



Lichfield District Council response to NPPF 2024 consultation

Question 1: Do you agree that we should reverse the December 2023 changes made to paragraph 61?

No.

Whilst the council acknowledges some of the benefits of making the 'standard method' the mandatory approach to calculating an area's housing need, these being clarity for all stakeholders as to the approach to calculating need and the removal of lengthy and costly discussion over housing need at examination, there should still be exceptions where authorities can undertake a different approach based on distinct local circumstances where these can be justified at examination. However, it should be made clear that whilst efforts must be made to meet full housing need, there are instances where an authority may not be able to meet its full need and clarify these instances.

For example, where an authority is constrained by environmental designations, flood zone or Green Belt (see comments relating to Green Belt below). The support for the approach to making the 'standard method' mandatory should not be seen as support for the calculation proposed for the method.

As will be set out in the council's response to questions directly relating to the approach to calculating the standard there is a significant concern that the approach proposed would appear to favour a distribution nationally which focuses on significant increases in the number of homes required in rural areas which could have major implications in respect of ensuring sustainable development.

It is suggested that additional wording be added to the final sentence of the proposed paragraph to make clear that there is an expectation that authorities should seek to deliver as much of their housing requirement within their own administrative boundaries, including consideration of Green Belt, as possible before seeking assistance from neighbouring authorities to meet any remaining unmet needs.

Question 2: Do you agree that we should remove reference to the use of alternative approaches to assessing housing need in paragraph 61 and the glossary of the NPPF?

Yes.

The proposed text to be removed would assist in making clear that the 'standard method' is mandatory and the only approach to be used when establishing an area's housing need.

However, this is only appropriate if the methodology for the standard method itself provides a realistic and appropriate approach.

Question 3: Do you agree that we should reverse the December 2023 changes made on the urban uplift by deleting paragraph 62?

Yes.

Supportive of the proposed change to remove the urban uplift from the 'standard method'. This approach always seemed an arbitrary way to increase the housing requirements to meet a national target without consideration of the implications.

Within the Greater Birmingham and Black Country Housing Market Area, the uplift is currently applied to Birmingham and Wolverhampton which has drastically increased the housing figure within the housing market area, an area where there was already significant unmet need.

This leads to a significant pressure on neighbouring authorities, including rural districts to take significantly greater levels of development which is then located a greater distance from where the need arises.

However, the approach proposed would appear to result in a preference from government to require significantly greater levels of growth in rural areas.

Such an approach pushes development away from urban areas which have a greater level of services, facilities and infrastructure and contain most of the available previously developed land in the county.

Question 4: Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130?

Yes.

Supportive of the proposed removal of this paragraph. The emphasis of national policy should be placed on ensuring development achieves high-quality design which is responsive to its locality. This is particularly important in areas with distinct character such as Lichfield. The removal of the paragraph should not preclude authorities from considering uplifts to densities where this can be achieved whilst ensuring the special character of an area is retained.

Question 5: Do you agree that the focus of design codes should move towards supporting spatial visions in local plans and areas that provide the greatest opportunities for change such as greater density, in particular the development of large new communities?

No.

Do not agree, a design code should be district wide and not limited to places where there is the greatest opportunity for change or for high density development.

Without a code in place on other areas such as rural villages and employment areas the district could result in having unsightly developments having an impact on residents and reputation of the area.

High density areas/areas with opportunity for growth can continue to be coded in their own area type within the code. If a design code only focusses on high density developments all other sites are at risk of losing the design parameters.

Question 6: Do you agree that the presumption in favour of sustainable development should be amended as proposed?

Yes.

The clarification which would be provided by the proposed changes to the 'Presumption in Favour of suitable development' (hereafter referred to as the presumption) which makes clear it is only those policies in relation to the provision of homes which are out of date when the presumption is applied, is welcomed.

This ensures that in such circumstances appropriate weight is still given to other relevant policies and should ensure that development, although not planned for, meets other policy criteria.

However, there is a risk that by creating a situation where a greater number of authorities are within the 'presumption', which the consultation document sets out will be the consequence of the proposed changes, could undermine the confidence in the planning system and is counter to the statement that the planning system should be genuinely plan-led.

The consequences of this approach, which may be unintended, would be an increase in the number of speculative applications and appeals which brings uncertainty for local authorities, communities and the development industry and would reduce confidence in the plan-making system.

Question 7: Do you agree that all local planning authorities should be required to continually demonstrate 5 years of specific, deliverable sites for decision making purposes, regardless of plan status?

No.

The adoption of a sound Local Plan should ensure there is no grounds for challenge in terms of land supply for a specified period following adoption. This should recognise that the five-year supply of land will have been demonstrated and examined by an inspector.

The consultation suggests the re-introduction of the requirement for authorities to always be required to demonstrate such a supply refers to instances following the adoption of a plan where allocations are not delivered - this fails to recognise that local authorities are not in control of the delivery of such development yet seeks to penalise authorities for non-delivery.

