

**ADEPT Response to the  
NPPF and Other Changes to the Planning System Consultation (30 July 2024)**

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The **Association of Directors of Environment, Economy, Planning and Transport (ADEPT)** represents directors of place who are responsible for providing day-to-day services including local highways, recycling, waste, and planning as well as the strategic long-term planning and delivery of sustainable places. ADEPT members are at the very heart of delivering clean sustainable growth, tackling climate change at a local level. We manage the projects that are fundamental to creating more resilient, inclusive, and safe communities, economies, and infrastructure. ADEPT represents directors of place from county, unitary and combined authorities, along with sub-national transport boards and corporate partners drawn from key service sectors throughout England.

We are a membership based professional organisation with:

- 100+ county, unitary and combined authority members
- 5 sub-national transport bodies
- 9 local enterprise partnerships (LEPs)
- 21 Corporate Partner members across England.

The key to unlocking economic recovery and renewal lies with local leadership. Place directors create the strategies, run the services, and lead the projects that shape local places for their communities. The whole country benefits from investment in local place. Tackling inequality and climate change, while promoting health and wellbeing, supporting business, and maintaining critical infrastructure is most successful when national investment is locally led. We represent members' interests by proactively engaging central government on emerging policy and issues, responding to consultations and enquiries, creating national guidance, and promoting initiatives aimed at influencing government policy. We also represent public sector interests across all our key areas in national sectoral organisations. ADEPT members manage some of the most pressing issues facing the country today, including green recovery and tackling climate change. We are responsible for everyday public services that people need to ensure communities thrive, are well-connected, sustainable, and healthy.

Local planning and services, public transport and high streets, green spaces and active travel, employment and skills all contribute to the wellbeing of our local areas and the people who live, study and work in them. ADEPT members are passionate about making them better, working with colleagues, partners, and government to create the places our communities and businesses need.

Our remit includes:

- delivering clean, sustainable growth through recovery and regeneration
- infrastructure including local roads, highways and digital connectivity
- planning & housing
- environment including waste, flood & water management, energy, natural capital

Question Number	Consultation Question	ADEPT Response
1	Do you agree that we should reverse the December 2023 changes made to paragraph 61?	Yes. ADEPT supports the reversal of changes made to the December 2023 NPPF, subject to comments to question 2 below.
2	Do you agree that we should remove reference to the use of alternative approaches to assessing housing need in paragraph 61 and the glossary of the NPPF?	No. ADEPT has significant concerns about the new standard method. We would advocate for an appropriate and robust standard method informed by ONS population projections and demand driven by economic growth plans, rather than an arbitrary supply-side methodology. The proposed standard method is a stock based mathematical algorithm that does not consider current and future demographic trends i.e. the population and demographic profile that we should be planning for. It must therefore remain an advisory starting point if implemented, not a mandatory target.
3	Do you agree that we should reverse the December 2023 changes made on the urban uplift by deleting paragraph 62?	Yes. ADEPT agrees as this was poorly worded and was a completely arbitrary provision applied to the top 20 English cities. ADEPT considers that any standard method should not contain any arbitrary uplifts as they have no evidential basis. Arbitrary uplifts that are not deliverable nor within the control of LPAs do not translate into delivery, they result in undermining the plan led system, through the triggering of the 'tilted balance.' This simply enables the private sector to bring forward more greenfield sites instead of allocations on previously developed land.
4	Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130?	Yes. ADEPT considers that the accommodation of the overall additional housing proposed by the new standard methodology will inevitably change the prevailing character of some areas and this needs to be reflected in the wording changes to allow sensible local planning judgements to be made about where growth is to be accommodated.

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5	Do you agree that the focus of design codes should move towards supporting spatial visions in local plans and areas that provide the greatest opportunities for change such as greater density, in particular the development of large new communities?	Yes. ADEPT considers that design coding was too onerous and inflexible as previously proposed as the pilots have proved. This is a sensible and proportionate proposal that will allow design codes to be focussed on the major growth areas.
6	Do you agree that the presumption in favour of sustainable development should be amended as proposed?	Yes. ADEPT is supportive in principle of the proposed changes. There should be further changes in relation to affordable housing delivery. We welcome the clarity in paragraph 11(d) that the presumption in favour of sustainable development only applies in relation to the supply of land. However, we are concerned that the wording may allow for a less desirable interpretation that all policies are out of date when supply policies are out of date. Clarity should be provided to ensure that this interpretation is not supported. We also welcome the stronger emphasis placed on the location and design of development and affordable housing considerations, but the changes provide no indication of how much weight these considerations should be given. There is a risk that this could lead to inconsistencies in decision making. We would support clarity through national policy that decisions under the presumption in favour should not undermine provision of affordable housing and indeed should go further that meeting the affordable housing policy should be a requirement when paragraph 11D is triggered. The tilted balance should no longer be used to reduce affordable housing levels. In addition, Footnote 8 should be amended to also include policies that cover the spatial strategy for a local plan.

