



INSTITUTE OF HISTORIC BUILDING CONSERVATION

NATIONAL PLANNING POLICY FRAMEWORK: PROPOSED REFORMS AND OTHER CHANGES TO THE PLANNING SYSTEM CONSULTATION RESPONSE

The Institute of Historic Building Conservation (IHBC)¹ is the professional body of the United Kingdom representing conservation specialists and historic environment practitioners in the public and private sectors. The Institute exists to establish the highest standards of conservation practice, to support the effective protection and enhancement of the historic environment, and to promote heritage-led regeneration and access to the historic environment for all. We are very pleased to have the chance to offer comments on the National Planning Policy Framework: proposed reforms and other changes to the planning system

1) Do you have any views on how statutory National Development Management Policies could be introduced in the most effective manner, should a future decision be made to progress these?

National level centralised policy-making often results in a failure to account for locally-specific circumstances. Top-down, national policies frequently lack the specific detail required for effective local implementation. Such policies should not subvert the primacy of the development plan.

2) Do you agree with the new format and structure of the draft Framework which comprises separate plan-making policies and national decision-making policies?

Partly agree

Please provide your reasons, particularly if you disagree.

¹<https://ihbc.org.uk>

We support the clearer structure with distinct policies for plan-making and decision making.

However, the increased weight given to national policies is of concern. These are not statutory DM policies, as was originally suggested, but they do appear to have increased weight. This is quite pronounced centralisation, so takes less account of locally-specific factors.

There is no need to term some policies “national development management policies” as all the policies in the NPPF are national policies – the term adds unnecessary confusion and implies greater weight and centralised control. National level centralised policy-making often results in a failure to account for locally-specific circumstances. Top-down, national policies frequently lack the specific detail required for effective local implementation.

3) Do you agree with the proposed set of annexes to be incorporated into the draft Framework?

Partly disagree

a) Please provide your reasons, particularly if you disagree.

We support the move to include a definition of ‘substantial harm’ (if the concept is to be retained) but including this within the text of the NPPF and not in the glossary makes it unclear if this is intended as a definitive definition or an accident of drafting. This proposed definition allows for situations where development would seriously affect a key element of the asset’s significance and does not equate substantial harm to the total loss of significance.

The NPPF should include a firm definition of ‘public benefits’ in the Glossary. If harm can be justified by ‘public benefit’ it is important it should be clear what this is.

The inclusion of the PPG’s clarification of substantial harm in Policy HE5.2c would be better included in the Glossary.

The policy on World Heritage Sites brings policy into line with the international requirements but maintains a confusing straddling of significance and Outstanding Universal Value. A cross-reference between the Glossary entries for Significance and Outstanding Universal Value would be helpful.

The definition of “sustainable” development should include the fourth pillar “Cultural”²

4) Do you agree with incorporating Planning Policy for Traveller Sites within the draft Framework?

² “From Retrofit to Regeneration” p7, <https://stbauk.org/wp-content/uploads/2021/11/From-Retrofit-to-Regeneration-2021-STBA.pdf>

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

5) Do you agree with the proposed approach to simplifying the terminology in the Framework where weight is intended to be applied?

Partly disagree

a) Please provide your reasons, particularly if you disagree

The amended wording should not result in a change in the weighting to be applied. 'Great weight' (which it is proposed to substitute with "substantial weight") is currently understood to be the greatest weight and to equate to the statutory duty to have "special regard". Consequently, the use of substantial weight to policy areas such as housing, economy, climate change, town centre benefits, etc would equate to and countervail the weight that needs to be given to the statutory duty. This would be wrong as a statutory duty is a higher obligation than mere compliance with a policy. The draft NPPF would give no "special regard" where the statutory duties are engaged. The proposed new terminology would, in effect, neutralise the statutory duties.

If a tiered approach is taken then guidance should be provided on how they are to be weighed against each other. It would not be appropriate to treat a small amount of public benefit and a very large benefit in the same way. The balance of public benefit is unclear and this is further confused by the very poor example of a public benefit used in the heritage chapter.

6) Do you agree with the role, purpose and content of spatial development strategies set out in policy PM1?

Partly disagree

a) Please provide your reasons, particularly if you disagree.

The NPPF focuses on housing delivery and growth, but it may actually increase the housing land supply, including in areas where there is already a viability gap. In some declining historic towns building new housing close to historic town centres and increasing the increased population catchment and vitality is one of the key positive approaches to regeneration. In some areas an increase in the supply of land is an essential tool but in existing marginal areas increasing this land supply can widen the viability gap. Over supply of land creates market uncertainty. The NPPF is has a

strong southeast bias and does not address the specific needs in many parts of the country, such as coastal and industrial towns and areas of deprivation.

7) Do you agree that alterations should be made to spatial development strategies at least every 5 years to reflect any changes to housing requirements for the local planning authorities in the strategy area?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) If not, do you think there should be a different approach, for example, that alterations should only be made to spatial development strategies every five years where there are significant changes to housing need in the strategy area?

No response

8) If spatial development strategies are not altered every five years, should related policy on the requirements used in five year housing land supply and housing delivery test policies, set out in Annex D of the draft Framework, be updated to allow housing requirement figures from spatial development strategies to continue to be applied after 5 years, so long as there has not been a significant change in that area's local housing need?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

9) Do you agree with the role, purpose and content of local plans set out in policy PM2?

Partly agree

a) Please provide your reasons, particularly if you disagree.

We support the principle of introducing a 30-month, streamlined, and digital-first process to speed up plan-making and achieve full coverage. However, this ambition is heavily challenged by the current capacity of local planning authorities, without significant investment in resourcing and skills in local planning teams and supporting expertise including conservation services.

PM2.1C could include an acknowledgement that conservation and enhancement of the historic environment is a driver of growth, place-shaping and improving local areas.

10) Do you think that local plans should cover a period of at least 15 years from the point of adoption of the plan? Yes/No

a) If not, do you think they should cover a period of at least 10 years, or a different period of time. Please explain why.

No response

11) Do you agree with the principles set out in policy PM6(1c), including its provisions for preventing duplication of national decision-making policies?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

12) Do you agree with the approach to initiating plan-making in PM7?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

13) Do you agree with the approach to the preparation of plan evidence set out in policy PM8?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

14) Do you agree with the approach to identifying land for development in PM9?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

15) Do you agree with the policies on maintaining and demonstrating cross-boundary cooperation set out in policy PM10 and policy PM11?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

16) Do you agree that policy PM12 increases certainty at plan-making stage regarding the contributions expected from development proposals?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

17) Do you agree that plans should set out the circumstances in which review mechanisms will be used, or should national policy set clearer expectations?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

18) Do you agree with policy PM13 on setting local standards, including the proposal to commence s.43 of the Deregulation Act 2015?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

19) Do you agree that the tests of soundness set out in policies PM14 and PM15 will allow for a proportionate assessment of spatial development strategies, local plans and minerals and waste plans at examination?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) If not, please explain how this could be improved to ensure a proportionate assessment, making it clear which type of plan you are commenting on?

No response

20) Do you have any specific comments on the content of the plan-making chapter which are not already captured by the other questions in this section?

No response

21) Do you agree with the principles set out in policy DM1?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

22) Do you agree with the policy DM2 on information requirements for planning applications?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

23) Do you have any views on whether such a policy could be better implemented through regulations?

No response

24) Do you agree with the principles set out in DM3?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

25) Do you agree that policy DM5 would prevent unnecessary negotiation of developer contributions, whilst also providing sufficient flexibility for development to proceed?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

26) Do you have any further comments on the likely impact of policy DM5: Development viability?

No response

27) Do you have any views on how the process of modifying planning obligations under S106A, where needed once a section 106 agreement has been entered into, could be improved?

a) If so, please provide views on specific changes that may improve the efficacy of S106A and the main obstacles that result in delay when seeking modification of planning obligations.

No response

28) Do you have any views on how the process of modifying planning obligations could be improved in advance of any legislative change, noting the government's commitment to boosting the supply of affordable housing.

a) If so, please provide views on the current use of s73 and, if any, the impact on affordable housing obligations.