Indeed, research undertaken by nationally has demonstrated that the average lead-in time for an allocated site can be upward of five years following the adoption of a local plan.

The re-introduction of the requirement to demonstrate a five-year supply continually, when allied with the reintroduction of a buffer and the proposed significantly increased LHN is likely to lead to a situation where there is a significant increase in speculative planning applications and appeals. Such an approach would seriously undermine public confidence in the development plan process and planning system as a whole.

As such it is recommended that where an authority has recently adopted a local plan, with that examination concluding that a five-year supply of land was demonstrated this should provide protection for the authority for a set period.

Question 8: Do you agree with our proposal to remove wording on national planning guidance in paragraph 77 of the current NPPF?

Yes.

The reference cross-refers to the appropriate national guidance on how shortfalls or over supply from earlier within a plan period should be addressed when an authority calculates its five-year supply.

This is helpful guidance, and it is not clear what the benefit of removing this from paragraph 77 would be.

Question 9: Do you agree that all local planning authorities should be required to add a 5% buffer to their 5-year housing land supply calculations?

No.

Whilst a buffer of 5% allows for an appropriate level of flexibility within the supply it does seem to place a greater burden on local authorities, particularly where there is a relatively low non-implementation rate of planning permissions as is the case in Lichfield, to identify additional land on top of a five-year supply which in of itself is designed to ensure a sufficiently flexible supply exists.

The council accepts that where an authority has underdelivered, which is not the case in Lichfield, then an additional buffer could be applicable but not in instances where delivery has significantly exceeded required targets.

Question 10: If yes, do you agree that 5% is an appropriate buffer, or should it be a different figure?

Should government be minded reintroducing the requirement for a 5% buffer in all locations, irrespective of past delivery then a buffer of 5% allows for an appropriate level of flexibility within the supply.

However, a greater buffer should not be applied.

Question 11: Do you agree with the removal of policy on Annual Position Statements?

Yes.

Lichfield District Council has not previously prepared an Annual Position Statement to 'confirm' its five-year housing land supply. Such an approach, with this needing to be examined was unnecessary and the council chose to continue to publish its five-year supply independently.

As such it is considered the removal of Annual Position Statements would have limited impact on the council.

Question 12: Do you agree that the NPPF should be amended to further support effective co-operation on cross boundary and strategic planning matters?

Yes.

Supportive of an approach which strengthens effective co-operation on cross boundary strategic planning matters. Where used effectively, with buy-in from all stakeholders, this can provide an effective mechanism to deal with strategic matters.

However, this shouldn't be seen as a panacea able to solve all cross-boundary matters and must recognise that authorities will be at varying stages of plan-making.

Question 13: Should the tests of soundness be amended to better assess the soundness of strategic scale plans or proposals?

Yes.

Lichfield District Council strongly supports the principle of amending the tests of soundness to recognise that where plans include longer-term proposals, such as new settlements, that the consideration of viability, deliverability should be proportionate and take account of the ability for future reviews of plans to be responsive to changes in circumstance.

For example, should an authority be proposing a new settlement, or significant development to deliver in the later stages of a plan period this should not have the same evidential requirements as a site which is proposed to be delivered in the short term.

The current approach which requires such information prevents authorities from making ambitious long-term proposals.

Question 14: Do you have any other suggestions relating to the proposals in this chapter?

The consultation document refers to the introduction of Spatial Development Strategies (SDSs) for areas both covered by a mayor and for those areas which are not. However, there is very limited information within the consultation document in respect of how SDSs would be prepared and the governance of this.

Clearly, further information on consultation on this matter will be required but it should be made clear that SDSs prepared be Mayoral areas in the short term would only relate to the mayoral area itself and not adjacent authorities with whom the mayor has no democratic mandate.

Question 15: Do you agree that Planning Practice Guidance should be amended to specify that the appropriate baseline for the standard method is housing stock rather than the latest household projections?

No.

The council accepts that using 'housing stock' as a baseline in the calculation of local housing need is a more stable measure than using the 2014 Household Projections which are now significantly out of date.

The use of a 0.8% of housing stock which is based on a national average also provides a more predictable approach for the baseline of the calculation. However, this rather blanket approach does not take account of the nature of an authority area. For example, in a rural district the overall housing stock is likely spread across a diverse range of settlements from market towns to small hamlets.

Within rural districts there is likely to be a significant proportion of housing stock which is in areas with limited access to services and facilities and therefore taking account of this stock and applying an arbitrary uplift appears to lead to a significant shift in the delivery of homes from larger urban areas to rural districts.

Question 16: Do you agree that using the workplace-based median house price to median earnings ratio, averaged over the most recent 3 year period for which data is available to adjust the standard method's baseline, is appropriate?

Yes.