Question Number	Consultation Question	ADEPT Response
7	Do you agree that all local planning authorities should be required to continually demonstrate 5 years of specific, deliverable sites for decision making purposes, regardless of plan status?	<p>No. ADEPT considers that the 5-year housing land supply requirement and the Housing Delivery Test should be abolished. If a supply-side methodology is to be retained by government then the deliverability test and SHLAA guidance on achievability should be amended. These tests are inconsistent with the supply-side methodology the government now advances. If the government retains the supply side methodology the role of the Local Planning Authority in a plan-led system is to allocate sufficient sites by accelerating local plan production. Local Planning Authorities should not be held to account for the delivery of those sites when they are not directly responsible for their development. We also consider that adding an extra 20% would make no difference to actual delivery. The part the planning authorities can play is to make sure sufficient suitable sites are identified for development, including a mix of small and larger sites. This is what they should be tested on. We are also concerned that the proposed changes could undermine the plan-led system. In the event that the 5-year housing land requirement remains, we strongly believe that once a plan is adopted there should be no requirement to have to continuously demonstrate this until the next plan examination. This acts as a disincentive for developers and landowners to engage in plan making and creates community distrust when a plan's policies can be considered out of date a year after adoption. Members invest significant resources and political capital in preparing local plans, often facing down substantial opposition to developments. If this can be cast aside by developers bringing forward windfall developments this will continue to undermine people's confidence in the democratic nature of the planning system. The plan led system requires the prioritisation of the regeneration of our town centres and the provision of homes on previously developed land, the 5-year land supply requirement and Housing Delivery Test together pull in the opposite direction and can be categorised as greenfield first policies. If the 5-year housing land supply requirement remains, we consider that developers should only get the benefit of the tilted balance where they can demonstrate delivery can be expedited to ensure significant delivery within the 5-year land supply requirement.</p>

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		<p>Commencement and completion notices should also be used to ensure development occurs to ensure developers are meeting their planned housing trajectories. ADEPT suggests that government should consider the use of financial penalties for non-delivery of homes in accordance with these trajectories – a form of “use it or lose it” provision to drive delivery. The system should not reward those who have failed to implement consents. This brings the whole planning system into disrepute.</p>
8	<p>Do you agree with our proposal to remove wording on national planning guidance in paragraph 77 of the current NPPF?</p>	<p>No. ADEPT considers that to not account for oversupply early in the plan period against the supply required in the remainder of the plan period is artificially increasing the housing requirement for local authority areas. Because there are peaks and troughs in housing delivery due to macroeconomic factors beyond the control of Local Planning Authorities, therefore any assessment of supply has to relate to the plan’s housing requirement over the plan period. It would be a perverse outcome for a Local Planning Authority to have the tilted balance triggered due to not demonstrating a 5-year housing land supply requirement against a figure higher than the adopted housing requirement and where the Local Planning Authorities area is ahead of target.</p>

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9	Do you agree that all local planning authorities should be required to add a 5% buffer to their 5-year housing land supply calculations?	No. ADEPT considers the buffer is unnecessary. If reintroduced, then the Housing Delivery Test must be removed and the deliverability test must be amended as set out above, to enable allocated previously developed land sites to remain in the 5-year housing land supply. If too many sites are removed from 5-year housing land supply because there is some doubt a development might not happen, but the purpose of the buffer is to account for the fact that some developments may not happen, therefore sites should not be removed because there is no certainty. As the Letwin Review proved delivery rates are a function of local market absorption i.e. demand so this cannot be used as a reason to reduce the supply identified as that is the choice of a developer to restrict output below demand.
10	If yes, do you agree that 5% is an appropriate buffer, or should it be a different figure?	N/A
11	Do you agree with the removal of policy on Annual Position Statements?	Yes. These statements added little value.