No response

29) Do you agree with the approach for planning conditions and obligations set out in policy DM6, especially the use of model conditions and obligations?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

No response

30) Do you agree that policy DM7 clarifies the relationship between planning decisions and other regulatory regimes?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

31) Do you agree with the new intentional unauthorised development policy in policy DM8?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

32) Are there any specific types of harm arising from intentional unauthorised development, and any specific impacts from the proposed policy, which we should consider?

a) If so, are there any particular additions or mitigations which we should consider?

No response

33) Do you agree with the new Article 4 direction policy in policy DM10?

Partly disagree

a) Please provide your reasons, particularly if you disagree.

DM10 – the reasons for Article 4 Directions should include “to protect local list buildings” and “to protect the character and appearance of Conservation Areas”. Article 4 directions are a key tool for heritage protection especially in Conservation Areas and for Local Lists. Where a list is provided for the use of Article 4 directions for situations to protect local amenity or the wellbeing of the area there should be a specific mention of their use to protect conservation areas (from unsympathetic permitted development that would undermine the statutory duty in S.72 of the P[LB&CA] Act 1990. Likewise without Article 4 Directions in place Local lists will be ineffective offering no protection to those not in Conservation Areas and only limited protection to those within Conservation Areas.

34) Do you agree with the proposed approach to setting a spatial strategy in development plans?

Partly disagree

a) Please provide your reasons, particularly if you disagree.

We support the removal of the policy known as the 'tilted balance' which has resulted in poorly located housing development, sometimes harmful to heritage, and its replacement with more nuanced policies.

We welcome the shift in emphasis on positive solutions for reusing buildings. Promoting brownfield development is a welcome aim especially as historic buildings are brownfield, but the balance between preserving heritage on a site and capacity development of brownfield sites should be clarified. The statutory protection of sites should maintain precedence but for other heritage assets the decision-maker will be left to decide on the balance between development on brownfield and heritage considerations. A policy view on achieving this balance would be useful.

The government is proceeding with this NPPF without an appropriate level of analysis of the appeal system. If this were scientifically reviewed it should be possible to identify distinct trends which would provide a better basis for decision-making. The rush for growth and development of homes is set against evidence that planning applications are proceeding for housing but in practice only 1/3 are actually built³.

The NPPF is based on assumptions of high growth areas that the whole country has the same economic profile and takes no account of areas where poor viability is the main issue. The NPPF needs to address the needs of the whole country, including areas where attracting employment is the primary issue and should be worded to account for flexibility of regional circumstances and disparities of performance. Viability is a key issue missing throughout the document. Policy needs to work hard to address the viability challenges in some areas for both new-build development and building conversions. It is essential to understand the nature of the housing market. Multiple sites with planning permission for housing leads to stagnation, developers concerned over the possibility of market saturation lead to sites remaining undeveloped. Over supply of land creates market uncertainty.

The NPPF focuses on housing delivery and growth, but it may actually increase the housing land supply, including in areas where there is already a viability gap. In some areas, release of grey belt land is undermining regeneration of brownfield sites and building refurbishment in urban areas. In some declining historic towns building new housing close to historic town centres and increasing the increased population catchment and vitality is one of the key positive approaches to regeneration.

35) Do you agree with the proposed definition of settlements in the glossary?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

³ <https://www.architectsjournal.co.uk/news/a-third-of-homes-granted-planning-permission-are-not-being-built>

a) Please provide your reasons, particularly if you disagree.

No response

36) Do you agree with the revised approach to the presumption in favour of sustainable development?

Partly disagree

a) Please provide your reasons, particularly if you disagree.

The new presumption in favour of sustainable development in settlements is based on too many assumptions and blanket generalisations. There are numerous other locally specific factors, including compatibility with existing land uses, historic areas, local economic conditions and implications for regeneration which should be considered. For urban areas, the presumption could lead to unsustainable development whilst rural areas and economies also need to diversify, so the differentiation (the presumption) in the policy is a false division.

The list of development which should be considered for approval outside settlements should include heritage sites and buildings and promote appropriate sensitive development which saves heritage (notably heritage development which conforms with policies in Chapter 20)

37) Do you agree to the proposed approach to development within settlements?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

38) Do you agree to the proposed approach to development outside settlements?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

39) Do you have any views on the specific categories of development which the policy would allow to take place outside settlements, and the associated criteria?

Partly disagree

a) Please provide your reasons.

Policy S5 appears to give better protection to sites outside settlements and is welcomed, but the list of development which should be considered for approval

should include heritage sites and buildings and promote appropriate sensitive development which saves heritage (notably heritage development which conforms with policies in Chapter 20)

40) Do you agree with the proposed approach to development around stations, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12?

Partly disagree

The requirement for minimum residential densities near well-connected railway stations contains no specific caveats about heritage impacts especially to listed buildings and conservation areas or to their setting.

The Policy concentrates on development around railways stations but the importance of historic railway stations, conserving historic stations and protecting their setting should not be ignored when development around stations is considered.

Housing development should not be encouraged where land adjacent to stations might better be used to enhance the connectivity, facilities and access of the station.

a) Please provide your reasons, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers and other groups with protected characteristics.

No response

41) Do you agree that neighbourhood plans should contain allocations to meet their identified housing requirement in order to qualify for this policy?

Strongly agree, partly agree, neither agree or disagree, partly disagree, strongly disagree.

a) If not, please provide your reasons

No response

42) Do you agree with the approach to planning for climate change in policy CC1?

Partly agree

a) Please provide your reasons, particularly if you disagree.

With the removal of the term "optimum viable use" it is now explicit that the reuse of listed buildings and carbon reduction is of public benefit. If the reuse of buildings brings public benefit and carbon reduction this process would be encouraged for Listed Buildings by the removal or reduction of VAT for repairs which is a disincentive for the building reuse the NPPF seeks to achieve.

We suggest that Policy CC1 should specifically encourage mixed-use, walkable neighbourhoods

43) Do you agree with the approach to mitigating climate change through planning decisions in policy CC2?

Partly disagree

a) If not, what additional measures could be taken to ensure climate change mitigation is given appropriate consideration?

The section on climate change and embodied carbon now says that development proposals should 'take advantage of opportunities to re-use existing structures and materials' adding that 'substantial weight should be given to the benefits of improving the energy efficiency of existing buildings'. The section on effective use of land is particularly strong, stating that 'substantial weight should be given to the benefits where a development proposal would achieve [...] better use of vacant and under-utilised land and buildings (such as by bringing back into residential use empty homes and other suitable buildings; converting space above shops)'.

In HE6:3 The identification in paragraph 3 of "enabling energy efficiency and low carbon measures to be employed" in this context, as a public benefit to be weighed against any harm caused is inappropriate and, when considered in conjunction with the CC2: 2 proposal to give "substantial weight" to the benefits of improving energy efficiency of existing buildings", will introduce a situation where upgrading would be automatically acceptable, irrespective of whether the proposal is inappropriate in practical, building science, terms or of the measure or the level of harm caused. We agree that improving the energy efficiency of historic and traditional buildings can be an important public benefit but only if it is carried out in an appropriate and sensitive way. The recent National Audit Office report highlighted the serious harm that can be caused by inappropriate attempts to improve thermal efficiency, therefore it is essential that this 'benefit' is caveated.

Stronger guidance is needed on proportionality for minor works, adaptations for energy efficiency, and viability considerations, particularly in coastal conservation areas and older building stock. Heritage assets are a limited and finite resource, and their harm should not be outweighed to promote short term energy gains, but ultimately damaging changes.

The focus on previously developed/grey belt land does not acknowledge that some sites may not always be appropriate for housing. Redevelopment of previously developed land is now "not inappropriate" provided it does not cause "substantial harm" to openness. This can allow intensification and height increases on sites that were previously not permitted by the openness constraints.

The HE6 Proposals affecting designated heritage assets where "*enabling energy efficiency and low carbon heating measures*" could be difficult for a Local Authority to defend. Applications for solar panels, wind turbines, insulation inside and out etc. on Listed Buildings could be approved through the planning balance because their benefit outweighs the harm and this 'public benefit' should be caveated. The proposed wording appears to give too much weight to energy saving measures as 'important public benefits', without requiring a clear plan (eg compliance with the PAS, whole building approach appropriate to traditional construction, setting baselines and estimated carbon reductions). A much clearer framework for guiding these is needed if the measures are actually to result in public benefit. Without a whole building approach, using traditional materials, breathability of fabric they can have catastrophic unintended consequences, including increased net carbon emissions and increased energy bills, actually reducing the economic viability of historic buildings.