Generally supportive of the use of the workplace-based median house price to median earnings ratio averaged across a three-year period. This should lead to a less volatile basis than using an annual figure which should ensure some consistency in the annual LHN calculated.

However, the use of such a ratio does account for specific factors which unduly impact upon the ratio in rural areas. For instance, house prices in rural areas are often significantly higher than non-rural areas as this reflects the desirability for people to purchase and live in a rural setting, meaning that average house prices are inflated.

When this is combined with an approach which takes account of average earnings, which in a rural area tend to be lower as these are often related to the rural economy including agriculture means that the ratio is significantly higher in rural areas without an appreciation of the factors behind this.

Ultimately this risks the approach providing a significantly higher number in rural areas and risks reducing the level of development directed to urban areas which have greater access to services and facilities and where need is greatest.

Question 17: Do you agree that affordability is given an appropriate weighting within the proposed standard method?

No.

Lichfield District Council is concerned that the proposed weighting given to the affordability ratio is too high and does not take account of the factors described in answer to question 16.

The ultimate impact of this is that in rural areas, where the ratio is likely to be greater due to the nature of rural employment and the heightened cost of rural homes due to people's desire to live in such locations, significantly higher housing requirements will result. This will result in growth being directed away from urban authorities into rural authorities where there are more limited opportunities for sustainable locating of growth.

It is also questionable whether simply increasing the need figure within rural areas will lead to an increase in delivery which reduces housing costs. The proposed method does not take account of the desire of housebuilders to maintain the price of their product and it is likely that housebuilders will not release sites at a rate which reduces the price of their product.

It is strongly suggested that the existing multiplier applied to affordability ratio of 0.25% is maintained as this would result in a more reasoned and achievable requirement. Particularly in rural areas where the affordability ratio is impacted so significantly by the locational factors described above.

Question 18: Do you consider the standard method should factor in evidence on rental affordability? If so, do you have any suggestions for how this could be incorporated into the model?

No.

Question 19: Do you have any additional comments on the proposed method for assessing housing needs?

Other considerations outside of the planning system need to be considered which may constrain housing delivery and potentially demonstrate that such high targets may be very challenging and unrealistic.

There is a significant shortage of workers within the construction industry, this shortage in workers and skills will be exacerbated if housing targets are to be significantly increased. In addition, allocating sites and granting permission does not mean that developers will commence development straight away; with developers heavily influenced by market conditions, internal targets and construction staff availability/logistics.

Developers will also want to avoid housing market saturation, which impacts on housing delivery and timing as the major developers which local planning authorities are reliant on for residential development may want to phase or prolong development.

This has been observed in Lichfield District whereby housing developers with multiple permissions for residential development across the district have waited until one site is completed before moving on to the next site, likely due to several factors set out in this answer including lack of construction workers, logistics and avoiding market saturation.

Based on all the above, as well as all answers in this section, we believe that the standard method for assessing housing need should be ambitious but should be revised to be more realistic and pragmatic.

Question 20: Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?

Yes.

Whilst the council is supportive of the intention of the proposed changes, which is to further strengthen the desire to make best use of previously developed land, the proposed amendments which would make redevelopment acceptable in principle always does not allow for any nuance.

For example, the proposed changes could effectively mean the redevelopment of employment land for housing are acceptable in principle without the authority being able to consider whether the loss of such employment land is acceptable.

As such it is suggested the proposed amendments make allowance for authorities to identify sites/areas where such a change of use would still require consideration in terms of its acceptability in principle.

Question 21: Do you agree with the proposed change to paragraph 154g of the current NPPF to better support the development of PDL in the Green Belt?

No comment.

Question 22: Do you have any views on expanding the definition of PDL, while ensuring that the development and maintenance of glasshouses for horticultural production is maintained?

No.

The council is not supportive of extending the definition of previously developed land to include glasshouses. These are agricultural buildings which are not always permanent.

Additionally other agricultural buildings are not regarded as previously developed and therefore the proposed change would introduce inconsistency within the framework.

Additionally, the suggestion to include hardstanding within the definition could lead to areas being laid down as hardstanding to be later classified as previously developed to achieve redevelopment.

Question 23: Do you agree with our proposed definition of Grey Belt land? If not, what changes would you recommend?

No.

The council considers that the proposed definition of 'Grey Belt' which would include previously developed land and land which performs more poorly in respect of the stated purposes of Green Belt is too broad and should be restricted to previously developed land within the Green Belt.

By including land which performs poorly in terms of the purposes of the Green Belt as 'Grey Belt' this brings significant subjectivity into the definition and will require individual authorities to undertake an assessment to determine which land follows below the threshold (which is not defined by government) to be considered Grey Belt.

If government is to include land which performs poorly in terms of the Green Belt purposes within the definition, then it should provide detailed guidance/methodology as to how this should be assessed to ensure consistency and reduce the opportunity for this to be challenged on an ad-hoc basis through planning appeals.