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12	Do you agree that the NPPF should be amended to further support effective co-operation on cross boundary and strategic planning matters?	Yes. ADEPT warmly welcomes the recognition of the value of strategic planning and would like to see the early introduction of the new arrangements to establish some stability in the planning system. We have some concerns about the implications of the wording at para 27 (b) of the NPPF which states that neighbouring authorities will have to deal with unmet housing need from an adjoining area. This seems to imply that those who get a plan in place first can just pass their unmet need to neighbouring areas. We would also suggest that Spatial Development Strategies should strongly align with housing market areas and functional economic areas. We also welcome the intention to undertake further public consultation on this matter and ADEPT would be pleased to help facilitate the roll out of the new strategic planning arrangements with government.
13	Should the tests of soundness be amended to better assess the soundness of strategic scale plans or proposals?	Yes. ADEPT believes that a return to the lighter touch approach introduced and used by inspectors in relation to the Local Development Framework process under the 2004 Planning and Compulsory Purchase Act, where a plan was deemed sound unless proved otherwise would make a huge contribution to speeding up plan making, especially if this was accompanied with a significant streamlining in the required evidence base for plan production. Our Members consider that PINS inspectors take an unduly risk adverse approach and this leads to excessive evidence base requirements. This is very costly and slows the whole plan making process down.



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14	Do you have any other suggestions relating to the proposals in this chapter?	<p>Yes. ADEPT recognises the importance of strategic planning at the sub regional level. ADEPT supports long term thinking and cross boundary planning for large scale strategic developments such as new towns, incorporating the provision of local services and infrastructure. ADEPT also considers that to maintain effective co-operation and the move to the new strategic planning approach being advocated by government that it will be essential for delivery partners: strategic transport authorities, health providers (NHS/ICBs), government agencies National Highway, Homes England and Historic England and utility providers (National Grid and, Water &amp; Sewerage Undertakers) to have a duty to align their infrastructure investment strategies with the statutory development plan process and to fully commit to supporting ensuring the necessary infrastructure is funded and delivered in a timely way.</p>
15	Do you agree that Planning Practice Guidance should be amended to specify that the appropriate baseline for the standard method is housing stock rather than the latest household projections?	<p>No. The government is to be applauded for wanting to take a tough line on housing delivery to meet its 1.5 million new homes target. The housing crisis requires credible solutions as whole generations and communities are being adversely affected. ADEPT firmly believes that housing is not just about bricks and mortar. For individuals and families, it meets a basic human need and has a major impact on their health and wellbeing. For communities and places, it is vital in terms of cohesion and sustainability. For the economy, growth and prosperity are dependent on having sufficient homes in the right places, with the right infrastructure and facilities, providing flexibility and mobility for the workforce. We fully support the aspiration to deliver significantly more new housing. We are keen to work with Homes England and other partners to support the bold interventions needed. A strategic approach to planning and infrastructure is fundamental to delivering the new homes that are needed. But for ADEPT, it's not just about numbers: we need to balance social, economic, and environmental objectives as we aim to create and maintain vibrant sustainable places for all. We need to have well-designed and healthy homes, make best use of the existing housing stock, and tackle the</p>

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		<p>fundamental issues of access, affordability, and climate change. For ADEPT, housing inequality symbolises both generational and geographical divisions in the UK. The country's failure to provide enough homes, especially affordable housing, has helped create a situation where more people feel like they are losing out. This has had a disproportionate effect on younger people, who are less able to buy a home than previous generations and spend a high proportion of their incomes paying rent and struggling to save for a deposit. At the same time, we have a growing proportion of older people, many under occupying their home, and a lack of housing more suitable for their needs. The failure of current housing policies has led to record levels of homelessness at huge cost to individuals and to society as whole. People are more likely to accept new development where it is well-designed and where they can see that it benefits their community in terms of meeting housing need and improving prosperity. Good quality housing is an important part of making places more prosperous and sustainable. ADEPT perceives a clear risk to housing delivery without major investment in training and high-quality apprenticeships. We need more people in the workforce with design and construction skills in order to build the volume of new homes that are needed and to maintain and adapt existing homes. There are six key issues for ADEPT: Building more new homes; A Planning System that Delivers Great Places; Improving the quality and safety of existing homes; Health and Housing; Working towards Zero Carbon and Climate Resilient homes; Access and affordability. Whilst ADEPT supports the principle of having a standard method, it should be a demand-led approach, not a supply-led one. The breaking of the link between population and economic driven need and planning for homes is therefore a major concern, as is the lack of any recognition of the deliverability challenge. We are concerned that the high levels of delivery being sought will not be realised simply by allocating more sites, and if sites do come forward under a supply-side approach they are more likely to be easier greenfield sites than complex previously developed sites in urban areas. It should start with the most up-to-date population and</p>