The climate change policies should place more emphasis on mixed-use, walkable neighbourhoods which includes many or most historic areas. Historic places often better cater for the needs of pedestrians and accommodate mixed uses and varied rental levels, essential to nurturing small businesses and encouraging innovation. CC2.1: Should include a specific policy to encourage mixed-use walkable neighbourhoods.

As the heritage chapter contains no caveat for refusal where significance is adversely affected there is concern that this gives primacy to the presumption of sustainable development.

44) Do you agree with the approach to climate change adaptation through planning decisions in policy CC3?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) What additional measures could be taken to ensure climate change adaptation is given appropriate consideration?

No response

45) Does the policy on wildfire adaptation clearly explain when such risks should be considered and how these risks should be mitigated?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons

No response

46) How should wildfire adaptation measures be integrated with wider principles for good design, and what additional guidance would be helpful?

No response

47) Do you have any other comments on actions that could be taken through national planning policy to address climate change?

No response

48) Do you agree the requirements for spatial development strategies and local plans in policy HO1 and policy HO2 are appropriate?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

49) Is further guidance required on assessing the needs of different groups, including older people, disabled people, and those who require social and affordable housing?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) If so, what elements should this guidance cover?

No response

50) Do you agree with the approach to incorporating relevant policies of Planning Policy for Traveller Sites within this chapter?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

51) Is further guidance needed on how authorities should assess the need for traveller sites and set requirement figures?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) If so, what are the key principles this guidance should establish?

No response

52) Do you agree the new Annex D to the draft Framework is sufficiently clear on how local planning authorities should set the appropriate buffer for their local plan 5-year housing land supply?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

53) Do you agree the new Annex D to the draft Framework is sufficiently clear on the wider procedural elements of 5-year housing land supply, the Housing Delivery Test and how they relate to decision-making?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

54) Do you agree the requirements to establish a 5 year supply of deliverable traveller sites and monitor delivery are sufficiently clear?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

55) Do you agree the plan-making requirements, for both local plans and spatial development strategies, in relation to large scale residential and mixed-use development are sufficiently clear?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

56) Do you agree our proposed changes to the definition of designated rural areas will better support rural social and affordable housing?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

No response

57) Do you agree with our proposals to ask authorities to set out the proportion of new housing that should be delivered to M4(2) and M4(3) standards?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

No response

58) Do you agree 40% of new housing delivered to M4(2) standards over the plan period is the right minimum proportion?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, and would you support an alternative minimum percentage requirement?

No response

59) Do you agree the proposals to support the needs of different groups, through requiring authorities to identify sites or set requirements for parts of allocated sites are proportionate?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

60) Do you agree with our proposals to ask authorities to set out requirements for a broader mix of tenures to be provided on sites of 150 homes or more?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons and indicate if an alternative site size threshold would be preferable?

No response

61) Do you agree with proposals for authorities to allocate land to accommodate 10% of the housing requirement on sites of between 1 and 2.5 hectares?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons

No response

62) Are any changes to policy H07 needed in order to ensure that substantial weight is given to meeting relevant needs

No response

63) Do you agree that proposals to add military affordable housing to the definition of affordable housing, and allow military housing to be delivered as part of affordable housing requirements, will successfully enable the provision of military homes?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

64) Do you agree flexibility relating to the size of market homes provided will better enable developments providing affordable housing?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

65) Would requiring a minimum proportion of social rent, unless otherwise specified in development plans, support the delivery of greater number of social rent homes?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) If so, what would be an appropriate minimum proportion and development size threshold taking into account development viability?

No response

66) Are changes to planning policy needed to ensure that affordable temporary accommodation, such as stepping stone housing, is appropriately supported, including flexibilities around space standards?

a) If so, what changes would be beneficial?

No response

67) Do you agree that applicants should have discretion to deliver social and affordable housing requirements via cash payments in lieu of on-site delivery on medium sites?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) If so, would it be desirable to limit the circumstances in which cash contributions in lieu of on-site delivery can be provided – for example, should it not be permitted on land released from the Green Belt where the Golden Rules apply? Please explain your answer.

b) If you do not believe applicants should have blanket discretion to discharge social and affordable housing requirements through commuted sums, do you think cash contributions in lieu of on-site delivery should be permitted in certain circumstances – for example where it could be evidenced that onsite delivery would prevent a scheme from being delivered? Please explain your answer

No response

68) What risks and benefits would you expect this policy to have? Please explain your answer. The government is particularly interested in views on the potential impact on SME housing delivery, overall housing delivery, land values, build out rates, overall social and affordable housing delivery, and Registered Providers (including SME providers).

No response

69) What guidance or wider changes would be needed to enable Local Planning Authorities to spend commuted sums more effectively and more quickly? Please explain your answer.

No response

70) Would further guidance be helpful in supporting authorities to calculate the appropriate value of cash contributions in lieu?
a) If so, what elements and principles should this guidance set out? Please explain your answer. For example, guidance could make clear that contributions in lieu should be an amount which is the equivalent value of providing affordable housing on site, based on a comparison of the Gross Development Value of the proposed scheme with the Gross Development Value of the scheme assuming affordable housing was provided onsite.

No response

71) Do you support proposals to enable off site delivery where affordable housing delivery can be optimised to produce better outcomes in terms of quality or quantity?
Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.
a) Please provide your reasons, particularly if you disagree.

No response

72) Do you agree the with the criteria set out regarding the locations of specialist housing for older people?
Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.
a) Please provide your reasons, particularly if you disagree.

No response

73) Do you agree with the criteria set out regarding the locations of community- based specialist accommodation, including changes to the glossary?
Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.
a) Please provide your reasons, particularly if you disagree.

No response

74) Do you agree with the criteria set out regarding the locations of purpose-built student accommodation and large-scale shared living accommodation, including changes to the glossary?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

75) Do you agree the proposals provide adequate additional support for rural exception sites?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, including what other changes may be needed to increase their uptake?

No response

76) Do you agree with proposals to remove First Homes exception sites as a discrete form of exception site?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

77) Do you agree proposals for a benchmark land value for rural exception sites will help to bring forward more rural affordable homes?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) If so, which approach and value as set out in the narrative for policy HO10 of the consultation document is the most beneficial for government to set out?

There is no question relating to HO11(c): We do not believe that conversion of redundant/disused listed rural buildings to dwellings is always the most appropriate use, as it can involve harmful change to the significance of such buildings.

78) Do you agree the proposals to set out requirements for traveller sites at policy HO12 adequately capture relevant aspects from Planning Policy for Traveller Sites, whilst ensuring fair treatment for traveller sites in the planning system?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

No response

79) Please provide your reasons, particularly if you disagree.

No response

- 80) Do you agree the proposals in policy HO13 will help to ensure development proposals are built out in a reasonable period?**
Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.
a) Please provide your reasons, particularly if you disagree.

No response

- 81) Do you agree the requirements to take a flexible approach to the consenting framework for large scale residential and mixed-use development is sufficient to ensure the opportunities of large scale development are supported?**
Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.
a) Please provide your reasons, particularly if you disagree.

No response

- 82) Are any more specific approaches or definitions needed to support the delivery of very large (super strategic) sites, including new towns? Yes, no**
a) Please provide your reason

No response

- 83) Do you agree with the proposed changes to the Housing Delivery Test rule book?**
Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.
a) Please provide your reasons, particularly if you disagree.

No response

- 84) Do you agree that more emphasis should be placed on relevant national strategies and the need for flexibility in planning for economic growth, as drafted in policy E1?**
Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.
a) Please provide your reasons, particularly if you disagree.

No response

- 85) Do you agree with the approach to meeting the need for business land and premises in policy E2?**
Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.
a) Please provide your reasons, particularly if you disagree.

No response

86) Do you agree with the proposed new decision-making policy supporting freight and logistics development in policy E3?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

87) Do you agree with the approach to rural business development in policy E4?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

88) Do you agree with the proposed changes to policy for planning for town centres?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

89) Do you agree with the approach to development in town centres in policy TC2?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) If not, please explain how you would achieve this aim differently?

No response

90) What impacts, if any, have you observed on the operation of planning policy for town centres since the introduction of Use class E?