The unintended consequences of the proposed definition, when allied to the proposed new paragraph 152 (see detailed comments below) and the proposed higher housing requirements is that development of large areas of Green Belt could be approved across the country in unsustainable locations.

Question 24: Are any additional measures needed to ensure that high performing Green Belt land is not degraded to meet Grey Belt criteria?

The council considers that government should set out a defined approach to measuring the contribution of land toward the purposes of the Green Belt and the threshold at which any such assessment would identify land as Grey Belt.

This would ensure this approach is consistent across authorities and less open to challenge on an ad-hoc site-by-site basis. Indeed, the government could go further and undertake a national review of Green Belt to identify those areas which fall below the threshold and are therefore to be defined as Grey Belt and ensure this is consistently applied across all authorities.

Lichfield District Council considers the most appropriate approach would be to only define Grey Belt and previously developed land within the Green Belt and update guidance on plan-making to require authorities to first consider land outside of the Green Belt, then previously developed land within the Green Belt (Grey Belt) before then considering lower performing areas of land.

It should also be made clear in guidance that existing Green Belt reviews produced prior to the advent of Grey Belt should not be used by councils or developers to identify areas of Grey Belt.

Question 25: Do you agree that additional guidance to assist in identifying land which makes a limited contribution of Green Belt purposes would be helpful? If so, is this best contained in the NPPF itself or in planning practice guidance?

Yes, as noted in response to question 24 it is imperative that government provide guidance in respect of the identification of Grey Belt, ideally by providing a defined methodological approach, to ensure that this is applied consistently across all authorities.

This would also be required to enable communities to understand the proposed new designation/classification of Green Belt land.

There is currently inconsistency within the consultation document which separately defines Grey Belt as making ""a limited contribution to the five Green Belt purposes"" and elsewhere as an area which does not ""strongly perform against any Green Belt purpose"".

Such inconsistency in the definition must be addressed.

Question 26: Do you have any views on whether our proposed guidance sets out appropriate considerations for determining whether land makes a limited contribution to Green Belt purposes?

As set out in the response to question 25 the District Council considers there is inconsistency with the guidance provided in the consultation as to whether land makes a limited contribution to the Green Belt purposes.

This is defined differently within the consultation document, and it is not considered that "a limited contribution to the five Green Belt purposes" and as an area which does not "strongly perform against any Green Belt purpose" are the not same. Such inconsistency must be corrected should the definition of Grey Belt include land which makes a lesser contribution to Green Belt purposes.

Question 27: Do you have any views on the role that Local Nature Recovery Strategies could play in identifying areas of Green Belt which can be enhanced?

Local Nature Recovery Strategies should play a key part in all landscape level biodiversity enhancement proposals.

Question 28: Do you agree that our proposals support the release of land in the right places, with previously developed and Grey Belt land identified first, while allowing local planning authorities to prioritise the most sustainable development locations?

Yes.

The council is broadly supportive of the principle of releasing previously developed and then poorly performing land (not withstanding comments to earlier questions) in the first instance where it has been determined that Green Belt release may be required.

However, as described above the approach to identifying Grey Belt needs to be clear to provide a clear approach for communities. It is supported that the approach appears to take account of the potential for previously developed (and therefore Grey Belt) sites to be unsustainably located and that in such instances the council may not identify such sites for redevelopment due to their unsustainable location.

The proposal to reverse changes made in December 2023 which enabled authorities to choose not to review their Green Belt irrespective of whether they were able to meet their own needs is supported. This should assist with ensuring authorities seek to explore all options to meet their own need within their own administrative boundaries.

Question 29: Do you agree with our proposal to make clear that the release of land should not fundamentally undermine the function of the Green Belt across the area of the plan as a whole?

Yes.

Lichfield District Council strongly supports the proposal to make clear that the release of any land from the Green Belt must not fundamentally undermine the function of the Green Belt across the local plan area.

However, it should be made clear that this must also have regard for the function of the Green Belt across a wider geography recognising that the Green Belt crosses several authority's areas.

Question 30: Do you agree with our approach to allowing development on Green Belt land through decision making? If not, what changes would you recommend?

No.

The council has significant concerns with the proposed changes to paragraphs in relation to decision-making on proposals within the Green Belt and specifically the introduction of proposed paragraph 152. This, when coupled with the proposed significantly increasing housing requirements, is likely to place many authorities in the position where any 'reg belt' land, however this is ultimately defined, is appropriate development where an authority finds itself without a five-year housing land supply - which as set out within the consultation document is anticipated to be the case for many authorities.

The unintended consequences of such an approach could lead to significant degradation of the Green Belt across the country. This will significantly undermine the plan-lead approach and public confidence within the planning system.

Additionally, the insertion of criteria b within paragraph 152 which states that development where ""there is a demonstrable need for land to be released for development of local, regional or national importance"" is incredibly open ended and vague.

