should be recognition of the value of all green infrastructure sites given the value of benefits which can be derived e.g. health and well-being, quality of life and wildlife corridors from a network of such sites. Green infrastructure sites should not be judged on an individual basis but as part of a wider network providing multiple benefits to individuals and places. As part of this there also needs to be a recognition of the value of lower value and undesignated sites and their contribution to the delivery of place-based benefits.

Question 35

Do you have any other comments on the text of Chapter 15?

Under Paragraph 168, d) there is a requirement for planning policies and decisions to provide net gains for biodiversity. As part of the '25 Year Environment Plan' there is a commitment to seek to embed a net environmental gain principle. This commitment is not adequately reflected in the revised NPPF which maintains the net gains for biodiversity approach and as a result would appear to be a missed opportunity to strengthen the delivery of environmental improvements on both a local and national scale. Paragraph 168, d) should be strengthened to reflect the net environmental gain commitment in the '25 Year Environment Plan' and technical guidance developed to assist local authorities and developers to achieve net environmental gain.

Given the timescales between the publication of the '25 Year Environment Plan' and the NPPF consultation it is acknowledged that there may have been insufficient time to develop proposals for how net environmental gain can be embedded into the planning system. In this case the NPPF should allow for a transition from the net gains for biodiversity to net environmental gains without a subsequent update to the NPPF.

The provisions outlined in Paragraph 169 are supported especially with regard to the inclusion of green infrastructure in the requirement to take a strategic approach to maintaining and strengthening networks of habitats and green infrastructure. This would reflect the comments made in response to Question 34 relating to the need to judge green infrastructure sites as part of a network and not on an individual basis.

Paragraph 113 of the existing NPPF relates to the recommendation that local authorities should set criteria based policies against which proposals for development which might affect protected areas would be judged so that distinctions can be made in relation to the hierarchy and gives appropriate weight to importance. If the government remains committed to the principles of SEA and taking into account the significance of impacts and medium term environmental planning then the paragraph should be re-instated. In omitting it, the approach contrasts sharply with the approach to heritage, where importance is put on the hierarchy and the significance of impacts.

Chapter 16: Conserving and enhancing the historic environment

Question 36

Do you have any comments on the text of Chapter 16?

No.

Chapter 17: Facilitating the sustainable use of minerals

Question 37

Do you have any comments on the changes of policy in Chapter 17, or on any other aspects of the text in this chapter?

The revised section does not fully reflect the importance of minerals. Minerals are no longer referred to as "...essential to support sustainable economic growth and our quality of life. ...". Minerals assist in driving forward the housing and infrastructure agenda and should not be minimised. Minerals are required for the whole spectrum - for the production of concrete, for road building (as a sub-base for roads and tarmac), for constructional fill, for drainage channels, for brick making, for mortar, as a building product in its own right (i.e. blockstone), for rail ballast, for industrial applications (manufacture of chemicals, as flux for iron and steel making), for agricultural uses as a fertiliser, for energy production etc. The NPPF should reflect their significance.

Paragraph 204, the text on oil and gas is requiring Minerals Planning Authorities to recognise the benefits, and facilitate their exploration and extraction - yet there appears to be no such level of recognition for other minerals.

The retention of the negative text on coal in Paragraph 206 is not supported. There should be a clear justification why coal remains subject to such negative text in comparison with other minerals.

Question 38

Do you think that planning policy in minerals would be better contained in a separate document?

No

Please enter your comments here

This is not supported. Minerals are linked directly with housing and infrastructure and all aspects of planning should be contained within one document. It would be preferable to include the Waste planning within the NPPF, rather than in a separate document, as waste is also directly linked to housing and infrastructure – for every house built, waste is generated in the construction process and on completion/occupation of the house (through sewerage, wastewater and domestic waste). It remains a concern that Minerals and Waste are not considered in a holistic manner with the house building and infrastructure agenda.

Question 39

Do you have any views on the utility of national and sub-national guidelines on future aggregates provision?

Yes

Please enter your comments here

The system for the national and sub-national guidelines on future aggregate provision remains relevant and useful and should be retained.

Transitional arrangements and consequential changes

Question 40

Do you agree with the proposed transitional arrangements?

Yes

Please enter your comments here

We are supportive of the proposed transition arrangements.

Question 41

Do you think that any changes should be made to the Planning Policy for Traveller Sites as a result of the proposed changes to the Framework set out in the consultation document? If so, what changes should be made?

Please select an item from this drop down menu

Please enter your comments here

The Policy on Travellers Sites should be incorporated into the NPPF. There is no reason to treat this matter separately.

Question 42

Do you think that any changes should be made to the Planning Policy for Waste as a result of the proposed changes to the Framework set out in the consultation document? If so, what changes should be made?

Yes

Please enter your comments here

It would be preferable to include waste planning within the NPPF, rather than in a separate document, as waste is also directly linked to housing and infrastructure – for every house built waste is generated in the construction process and on completion/occupation of the house (through sewerage, waste water and domestic waste). It remains a concern that minerals and waste are not considered in a holistic manner with the house building and infrastructure agenda.

Glossary

Question 43

Do you have any comments on the glossary?

Relating to the definition of 'Deliverable'

In the existing NPPF - sites with planning consent (full & outline) and development plan allocations are considered deliverable unless there is clear evidence to exclude them. Other sites (that do not have consent or are not allocations) can also be considered deliverable if there is clear evidence to include them. In the consultation version of the NPPF - the definition (in the glossary) means only sites with full/detailed consent and small sites are deliverable unless there is clear evidence to exclude them – whereas sites with outline planning permission, sites allocated in the development plan & brown-field register sites can only be considered deliverable if there is clear evidence to include them. This may make the job of demonstrating five year supply during and after development plan preparation much harder and place a disproportionate burden of proof onto the Local Authority.