No response

91) Do you believe the sequential test in policy TC3 should be retained?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

92) Do you agree with the approach to town centre impact assessments in policy TC4?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

93) Do you agree that the updated policies provide clearer and stronger support for the rollout of 5G and gigabit broadband?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

94) Do you agree the requirements for minimising visual impact and reusing existing structures are practical for applicants and local planning authorities?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

95) Do you agree the supporting information requirements are proportionate and sufficient without creating unnecessary burdens?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

96) Do you agree with the approach to planning for energy and water infrastructure in policy W1?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree, what alternative approach would you suggest?

No response

97) Do you agree with the amendments to current Framework policy on planning for renewable and low-carbon energy development and electricity network infrastructure in policy W2?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

98) Do you agree with the proposed approach to supporting development for renewable and low carbon development and electricity network infrastructure in policy W3?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree, and any changes you would make to improve the policy.

No response

99) Do you agree with the proposed approach to supporting development for water infrastructure in policy W4?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

100) Do you agree with the proposed prohibition on identifying new coal sites in policy M1, and to the removal of coal from the list of minerals of national and local importance?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

101) Do you agree with how policy M1 sets out how the development plan should consider oil and gas?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

102) Do you agree with the proposed addition of critical and growth minerals to the glossary definition of 'minerals of national and local importance'?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

103) Do you agree criteria b of policy M2 strikes the right balance between preventing minerals sterilisation and facilitating non minerals development?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

104) Do you agree policy M3 appropriately reflects the importance of critical and growth minerals?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

105) Do you agree with the exclusion of development involving onshore oil and gas extraction from policy M3?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

No response

106) Please provide your reasons, particularly if you disagree.

No response

107) Do you agree policy M4 sufficiently addresses the impacts of mineral development, noting that other national decision-making policies will also apply?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

No response

108) Please provide your reasons, particularly if you disagree.

No response

109) Do you agree with approach to coal, oil and gas in policy M5?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

110) Are there any other exceptional circumstances in which coal extraction should be permitted? Yes/No

No response

111) If yes, please outline the exceptional circumstances in which you think coal extraction should be permitted.

No response

112) Do you agree policy M6 strikes the right balance between preventing the sterilisation of minerals reserves and minerals-related activities, and facilitating non-minerals development?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

113) Does policy M6 provide sufficient clarity on the role of Minerals Consultation Areas?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

114) Do you agree policy L1 provides clear guidance on how Local Plans should be prepared to promote the efficient use of land?

Partly disagree

115) If not, what further guidance is needed?

The aim of densification is based on the assumptions of high-growth areas. In some areas, the land and property economy does not support higher densities.

Density is a crude tool, often at odds with good urban design and character. Historic existing road layouts and capacity does not always support densification and increased congestion can cause social, economic and environmental harm. Minimum density standards could be harmful to the character of some conservation areas.

Local character and distinctiveness is very important and densification can be at odds with the traditional character and distinctive grain of historic areas. The reuse of existing buildings can help increase density but other forms of development can damage historic character and lose urban green space. Increased density can overwhelm infrastructure, education and social services. High-quality design and expert advice is necessary with schemes to increase density to ensure new developments are compatible with the historic environment.

116) Do you agree policy L2 provides clear guidance on how development proposals should be assessed to ensure efficient use of land?

Partly disagree

a) Please provide your reasons, particularly if you disagree.

The use of airspace above existing residential and commercial premises should not be considered a substantial benefit and is potentially threatening to the settings of Listed Buildings and to the character and appearance of Conservation Areas.

117) Do you agree policy L2 identifies appropriate typologies of development to support intensification?

Partly disagree

a) If not, what typologies should be added or removed and why?

The use of airspace above existing residential and commercial premises should not be considered a substantial benefit and is potentially threatening to the settings of Listed Buildings and to the character and appearance of Conservation Areas.

118) Do you agree the high-level design principles provided in policy L2(d) appropriate for national policy?

Partly disagree

a) Please provide your reasons, particularly if you disagree.

The use of airspace above existing residential and commercial premises should not be considered a substantial benefit and is potentially threatening to the settings of Listed Buildings and to the character and appearance of Conservation Areas.

Infilling gaps in roofline is not suitable in all areas. Many historic areas have a varied roofline which is an integral part of the character of the area.

Density is a crude tool, often at odds with good urban design and character. Historic existing road layouts and capacity does not always support densification and increased congestion can cause social, economic and environmental harm. Local character and distinctiveness is very important and densification can be at odds with the traditional character and distinctive grain of historic areas.

119) Do you agree policy L2 (d)(i) achieves its intent to enable appropriate development that may differ from the existing street scene, particularly in cases such as corner plot redevelopment and upwards extensions.

Partly disagree

a) Please provide your reasons, particularly if you disagree.

The proposals raise particular concern in relation to the historic environment, where it can potentially damage historic and distinctive character in conservation areas or close to historic assets;

The use of airspace above existing residential and commercial premises should not be considered a substantial benefit and is potentially threatening to the settings of Listed Buildings and to the character and appearance of Conservation Areas.

Infilling gaps in roofline is not suitable in all areas. Many historic areas have a varied roofline which is an integral part of the character of the area.

Higher buildings on street corners are not always acceptable and should not be imposed without consideration of the individual context in each case.

Density is a crude tool, often at odds with good urban design and character. Historic existing road layouts and capacity does not always support densification and increased congestion can cause social, economic and environmental harm. Local character and distinctiveness is very important and densification can be at odds with the traditional character and distinctive grain of historic areas.

120) Do you agree with the proposed safeguards in policy L2 that allow development in residential curtilages?

Partly disagree

a) Please provide your reasons, particularly if you disagree.

121) Do you agree policy L3 provides clear guidance on achieving appropriate densities for residential and mixed-use schemes?

Partly disagree

a) If not, please explain how guidance could be clearer?

The requirement that development should contribute to an increase in the density of the area is potentially harmful to local character. Density is a crude tool, often at odds with good urban design and character. Historic existing road layouts and capacity does not always support densification and increased congestion can cause social, economic and environmental harm. Local character and distinctiveness is very important and densification can be at odds with the traditional character and distinctive grain of historic areas.

122) Do you agree with the minimum density requirements set out within policy L3?

Strongly disagree.

a) Please provide your reasons, particularly if you disagree.

The aim of densification is based on the assumptions of high-growth areas. In some areas, the land and property economy does not support higher densities.

Density is a crude tool, often at odds with good urban design and character. Historic existing road layouts and capacity does not always support densification and increased congestion can cause social, economic and environmental harm.

Local character and distinctiveness is very important and densification can be at odds with the traditional character and distinctive grain of historic areas. The reuse of existing buildings can help increase density but other forms of development can damage historic character and lose urban green space. Increased density can overwhelm infrastructure, education and social services. High-quality design and expert advice is necessary with schemes to increase density to ensure new developments are compatible with the historic environment. Policy L3(3) could be very harmful to listed railway stations and could nullify potential to improve stations with poor facilities.

b) Could these minimum density requirements lead to adverse impacts on Gypsies and Travellers and other groups with protected characteristics? Please provide your reasons, including any evidence

No response

123) Do you agree that using dwellings per hectare is an appropriate metric for setting minimum density requirements? Additionally, is our definition of 'net developable area' within the NPPF suitable for this policy?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

124) Do you agree with the proposed definition of a 'well-connected' station used to help set higher minimum density standards in targeted growth locations? In particular, are the parameters we're using for the number of Travel to Work Areas and service frequency appropriate for defining a 'well-connected' station?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons and preferred alternatives.

No response

125) Are there other types of location (such as urban core, or other types of public transport node) where minimum density standards should be set nationally?

Yes/No

a) If so, how should these locations be defined in a clear and unambiguous way and what should these density standards be?

No response

126) Should we define a specific range of residential densities for land around stations classified as 'well-connected'?

No response

127) If so, what should that range be, and which locations should it apply to?

No response

128) Do you agree policy L4 provides clear high-level guidance on good design for residential extensions?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

No response

129) Please provide your reasons, particularly if you disagree.

No response

130) Do you agree that policy GB1 provides appropriate criteria for establishing new Green Belts?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

No response

131) Please provide your reasons, particularly if you disagree.