This could be interpreted that any homes which meet the national desire to deliver 300,000 homes a year could be appropriate development within the Green Belt. It is contended that this addition to the exceptions to inappropriate development could have significant unintended consequences and be open to interpretation at appeal.

Question 31: Do you have any comments on our proposals to allow the release of Grey Belt land to meet commercial and other development needs through plan-making and decision-making, including the triggers for release?

See comments in relation to questions 28, 29 and 30 which set out the council's view in respect of this question.

Question 32: Do you have views on whether the approach to the release of Green Belt through plan and decision-making should apply to traveller sites, including the sequential test for land release and the definition of PDL?

The approach to any potential release of land from the Green Belt to meet gypsy and traveller needs should be consistent with the approach taken for any Green Belt release.

Question 33: Do you have views on how the assessment of need for traveller sites should be approached, in order to determine whether a local planning authority should undertake a Green Belt review?

The assessment of need should not be constrained by whether sufficient sites are likely to be available or whether such sites may be located within the Green Belt. The local plan should be supported by an appropriate evidence base which identifies the need to be planned for.

It is then for the plan itself, along with evidence on land availability to determine whether sufficient deliverable sites exist to meet need.

Question 34: Do you agree with our proposed approach to the affordable housing tenure mix?

No comment.

Question 35: Should the 50 per cent target apply to all Green Belt areas (including previously developed land in the Green Belt), or should the Government or local planning authorities be able to set lower targets in low land value areas?

No comment.

Question 36: Do you agree with the proposed approach to securing benefits for nature and public access to green space where Green Belt release occurs?

No comment.

Question 37: Do you agree that Government should set indicative benchmark land values for land released from or developed in the Green Belt, to inform local planning authority policy development?

No comment.

Question 38: How and at what level should Government set benchmark land values?

No comment.

Question 39: To support the delivery of the golden rules, the Government is exploring a reduction in the scope of viability negotiation by setting out that such negotiation should not occur when land will transact above the benchmark land value. Do you have any views on this approach?

No comment.

Question 40: It is proposed that where development is policy compliant, additional contributions for affordable housing should not be sought. Do you have any views on this approach?

No comment.

Question 41: Do you agree that where viability negotiations do occur, and contributions below the level set in policy are agreed, development should be subject to late-stage viability reviews, to assess whether further contributions are required? What support would local planning authorities require to use these effectively?

No comment.

Question 42: Do you have a view on how golden rules might apply to non-residential development, including commercial development, travellers sites and types of development already considered 'not inappropriate' in the Green Belt?

No comment.

Question 43: Do you have a view on whether the golden rules should apply only to 'new' Green Belt release, which occurs following these changes to the NPPF? Are there other transitional arrangements we should consider, including, for example, draft plans at the regulation 19 stage?

No comment.

Question 44: Do you have any comments on the proposed wording for the NPPF (Annex 4)?

No comment.

Question 45: Do you have any comments on the proposed approach set out in paragraphs 31 and 32?

No comment.

Question 46: Do you have any other suggestions relating to the proposals in this chapter?

No comment.

Question 47: Do you agree with setting the expectation that local planning authorities should consider the particular needs of those who require Social Rent when undertaking needs assessments and setting policies on affordable housing requirements?

Yes.

This district has increasing demand on the housing register for social rented properties, the housing register has increased in numbers by 30% in the last 2 years. One of the factors is that the market rents are significantly higher than other authorities, making it difficult for those people to move into the private sector or afford a home at an affordable rent. It's important that social housing is actually affordable to those most in need.

Question 48: Do you agree with removing the requirement to deliver 10% of housing on major sites as affordable home ownership?

No.

Affordable home ownership for the district is imperative. Market values are high in the district and the offer of shared ownership or low-cost home ownership options are the only chance of some residents being able to own their home. By removing a minimum percentage of delivery onsite there is no encouragement for developers to deliver this product and this could affect meeting the local need.

Question 49: Do you agree with removing the minimum 25% First Homes requirement?

Yes.

Overall, in agreement. Lichfield has a need for shared ownership more so than any other form of home ownership option. It is always good to have the option of other types of home ownership and it should be considered whether removal of the min 25% First Home provision will limit options for those in high open market value areas.

Question 50: Do you have any other comments on retaining the option to deliver First Homes, including through exception sites?

Exception sites are potentially where the First Homes are needed most. Usually the rural/village areas where the existing properties are large and of high value with no entry level properties for those choosing to stay where they have grown up.

Question 51: Do you agree with introducing a policy to promote developments that have a mix of tenures and types?

Yes. Agree. This compliments our current policies.

Question 52: What would be the most appropriate way to promote high percentage Social Rent/affordable housing developments?

Early discussions with site promoters/developers and the LPA. Collaborative planning involving the community in the design which would encourage acceptance, including marketing campaigns brochures and success stories, partnership networks with developers who have built well designed affordable housing and build new relationships with those that have not. Funding incentives.