No response

132) Do you agree policy GB2 gives sufficient detail on the expected roles spatial development strategies and local plans play in assessing Green belt land?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

133) Do you agree with proposals to better enable development opportunities around suitable stations to be brought forward?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

134) Do you agree the expectations set out in policy GB5 are appropriate and deliverable in Local Plans?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

No response

135) Please provide your reasons, particularly if you disagree.

No response

136) Do you agree policies GB6 and GB7 set out appropriate tests for considering development on Green Belt land?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

137) Do you agree policy GB7(1h) successfully targets appropriate development types and locations in the Green Belt, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

No response

138) Please provide your reasons, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers.

No response

139) Do you agree that site-specific viability assessment should be permitted on development proposals subject to the Golden Rules in these three circumstances?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

140) With regards to previously developed land, are there further changes to policy or guidance that could be made to help ensure site-specific viability assessments are used only for genuinely previously developed land, and not predominantly greenfield sites?

No response

141) Do you agree with setting an affordable housing 'floor' for schemes subject to the Golden Rules accompanied by a viability assessment subject to the terms set out?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

No response

142) Please explain your answer, including your view on the appropriate approach to setting a 'floor', and the right level for this?

No response

143) Do you agree with local planning authorities testing viability at the plan-making stage using a standardised Benchmark Land Values scenario of 10 times Existing Use Value for greenfield, Green Belt land?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please explain your answer.

No response

144) Do you have any other comments on the use of nationally standardised Benchmark Land Values for local planning authorities to test viability at the plan-making stage?

No response

145) Do you agree that proposed changes to the grey belt definition will improve the operability of the grey belt definition, without undermining the general protections given to other footnote 7 areas?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

The NPPF still has a metropolitan London-centric slant. It has a clear emphasis on high-growth areas and barely addresses areas where viability and lack of local economic opportunity are the key challenges. The barrier to housing in many areas is low income, so the challenge is creating local economic opportunity. Regeneration in such areas is barely addressed. The NPPF generally aims to address issue in high growth areas, whilst areas of deprivation and coastal towns are ignored. This is especially true for grey belts, which can undermine regeneration of existing urban areas.

146) Do you agree that policy DP1 provides sufficient clarity on how development plans should deliver high quality design and placemaking outcomes?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

147) Do you agree with the approach to design tools set out in policy DP2?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

148) Do you agree policy DP3 clearly set out principles for development proposals to respond to their context and create well-designed places?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

149) Do you agree with the proposed approach to using design review and other design processes in policy DP4?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) If not, what else would help secure better design and placemaking outcomes?

No response

150) Do you agree that policy TR1 will provide an effective basis for taking a vision-led approach and supporting sustainable transport through plan-making?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

151) Do you agree that policy TR2 strikes an appropriate balance between supporting maximum parking standards where they can deliver planning benefits, and requiring a degree of flexibility and consideration of business requirements in setting those standards?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

152) Do you agree with the changes proposed in policy TR3(1a), including the reference to proposals which could generate a significant amount of movement, and the proposed use of the Connectivity Tool?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

153) Do you agree that proposed policy TR4 provides a sufficient basis for the effective integration of transport considerations in creating well-designed places?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

154) Do you agree with policy TR5 as a basis for supporting the provision and retention of roadside facilities where there is an identified need?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

155) Do you agree that the amended wording proposed in policy TR6 provides a clearer basis for considering when transport assessments and travel plans will be required, and for considering impacts on the transport network?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

156) Do you agree the proposed text in policy TR7 provide an effective basis for assessing proposals for marine ports, airports and general aviation facilities?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

157) Do you agree with the additional policy on maintaining and improving rights of way proposed in policy TR8?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

158) Do you agree with the approach to planning for healthy communities in policy HC1, including the expectation that the development plan set local standards for different types of recreational land, drawing upon relevant national standards?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

159) Do you agree that Local Green Space should be 'close' to the community it serves?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

160) Do you agree that the proposed policies at HC3 and HC4 will support the provision of community facilities and public service infrastructure serving new development?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

161) Do you have any views on whether further clarity is required to improve the application of this policy, including the term 'fast food outlets', and the types of uses to which it applies?

HC6: Retention of key community facilities and public service infrastructure

No response

162) Do you agree with the proposed approach to retaining key community facilities and public service infrastructure in policy HC6?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

163) Do you agree with the approach taken to recreational facilities in policy HC7, including the addition of 'and/or' with reference to quantity and quality of replacement provision?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

164) Do you agree with the clarification that Local Green Space should not fall into areas regarded as grey belt or where Green Belt policy on previously developed land apply?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

165) Do you agree with policy P1 as a basis for identifying and addressing relevant risks when preparing plans?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

166) Are any additional tools or guidance needed to enable better decision- making on contaminated land?

No response

167) Do you agree with the criteria set out in proposed policy P3 as a basis for securing acceptable living conditions and managing pollution?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

168) Do you agree policy P4 makes sufficiently clear how decision-makers should apply the agent of change principle?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

169) Do you agree policy P5 provides sufficient basis for addressing possible malicious threats and other hazards when considering development proposals?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

170) Do you agree that substantial weight should be given to the benefits of development for defence and public protection purposes?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

171) Do you agree with the proposed changes set out in policy F3 to improve how Coastal Change Management Areas are identified and taken into account in development plans?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

172) Do you agree with the proposed clarifications to the sequential test set out in policy F5?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

173) Do you agree with the proposed approach to the exception test set out in policy F6?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree

No response

174) Do you agree with the proposed requirement in policy F8 for sustainable drainage systems to be designed in accordance with the National Standards?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

175) Do you agree with the proposed new policy to avoid the enclosure of watercourses, and encourage the de-culverting and re-naturalisation of river channels?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

176) Do you agree with the proposed changes to policy for managing development in areas affected by coastal change?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

177) The National Coastal Erosion Risk Map sets out where areas may be vulnerable to coastal change based on different scenarios. Do you have views on how these scenarios should be applied to ensure a proportionate approach in applying this policy?

No response

178) Do you agree with the proposed new additions to Table 2: Flood Risk Vulnerability Classifications?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Should any other forms of development should be added? Please give your reasoning and clearly identify which proposed or additional uses you are referring to.

No response

179) Do you agree that the proposed approach to planning for the natural environment in policy N1, including the proposed approach to biodiversity net gain, strikes the right balance between consistency, viability, deliverability, and supporting nature recovery?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

180) In what circumstances would it be reasonable to seek more than 10% biodiversity net gain on sites being allocated in the development plan, especially where this could support meeting biodiversity net gain obligations on other neighbouring sites in a particular area?

No response

181) Do you agree policy N2 sets sufficiently clear expectations for how development proposals should consider and enhance the existing natural characteristics of sites proposed for development?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree

No response

182) Do you agree the policy in Policy N4 provides a sufficiently clear basis for considering development proposals affecting protected landscapes and reflecting the statutory duties which apply to them?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, including how policy can be improved to ensure compliance.

No response

183) Do you agree policy N6 provides clarity on the treatment of internationally, nationally and locally recognised site within the planning system?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

184) Are there any further issues for planning policy that we need to consider as we take forward the implementation of Environmental Delivery Plans?

No response

185) Do you agree the government should implement the additional regard duties under Section 102 of the Levelling-Up and Regeneration Act?

Strongly agree

a) Please provide your reasons.

The Government has previously decided that the other designated assets should benefit from "special regard", so these statutory duties should be implemented. However, it should include special regard for the 'conservation' of these assets not 'preservation' as the Levelling-Up and Regeneration Act states. Although the term preservation was included in recent legislation we disagree with the use of the word 'preservation' rather than conservation. 'Preservation' is an outdated approach, as good practice has moved away from a presumption against change, to 'conservation', which is defined in the current NPPF as "the process of... managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance". Conservation is not merely freezing a building in time, but an active process of maintenance that allows for modifications to meet modern needs. Ensuring a heritage asset remains in active use is the best way to prevent neglect and decay. Change should be managed based on an understanding of what makes

the asset significant, ensuring that, where appropriate, the asset is enhanced. The word enhance is used repeatedly in the document but does not appear properly focused on the enhancement of heritage by revealing significance.

186) Do you have any evidence as to the impact of implementing the additional regard duties for development?