Question 53: What safeguards would be required to ensure that there are not unintended consequences? For example, is there a maximum site size where development of this nature is appropriate?

Unsure about the unintended consequences. A maximum size is difficult to apply as it depends on the location and housing need.

Question 54: What measures should we consider to better support and increase rural affordable housing?

Encourage the reuse of underused buildings, schools, churches and buildings that could be converted to affordable housing units. Support non-profit housing associations with financing options to acquire the land for development of AH.

Encourage Ministry of Defence to utilise land that is not used. Incentivise bringing back into use long term empty homes for conversion into affordable homes.

Question 55: Do you agree with the changes proposed to paragraph 63 of the existing NPPF?

Yes.

Question 56: Do you agree with these changes?

Yes. Our policy currently states this requirement.

Question 57: Do you have views on whether the definition of 'affordable housing for rent' in the Framework glossary should be amended? If so, what changes would you recommend?

Rents calculated using a living rent model should also be considered for inclusion in conditions section of this paragraph.

Question 58: Do you have views on why insufficient small sites are being allocated, and on ways in which the small site policy in the NPPF should be strengthened?

N/A

Question 59: Do you agree with the proposals to retain references to well-designed buildings and places, but remove references to 'beauty' and 'beautiful' and to amend paragraph 138 of the existing Framework?

No. Whilst there is no definition for beauty or beautiful the nature of design and development is that this is subjective. The rewording of paragraph 138 which gives further clarity for the role of the National Model Design Code is supported.

Question 60: Do you agree with proposed changes to policy for upwards extensions?

No.

Reference of mansard roofs as an example is supported as it is a clear example of appropriate upward extensions; however other appropriate forms of upward extension should also be referenced so that mansard roofs are not considered the only option available; as in some instances it will not be. Proposals to remove reference to height are not supported, as height should always be a key consideration when assessing extensions.

Question 61: Do you have any other suggestions relating to the proposals in this chapter?

No.

Question 62: Do you agree with the changes proposed to paragraphs 86 b) and 87 of the existing NPPF?

Yes.

Increased emphasis on modernising the economy is appropriate, and the additional detail and examples are welcomed. It is acknowledged that across the country that we need to diversify and modernise our economy to compete with the modern, competitive and globalised world economy.

Question 63: Are there other sectors you think need particular support via these changes? What are they and why?

Yes.

Not a sector specifically, but it is important to raise awareness of national grid capacity constraints and the importance of increasing grid capacity to support these modern industries and further enable renewable energy.

Question 64: 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?

Yes.

We would have no objection to this. Data centres, gigafactories and laboratories would usually be of substantial size and have significant economic impact.

Nevertheless, it is important that the local planning authority and local highway authority have significant influence on these schemes.

Question 65: If the direction power is extended to these developments, should it be limited by scale, and what would be an appropriate scale if so?

It is important for local planning authorities to have a say regardless of scale and size. We do not have views about specific appropriate scale limits.

Question 66: Do you have any other suggestions relating to the proposals in this chapter?

No.

Question 67: Do you agree with the changes proposed to paragraph 100 of the existing NPPF?

Yes.

The delivery of infrastructure is important to our communities as it provides the essential services and facilities that are required to meet their day-to-day needs. Development will put pressure on existing infrastructure; therefore, where development occurs, developers are expected to provide appropriate infrastructure to sufficiently support development and deliver for the needs of future and existing residents.

Within Lichfield District, and commonplace across the country, residents feel that insufficient infrastructure has been delivered alongside development and that existing infrastructure is not able to cope with our changing population.

As such, we agree that significant weight should be placed on the importance of infrastructure, so that additional, improved and modernised infrastructure is delivered alongside development. Further context and clarity on the extent of the weighting would be useful.

Question 68: Do you agree with the changes proposed to paragraph 99 of the existing NPPF?

Yes.

It is important that education provision for all years is available; specific wording for early years and post 16 provision is supported.

Question 69: Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?

Yes. Overall agreed, but a fine balance needs to be met.

A vision-led approach to transport planning will give scope for integrating and promoting sustainable transport opportunities within developments, at an earlier stage of the planning process. It is hoped that the shift away from predict and provide, which is often based on highway models with historic data, will push developments to be more sustainable and support proactive place making to influence developments to design in elements to promote mode shift away from the car.

A key balance that needs to be considered is that highway capacity and improvements will always be an essential part of development; and therefore, it is critical that highway impact remains an important part of the planning process. Further explanation and detail on the 'vision-led' approach would be beneficial for both developer and local authority clarity.

Question 70: How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity?

Chapter 8 doesn't include specific reference to children, therefore reference and emphasis on the importance of creating spaces for children to play, such as play areas and parks, would be beneficial. Chapter 8 could also have reference to supporting and encouraging exercise.