The Government has previously decided that the other designated assets should benefit from "special regard", so these statutory duties should be implemented and the level of protection the government has already decided should be introduced.

187) Do you agree with the approach to plan-making for the historic environment, including the specific requirements for World Heritage Sites and Conservation Areas, set out in policies HE1 – HE3?

Partly disagree

a) Please provide your reasons, particularly if you disagree.

We believe that HE1 contains some good advice on the approach to design. However, there is a danger in over-reliance on design codes, which cannot provide sufficient guidance for all situations. Design codes should be backed up by materials schedules, so that the new housing will look appropriate for its setting and ensure it will weather properly over time.

The encouragement in HE1d to draw up local lists is not enough in itself. Currently there is not enough resources or capacity in local government for the production of local lists and no consistent approach has been drafted to guide the designation of local assets.

The policy on World Heritage Sites brings policy into line with the international requirements but maintains a confusing straddling of significance and Outstanding Universal Value. It would be helpful to make it clear that the buffer zone is a part of the setting. A cross-reference between the Glossary entries for Significance and Outstanding Universal Value would be helpful.

The Institute welcomes specific policies on Conservation Areas at HE2. The policy requires new or amended designations to be accompanied by an adopted appraisal and management plan but all conservation areas should have a management plan and local authorities should be adequately resourced to produce them.

The introduction of conservation area appraisals and management plans need not be heavily onerous. Historic England's current advice note on Conservation Area Appraisal, Designation and Management (2019) encourages a relatively light touch approach to the producing of these documents. Paragraph 21 states 'Carrying out the

appraisal need not be an overly long or costly task. The objective is to understand and articulate exactly why the area is special and what elements within the area contribute to this special quality and which do not, conveying this succinctly and in plain English, accessible to all users.' Paragraph 19 states 'Management plans may be set out as part of the appraisal but, where development pressures are more intense, are better set out separately.' Paragraph 22 states 'With scarce resources it may be better to be flexible in carrying out a greater number of appraisals in a combined document rather than in exhaustive detail for one conservation area'.

Whilst Historic Environment Records can inform the creation of local lists, HE3.1 should make it clear that inclusion in a Historic Environment Record (HER) does not automatically define the building or site as a non-designated heritage asset. There is wide variation across the country in the nature and usefulness of HERS.

188) Do you agree with the approach to assessing the effects of development on heritage assets set out in policy HE5?

Partly disagree

a) Please provide your reasons, particularly if you disagree.

The distinction between substantial and less than substantial harm has not in general been helpful in heritage decision making. Heritage policy should simply refer to "harm", fitting better with how UNESCO sees it as simply harm⁴ and experts should assess the degree of harm in any case.

Whilst the removal of 'less than substantial harm' is welcomed and will possibly be straightforward in assessment, there will be little practical change in how levels of harm are assessed as the separate distinctions in levels of harm are, in effect, retained. The distinction between 'total loss of significance' and 'substantial harm' would be confusing, as total demolition inherently constitutes substantial harm, and could be treated in the same way.

Notwithstanding the Institute's opinion on suggesting the removal of substantial harm, if this concept is retained including this within the text of the NPPF and not in the glossary makes it unclear if this is intended as a definitive definition or an accident of drafting. This proposed definition allows for situations where development would seriously affect a key element of the asset's significance and does not equate substantial harm to the total loss of significance. We welcome the shift away from the 2013 Bedford judgement⁵, which supported substantial harm as a high test that may not arise in many cases and along with the PPG 2014 definition equated substantial harm with near total loss of significance.

⁴ For WHS The ICOMOS Guidance and toolkit for impact assessments in a World Heritage context which was developed by ICOMOS in conjunction with ICCROM and the IUCN as a World heritage Resource manual is the appropriate standard to be applied.
https://publ.icomos.org/publicomos/ilbSai?html=Bur&base=technica&ref=43383&file=2032.pdf&path=impact_assessment_22_v14.pdf

⁵ Bedford BC v SSCLG 2013

However, it is not clear if the threshold for substantial harm is intended to be changed.

If the substantial harm concept remains it should be much clearer on what constitutes a key element of the asset's significance. It is not clear in HE5.2c what constitutes a key element and could be taken to mean part of a building. Nor is it clear what would constitute a key element of a large area-based asset, such as a conservation area or RPG.

Heritage policy should include a general presumption against the demolition of heritage assets to sit alongside the general presumption in favour of development introduced elsewhere.

As the term "great weight" is being lost, NPPF policy needs to recognise the "considerable importance and weight" that needs to be given to harm to assets that are subject to the statutory duty to have special regard, in order to stand above the "substantial weight" being applied elsewhere in the NPPF.

The reason for the long-term confusion and re-occurring legal challenges remains as the terminology still relates to the wording in a long-abandoned heritage act. It refers to significance including setting, whereas the legislation refers to special interest and setting. This is now a very ambiguous and ill-defined term, with differing interpretations by the courts and the Planning Inspectorate and including by those using the Conservation Principles⁶ document, which only partly reflects the legislation.

Some Local Planning Authorities have got into maladministration difficulties by focusing on guidance rather than the actual legislation. The wording in the NPPF should reflect the legislation. Otherwise, the confusion and legal challenges are likely to continue.

The Barnwell Manor⁷ judgement has provided clear direction that addressing harm to an irreplaceable asset should be given great weight. The footnote should reflect this level.

We support the requirement for applicants to assess significance and to assess the impact of proposals on that significance. This can lead to better informed proposals and fewer delays. It is positive that confirmation is given that it is the effect on an asset's significance which should be considered in assessing impacts on significance and not the scale of the development. The level of analysis required should be

⁶ <https://historicengland.org.uk/images-books/publications/conservation-principles-sustainable-management-historic-environment/conservationprinciplespoliciesandguidanceapril08web/>

⁷ https://assets.publishing.service.gov.uk/media/66012fd065ca2f67417da732/2_Barnwell_Manor_Wind_Energy_Ltd_v__1__East_Northamptonshire_DC__Others__2014__EWCA_Civ_137.pdf

proportionate to the asset's importance and the potential impact of the proposal. It seems clear that the scale of the proposed development is not relevant, only the effect on heritage significance. The formal introduction of the requirement for applicants to assess any harm resulting from their development themselves is welcomed as it was previously only implied. However, the paragraph 208. With its requirement or opportunity for Local Planning Authorities to make their own assessments and 'avoid or minimise any conflict' is an important provision which should be retained.

The current requirement for assessments of significance to be included with applications has been extended to include a requirement for applicants to include assessments of the impacts of proposals on the significance of heritage assets. The policy requires that the assessment includes consideration of whether there would be a positive effect, have no effect on significance or result in harm to the significance of the heritage asset and to what degree.

All assessments of significance should not take existing designations as a starting point, but should consider the asset on its own merit against prevailing designation criteria (which should include local criteria if they exist). This would indirectly require specialist advice and expertise, since it would be hard to make such an assessment without these, and it would also reduce risk on sites by bringing proper assessment in earlier in the process. It is usually not the applicants themselves assessing the levels of harm and significance but experts working on their behalf, this encourages an applicant to consider the understanding of significance in the wider context of a staged approach to decision making. While it is the LPA that assesses the impact of a proposal, a good statement encourages an applicant to engage with the process. A statement of Heritage Significance therefore allows a design and access statement to more effectively explain and justify the design decisions taken in the preparation of a development proposal.

A requirement for an assessment to state who has actually authored it and what their competence, qualifications and experience are to do so would also be a very simple quality-control mechanism.

However the requirement for conservation expertise in decision-making has been removed. The essential contribution of professional specialist advice to good historic environment decision-making should not be underestimated. The wording of section 208 ("Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal.....taking account of the available evidence and any necessary expertise.") has been removed. It now has a vague replacement statement in HE5 (4) that "Decision makers should be satisfied that this assessment accurately reflects the effects on heritage assets caused by the proposals." This omits any requirement for proper specialist advice. This omission could be remedied by adding something similar to the previous policy ('taking

account of the available evidence and any necessary expertise’) to the proposed policy “HE5 (4) Decision makers should be satisfied that this assessment accurately reflects the effects on heritage assets caused by the proposals [taking account of the available evidence and any necessary expertise].⁸

Without a strong requirement to take expert advice role it is not clear how the local authority will be able to decide on the quality and robustness of the assessment. It is possible that local authorities might seize on this assessment being made outwith the local authority to avoid engaging appropriate advice to assess the impact. It is crucial that Local Authorities have sufficient conservation skills available, conservation functions within Local Authorities are adequately resourced, and that this provision is consistent countrywide.

It is important to establish whether there are enough Local Authority staff with appropriate training and skills to regulate and process adequately the impact of interventions to historic building stock. In 2020⁹ 6% of Local Authorities had no access to conservation advice and many others had limited part time access to advice. This lack of advice exposes the nation’s heritage to the real risk of harm. Whilst cost reduction, speed and deregulation might be the aim of policy it is not the exercise of expert heritage consideration which slows the system but rather the lack of access to expertise which is what is in fact slowing decision making. The loss of 48.7% of conservation provision across England since 2009 can only have had a devastating effect on local authorities and some may be no longer even able to carry out even their statutory conservation duties. The planning system does not have access to sufficient skilled heritage professionals and ensuring it does have should be a priority.

The duty to notify the National Amenity Societies about alterations (and demolitions) of listed buildings was introduced in the Town & Country Planning Act 1968. This requirement was continued in the Planning (Listed Buildings & Conservation Areas) Act 1990 and in successive ‘Arrangements for handling heritage applications’ Directions. The government has therefore recognised for nearly 60 years that the specialist heritage expertise embedded within the societies should be taken into account when considering the impact of such works. Although the exact number of listed buildings in 1968 is not a matter of public record, Hansard¹⁰ stated that there were 91,354 listed buildings at the end of 1966 and about 137,000 at the end of 1971 and so the approximate number in 1968 will have been between 110 and 120,000. Since then, the number has increased more than three-fold to 379,644¹¹

⁸ “Analysis would generally be undertaken by a suitably qualified specialist, expert in an appropriate branch of conservation, architectural history, garden history and/or archaeology, or, in more complex circumstances, group of specialists, who can describe significance in a way which is acceptable to the local planning authority and which therefore assists a successful application.” Historic England Statements of Heritage Significance: Analysing Significance in Heritage Assets October 2019

⁹ <https://newsblogs.ihbc.org.uk/wp-content/uploads/2020/10/Local-Authority-Conservation-Staffing-Resources-in-England-2020-v261020.pdf>

¹⁰ In a House of Commons debate on 22nd March 1972 Mr Michael Heseltine in response to Mr Sydney Chapman

¹¹ As at. 04 February 2026

as has a commensurate increase in the number of applications for listed building consent on which specialist expertise needs to be deployed

HE4.1(a) should recognise that some assets have no beneficial use (e.g. market crosses, monuments).

In HE4.2 the 'clear and convincing justification' should include an explanation as to how the development proposals have minimised harm to the heritage assets.

189) Do you agree with the approach to considering impacts on designated heritage assets in policy HE6, including the change from "great weight" to "substantial weight", and in particular the interactions between this and the statutory duties?

Strongly disagree

The Institute is concerned that the proposed use of 'substantial' rather than 'great' weight may represent a reduction in heritage protection, and conflicts with the high threshold set out in the statutory duty to have 'special regard'. The use of 'substantial weight' in place of 'great weight' in heritage policy must be consistent with the statutory duties and obligations under the World Heritage Convention, World Heritage Outstanding Universal Value (OUV). Great weight does not currently outweigh the statutory duty to special regard but the use of substantial weight may well do so and lead to the loss of heritage assets. It would not be appropriate to treat a small amount of public benefit and a very large benefit in the same way. The draft NPPF policy countervails the "considerable importance and weight" (i.e. "substantial weight") that must be given to heritage harm as a result of the statutory duties for Listed Buildings and Conservation Areas with "substantial weight to benefits" from a whole range of other planning matters (housing, economy, climate change, town centre benefits, making effective use of land, etc.). Therefore, there would be no "special regard" for harm to Listed Buildings and Conservation Areas. The statutory duties would be neutralised and harm to Listed Buildings and Conservation Areas would be just another planning consideration. The balance of public benefit is unclear and this is further confused by the very poor example of a public benefit used in the heritage chapter.

Furthermore, Policy HE6.1 is illogical as it relates to all designated assets but the statutory duties currently only relate to listed buildings and conservation areas. The statutory duties demand a higher level of "special regard" for listed buildings and conservation areas. It is not appropriate to have the same weighting for impacts on assets that benefit from the statutory duties as assets that do not benefit from such statutory duties.

Policy HE6 appears to apply to all designated heritage assets but it could, with the addition of separate policies for World Heritage Sites and conservation areas at HE8 and HE9, be assumed not to apply to these assets. Clarification of this coverage would be welcomed.

In HE6.3 "enabling energy efficiency and low carbon heating measures to be employed" should better state "enabling *appropriate and compatible* energy efficiency and low carbon heating measures to be employed". Whilst decarbonisation is an aim which many listed buildings can help deliver many previous energy efficiency measures have not been properly or conscientiously considered and have failed¹².

The identification of reuse of a vacant or underused listed building as a public benefit is welcomed. In HE6.4d "The harm or loss is outweighed by the benefit of bringing the asset back into use" should better state "The harm or loss is outweighed by the benefit of bringing the asset back into appropriate use."

The provisos in HE6.4(a)-(d) relate to use, which is not relevant to area-based assets (WHSs, Conservation Areas, RPGs). Therefore this policy is not effective.

In HE6.4d loss cannot be outweighed by bringing the asset back into use if the asset has been completely lost.

In HE6.5 the Institute would prefer to see inclusion of a strong presumption against destruction of listed buildings and Scheduled Monuments, and features that contribute to conservation areas.

190) Do you agree with the new policies in relation to world heritage, conservation areas and archaeological assets in policies HE8 – HE10?

Partly disagree

a) Please provide your reasons, particularly if you disagree.

Heritage policy should simply refer to "harm", fitting better with how UNESCO sees it as simply harm¹³ and experts should assess the degree of harm in any case. Whilst the removal of 'less than substantial harm' is welcomed and will possibly be straightforward in assessment, there will be little practical change in how levels of harm are assessed as the separate distinctions in levels of harm are, in effect,

¹² Energy efficiency installations under the Energy Company Obligation <https://www.nao.org.uk/reports/energy-efficiency-installations-under-the-energy-company-obligation/>

¹³ For WHS The ICOMOS Guidance and toolkit for impact assessments in a World Heritage context which was developed by ICOMOS in conjunction with ICCROM and the IUCN as a World heritage Resource manual is the appropriate standard to be applied. https://publ.icomos.org/publicomos/jlbSai?html=Bur&base=technica&ref=43383&file=2032.pdf&path=impact_assessment_22_v14.pdf

retained. The distinction between 'total loss of significance' and 'substantial harm' is confusing, as total demolition inherently constitutes substantial harm, and would be treated in the same way.

Although the term preservation was included in recent legislation we disagree with the use of the word 'preservation' rather than conservation a number of times in the draft NPPF, for example giving special regard to the 'preservation' of assets, even if combined with 'enhancement'. 'Preservation' is an outdated approach, as good practice has moved away from a presumption against change, to 'conservation', which is defined in the current NPPF as "the process of... managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance". Conservation is not merely freezing a building in time, but an active process of maintenance that allows for modifications to meet modern needs. Ensuring a heritage asset remains in active use is the best way to prevent neglect and decay. Change should be managed based on an understanding of what makes the asset significant, ensuring that, where appropriate, the asset is enhanced. The word enhance is used repeatedly in the document but does not appear properly focused on the enhancement of heritage by revealing significance.

The change of the term 'assets of archaeological interest' to 'archaeological (heritage) assets' is potentially unclear and likely to cause confusion.

HE9.1a states proposals should 'Retain and restore buildings and other features which make a positive contribution to the character or appearance of a conservation area'. 'Restore' could be open to misinterpretation (returning a building to a real or unevidenced earlier phase of its history) and 'restore' might better be replaced with 'repair'.

In HE9.2 "Not all elements of a conservation area will necessarily contribute to its significance.....the assessment of impact should take into account the relative significance of the element affected and its contribution to the significance of the conservation area as a whole" can give the impression that some parts of conservation areas matter more than others. The policy should not refer to the "contribution to the significance of the conservation area as a whole" – this would cause problems with a large conservation area. It should just refer to the relative significance of an important element that has been affected and contributes to overall significance.