It is noted that the planning system has a role to play in promoting healthy communities and tackling obesity, but there are various other sectors that must also contribute to this. Nevertheless, further mention of weighting of the provision of shared spaces and community facilities in developments may increase emphasis of delivery of open space, parks, sports pitches and play areas.

Question 71: Do you have any other suggestions relating to the proposals in this chapter?

Generally, agree with the proposed changes to chapter 8, there is an added emphasis and importance on infrastructure which should support the provision of new and improved infrastructure to meet community needs. In terms of transport, it is noted that the new NPPF promotes vision-led approaches; but also sets out that cumulative impact on the highway network should be tested 'in all scenarios'.

It is noted that both changes potentially require further analysis within the transport planning sector and may add to ambiguity, therefore clearer wording and explanation would be beneficial.

Question 72: Do you agree that large onshore wind projects should be reintegrated into the s NSIP regime?

Yes.

With weighted consideration for the continued full preservation of protected habitats during the NSIP application process.

Question 73: Do you agree with the proposed changes to the NPPF to give greater support to renewable and low carbon energy?

Yes.

The proposed greater consideration for renewable and low carbon energy will be beneficial if it's not at the expense of valuable habitats.

Question 74: Some habitats, such as those containing peat soils, might be considered unsuitable for renewable energy development due to their role in carbon sequestration. Should there be additional protections for such habitats and/or compensatory mechanisms put in place?

Current protections for peatlands maintained and possible offsetting mechanism introduced to enhance ongoing restoration efforts.

Question 75: Do you agree that the threshold at which onshore wind projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50 megawatts (MW) to 100MW?

Yes. Will help to streamline development of renewable energy but not at significant expense of valuable habitats.

Question 76: Do you agree that the threshold at which solar projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50MW to 150MW?

Yes. Will help to streamline development of renewable energy but not at significant expense of valuable habitats. May result in solar projects continuing to undersize capacity just at the higher threshold to avoid costs and utilise local Town and Country Planning System.

Question 77: If you think that alternative thresholds should apply to onshore wind and/or solar, what would these be?

No further suggestions.

Question 78: In what specific, deliverable ways could national planning policy do more to address climate change mitigation and adaptation?

Encouraging the production of positive strategies to help enhance climate resilience (carbon sequestration) and support biodiversity through the management and restoration of protected habitats and woodlands.

Question 79: What is your view of the current state of technological readiness and availability of tools for accurate carbon accounting in plan-making and planning decisions, and what are the challenges to increasing its use?

Too few methods to quantitatively measure the contribution of planning to climate change. Could use a tool to compare the increase or decrease of CO2e in new developments across differing time scales to assess impact on emissions and related goals.

It is important to note that there is a lack of experience in this area in Local Authorities in terms of staff, which will impact what the government will want to achieve on this.

Question 80: Are any changes needed to policy for managing flood risk to improve its effectiveness?

Imposing more effective drainage systems and nature-based solutions to new development application conditions, especially in areas where there is known recurrent severe flooding.

Question 81: Do you have any other comments on actions that can be taken through planning to address climate change?

Adding a nature reserve/protected habitat element to heritage assets which encourages the protection of 'natural heritage' (native species/protected species) as well as historical heritage.

This would be done where appropriate in a way which enhances conservation status both for historical and environmental purposes without infringing on either's amenity value.

Question 82: Do you agree with removal of this text from the footnote?

Yes.

Question 83: Are there other ways in which we can ensure that development supports and does not compromise food production?

Any BMV land lost to development to be offset by sustained medium-long term efforts elsewhere to improve soil quality in ALC grades 4 to level 3.

Also, promoting creation of allotments in home gardens to reduce strain on farmers to produce food.

Question 84: Do you agree that we should improve the current water infrastructure provisions in the Planning Act 2008, and do you have specific suggestions for how best to do this?

Yes, improving access of sustainable, clean water for all is a priority.

Question 85: Are there other areas of the water infrastructure provisions that could be improved? If so, can you explain what those are, including your proposed changes?

Fresh and desalinated water to be prioritised as sources of drinkable water. If recycled water is to be introduced into the drinking water supply, then it should make up a smaller percentage of the water supply than the other two water sources and possibly be used only as an emergency source during peak water supply issues following droughts.

Question 86: Do you have any other suggestions relating to the proposals in this chapter?

No further suggestions.

Question 87: Do you agree that we should we replace the existing intervention policy criteria with the revised criteria set out in this consultation?

Yes.

Agree that the proposed revised criteria for intervention decisions should consider local development needs as well as sub-regional, regional, and national development needs and plan progress. Agree that planning authorities should have the opportunity to present any exceptional circumstances related to intervention actions.

The policy should stipulate that councils are given a minimum period to submit evidence of exceptional circumstances. This will help prevent situations where the government could potentially take control of a plan at the last minute without allowing the council adequate time to provide evidence of exceptional circumstances.

Question 88: Alternatively, would you support us withdrawing the criteria and relying on the existing legal tests to underpin future use of intervention powers?

No. The above revised criteria provide additional clarity as to the circumstances where intervention might take place.

Question 89: Do you agree with the proposal to increase householder application fees to meet cost recovery?

Yes.

Completely agree with this approach. Planning fees for development have not met cost recovery for many years and authorities have struggled to maintain incomes and retain members of staff, including providing CPD as an essential part of staff development and career progression.

Any uplift in fees should recognise the need to fund plan-making, particularly as government is keen to stress the importance of the plan-led system. Alongside any increase to planning application fees, government should look to increase funding for authorities to carry out production of Local Plans. We would suggest that fees at this level are 100% increased.

Question 90: If no, do you support increasing the fee by a smaller amount (at a level less than full cost recovery) and if so, what should the fee increase be? For example, a 50% increase to the householder fee would increase the application fee from £258 to £387.

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

See above - recommend increase by 100%

Question 91: If we proceed to increase householder fees to meet cost recovery, we have estimated that to meet cost-recovery, the householder application fee should be increased to £528. Do you agree with this estimate?

Yes

No – it should be higher than £528

No – it should be lower than £528

no - there should be no fee increase

Don't know

Yes - agree as explained above.

Question 92: Are there any applications for which the current fee is inadequate? Please explain your reasons and provide evidence on what you consider the correct fee should be.

All fees need to be significantly increased and allowed to be increased annually as deemed appropriate. Listed Building consent should carry a significant fee also and not be free.

All household and small minor applications should be increased by 100% and majors by a minimum of 50% - proportionate to the scale of development being proposed and level of work required by officers to assess.

Question 93: Are there any application types for which fees are not currently charged but which should require a fee? Please explain your reasons and provide evidence on what you consider the correct fee should be.

Yes - as above - Listed Building applications. There is significant amount of work by specialists required to assess these applications and can be undervalued/not enough weight given to these, as applications - particularly as it is deemed a criminal offence to not comply with LB legislation. Fees should be at least 200% of the householder cost.

Question 94: 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.

Yes absolutely - but they should be able to ensure full cost recovery across the entire service to further support its services and get specialist advice as needed e.g., KC advice etc. and help provide training opportunities for officers and CPD.

Question 95: What would be your preferred model for localisation of planning fees?

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

<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>Local Variation.</p>
<p>Question 96: Do you consider that planning fees should be increased, beyond cost recovery, for planning applications services, to fund wider planning services?</p> <p>If yes, please explain what you consider an appropriate increase would be and whether this should apply to all applications or, for example, just applications for major development?</p>
<p>Yes - agree as explained above. It should be applied to all application and not just majors.</p>
<p>Question 97: What wider planning services, if any, other than planning applications (development management) services, do you consider could be paid for by planning fees?</p>
<p>To provide specialist advice - conservation, trees, ecology, legal and highway services, viability assessments, drainage/flooding etc.</p>
<p>Question 98: Do you consider that cost recovery for relevant services provided by local authorities in relation to applications for development consent orders under the Planning Act 2008, payable by applicants, should be introduced?</p>
<p>Yes, agree with the approach.</p>
<p>Question 99: If yes, please explain any particular issues that the Government may want to consider, in particular which local planning authorities should be able to recover costs and the relevant services which they should be able to recover costs for, and whether host authorities should be able to waive fees where planning performance agreements are made.</p>
<p>N/A</p>
<p>Question 100: What limitations, if any, should be set in regulations or through guidance in relation to local authorities' ability to recover costs?</p>
<p>N/A</p>
<p>Question 101: Please provide any further information on the impacts of full or partial cost recovery are likely to be for local planning authorities and applicants. We would particularly welcome evidence of the costs associated with work undertaken by local authorities in relation to applications for development consent.</p>
<p>N/A</p>

Question 102: Do you have any other suggestions relating to the proposals in this chapter?

N/A

Question 103: Do you agree with the proposed transitional arrangements? Are there any alternatives you think we should consider?

No.

There are concerns regarding the transitional arrangements as currently proposed. The current drafting could force many authorities in the later stages of plan-making to redraft their plans. Furthermore, local plans that successfully pass-through examination would be required to start anew almost immediately.

This would place a substantial strain on an already overburdened and under-resourced local authority planning policy workforce. Such an approach could destabilise the plan-making system and diminish developer confidence, as it would create uncertainty around the future levels of development and potentially create a 'planning by appeal' situation for many councils.

Question 104: Do you agree with the proposed transitional arrangements?

See above.

Question 105: Do you have any other suggestions relating to the proposals in this chapter?

No.

Question 106: Do you have any views on the impacts of the above proposals for you, or the group or business you represent and on anyone with a relevant protected characteristic? If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how. Is there anything that could be done to mitigate any impact identified?

N/A