191) Do you have any other comments on the revisions to the heritage chapter?

The position of Heritage as the last chapter might suggest it is seen as an afterthought or an add on in planning and development. Heritage is not a barrier to development but a powerful driver for sustainable development and climate change

resilience. Heritage plays a key role in the quality of the outcomes with new development and it is important that this is well understood in the context of governments ambitions. The starting point in development is assessing what heritage exists on a site and failure to do this is extremely dangerous for the quality of new developments.

'Viability' has been removed throughout the NPPF and this may be for good reason in other non-heritage areas but for heritage this would be a dangerous change as every heritage asset without a viable use is potentially at risk.

The greater emphasis on the positive role of heritage in delivering sustainable redevelopment to support growth and more explicit language around heritage protection is welcomed. But the loss of the viability approach used in the current NPPF and elsewhere, and undermines the long-established best-practice 'conservation' approach by repeatedly bringing back the word 'preservation', 15+ years after it came out of heritage policy. A default to 'preservation' which ignores viability portrays heritage as a blocker, rather than an enabler. The Institute has supported the 'conservation'/viability throughout its Conservation Professional Practice Principles.¹⁴ We believe that a false dichotomy is being projected of heritage versus growth. The material about heritage tasks with enhancing heritage but the focus should really be on the reason for conserving heritage since it is valued and life enhancing and the principle needs to be stressed that heritage supports growth and there are major economic outcomes from valuing heritage.

The policy requires the HER to be consulted in assessments of significance. The HER may be less relevant and not contain sufficient relevant information for alterations to listed buildings to warrant unnecessary cost and delay. We would support the use of a staged approach to changes to heritage assets, carrying out a proportionate initial analysis of heritage significance and setting, leading to a further analysis of significance, setting, and impact. Revised wording has been suggested for past revisions which we would still endorse "Before considering change to heritage assets or developing proposals, applicants should first analyse their significance. In determining applications, local planning authorities should require an applicant to provide an analysis of the significance of any heritage assets affected, including any contribution made by their setting, and the potential impact of the proposal on their significance. The level of detail in this analysis should be proportionate to the assets' importance and no more than is sufficient to understand significance and impact. As a minimum the relevant historic environment record should have been consulted for sites with archaeological interest and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets local planning authorities should

¹⁴ <https://ihbc.org.uk/Conservation-Professional-Practice-Principles/2/>

require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”

As the heritage chapter contains no caveat for refusal where significance is adversely affected there is concern that this gives primacy to the presumption of sustainable development.

Great weight does not currently outweigh the statutory duty to special regard but the use of substantial weight may well do so and lead to the loss of heritage assets.

If a tiered approach is taken then guidance should be provided on how they are to be weighed against each other. It would not be appropriate to treat a small amount of public benefit and a very large benefit in the same way. The balance of public benefit is unclear and this is further confused by the very poor example of a public benefit used in the heritage chapter.

192) Do you agree with the transitional arrangements approach to decision- making?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

193) Do you have any further thoughts on the policies outlined in this consultation?

No response

194) Do you agree with the list of Written Ministerial Statements set out in Annex A to the draft Framework whose planning content would be superseded by the policies proposed in this consultation?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

195) Do you consider the planning regime, including reforms being delivered through the Planning and Infrastructure Act, provide sufficient flexibility for energy generation projects co-located with data centres to be consented under either the NSIP or TCPA regime?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please give reasons.

No response

196) Would raising the Planning Act 2008 energy generation thresholds for renewable projects that are co-located with data centres in England (for the reason outlined above) be beneficial? Yes/No

a) If so, what do you believe would be the appropriate threshold? Please provide your reasons.

No response

197) Do you have any views on how we should define 'co-located energy infrastructure'? Please provide your reasons.

No response

198) Do you think the renewable energy generation thresholds under Section 15 of the Planning Act 2008 for other use types of projects should be increased, or should this be limited to projects co-located with data centres?

Yes/No

a) Please provide your reasons.

No response

199) What benefits or risks do you foresee from making this change? Please provide your reasons.

No response

200) Would you support the use of growth testing for strategic, multi-phase schemes?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please explain your answer.

No response

201) Would you support the optional use of growth testing for regeneration schemes?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please explain your answer.

No response

202) Do you agree greater specificity, including single figures, which local planning authorities could choose to diverge from where there is evidence for doing so, would improve speed and certainty?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please explain your answer. If you agree, the government welcomes views on the appropriate figure – for example, whether 17.5% would be an appropriate reflection of the industry standard for most market-led development.

No response

203) Are there any site types, tenures, or development models to which alternative, lower figures to 15-20% of Gross Development Value might reasonably apply?

a) Please explain your answer. The government is particularly interested in views on whether clarifying an appropriate profit of 6% on Gross Development Value for affordable housing tenures would make viability assessments more transparent and speed up decision-making.

No response

204) Are there further ways the government can bring greater specificity and certainty over profit expectations across landowners, site promoters and developers such that the system provides for the level of profit necessary for development to proceed, reducing the need for subjective expectations?

a) Please explain your answer.

No response

205) Existing Viability Planning Practice Guidance refers to developer return in terms a percentage of gross development value. In what ways might the continued use of gross development value be usefully standardised?

No response

206) Do you agree there circumstances in which metrics other than profit on gross development value would support more or faster housing delivery, or help to maximise compliance with plan policy?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please explain your answer.

No response

207) Are there types of development on which metrics other than profit on gross development value should be routinely accepted as a measure of return e.g. strategic sites large multi-phased schemes, or build to rent schemes?

a) Please explain your answer.

No response

208) Do you agree that guidance should be updated to reflect the fact a premium may not be required in all circumstances?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) In what circumstances might a premium, or the usual premium, not be required?

b) What impact (if any) would you foresee if this change were made?

No response

209) Do you agree that extant consents should not be assumed to be sufficient proof of alternative use value, unless other provisions relating to set out in plans are met?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please explain your answer.

No response

210) If extant consents were not to be assumed as sufficient proof of alternative use value, should this be at the discretion of the decision-maker, or should another metric (e.g. period of time since consent granted) be used?

Decision maker discretion / Another metric / Neither

a) If another metric, please set out your preferred approach and rationale.

No response

211) What further steps should the government take to ensure non-policy compliant schemes are not used to inform the determination of benchmark land values in the viability assessments that underpin plan-making?

No response

212) Do you agree that the residual land value of the development proposal should be cross-checked with the residual land values of comparable schemes; to help set the viability assessment in context.

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please explain your answer.

No response

213) Do you agree that a 2.5 hectare threshold is appropriate?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

214) Do you agree that a unit threshold of between 10 and 49 units is appropriate?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree

No response

215) Do you foresee risks or operability issues anticipated with the proposed definition of medium development? Yes/No.

No response

216) If so, please explain your answer and provide views on potential mitigations.

No response

217) Do you have any views on whether the current small development exemption should be extended to cover a wider range of sites – indicatively to sites of fewer than 50 dwellings, or fewer than 120 bedspaces in purpose- built student accommodation?

a) Please provide your reasons.

No response

218) If the exemption were to be extended, do you have any views on whether the development of 120 purpose-built student accommodation bedspaces is an appropriate equivalent to a development of 50 dwellings for the purposes of the levy exemption?

a) Please provide your reasons.

No response

219) If the exemption were to be extended, do you have any views on whether the exemption should be based solely on the existing metrics (dwellings/bedspaces) or whether there should also be an area threshold.

No response

220) If you do have views on possible changes to the small developments levy exemption, please specify the potential impact of the possible change of the levy exemption on people with protected characteristics as defined in section 149 of the Equality Act 2010.

No response

221) What do you consider to be the potential economic, competitive, and behavioural impacts of possible changes to the levy exemption? Please provide any evidence or examples to support your response.

No response

222) Do you agree with the proposal to extend the Permission in Principle application route to medium development?

Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

No response

223) Do you have views about whether there should be changes to the regulatory procedures for these applications, including whether there should be a requirement for a short planning statement?

No response

224) 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?

a) If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how.

No response

225) Is there anything that could be done to mitigate any impact identified?

No response