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		household projections for each area, and then include appropriate adjustments relevant to determining the need to be planned for each area. The Local Growth Plans the government is proposing and other local economic interventions will also have an impact on housing need and there should be some mechanism for factoring this in. In our view the government has identified the right problem, but the wrong solution that it is the planning system that is cause of the lack of housing delivery.
16	Do you agree that using the workplace-based median house price to median earnings ratio, averaged over the most recent 3 year period for which data is available to adjust the standard method's baseline, is appropriate?	No. The baseline is not part of a demand-based assessment. The affordability adjustment is not evidence based and is predicated on the assumption that the private sector will deliver significantly more homes in the most unaffordable locations to bring house prices down and make property more affordable.
17	Do you agree that affordability is given an appropriate weighting within the proposed standard method?	No. We disagree with the affordability weighting for the reasons set out in our response to question 16 above. The arbitrary and unevidenced affordability uplift should be removed in our view. Any uplifts to housing numbers should relate only to an uplift in the delivery of affordable housing as the priority.
18	Do you consider the standard method should factor in evidence on rental affordability? If so, do you have any suggestions for how this could be incorporated into the model?	No. Although rental affordability is a key issue, as this would give rise to the same concerns as set out in Question 17, and because the relationship between the standard method and the rental market is too tenuous as the building of new homes has only an indirect effect on the rental market, this is not supported by ADEPT.

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19	Do you have any additional comments on the proposed method for assessing housing needs?	ADEPT strongly support the government's ambitions to address the housing crisis As the Lyons Report advocated, we believe there should be direct state intervention in the delivery of affordable and social rented homes as part of a new central-local government settlement through devolution. We would strongly urge the government to revert to a demand-side methodology based on up-to-date population and household projections. If the government retain the proposed supply-side methodology then we would advocate that the text of paragraph 76 of the NPPF is reviewed, and the definitions of deliverability in Annex 2 of the NPPF are re-drafted to reflect that focus on seeking to "over achieve" on supply. ADEPT is happy to work with MHCLG officials to assist in that task if required.
20	Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?	ADEPT supports the proposed change to paragraph 124(c).
21	Do you agree with the proposed change to paragraph 154g of the current NPPF to better support the development of PDL in the Green Belt?	ADEPT supports the additional wordings to paragraph 154g but would suggest that the government considers retaining the criteria under the existing paragraph 154g as a footnote to the new paragraph 151 as this will assist Local Planning Authorities with defining what would constitute 'substantial harm to the openness of the Green Belt'.
22	Do you have any views on expanding the definition of PDL, while ensuring that the development and maintenance of glasshouses for horticultural production is maintained?	ADEPT is concerned that expanding this definition in the way proposed could lead to sites being redeveloped for housing in unsustainable and isolated locations poorly related to existing settlements and with very limited access to services and facilities by means other than the private car.

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23	Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend?	Yes. ADEPT considers the proposal provides an acceptable way in principle to demonstrate appropriate technical consideration has been given to whether Green Belt Land should be identified for development. However, ADEPT is of the view that the proposed definition of what 'limited contribution' could be better drafted. ADEPT is also concerned about speculative development coming forward in the green belt ahead of the adoption of new style local plans because it is proposed that for development management purposes development that would utilise grey belt land is no longer to be considered as inappropriate development subject to criteria at paragraphs 152a, 152b and 152c.
24	Are any additional measures needed to ensure that high performing Green Belt land is not degraded to meet grey belt criteria?	No comments.
25	Do you agree that additional guidance to assist in identifying land which makes a limited contribution of Green Belt purposes would be helpful? If so, is this best contained in the NPPF itself or in planning practice guidance?	Yes. ADEPT considers further guidance in identifying land which makes a limited contribution to Green Belt purposes would be helpful.
26	Do you have any views on whether our proposed guidance sets out appropriate considerations for determining whether land makes a limited contribution to Green Belt purposes?	Please see response to Question 23.

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27	Do you have any views on the role that Local Nature Recovery Strategies could play in identifying areas of Green Belt which can be enhanced?	ADEPT considers the precise role and function of Local Nature Recoveries and their relationship and status with regard to the statutory local development plan needs to be clarified further before we could comment definitively on their role.
28	Do you agree that our proposals support the release of land in the right places, with previously developed and grey belt land identified first, while allowing local planning authorities to prioritise the most sustainable development locations?	Yes. Provided the changes identified at Question 23 are made to the definition of grey belt.
29	Do you agree with our proposal to make clear that the release of land should not fundamentally undermine the function of the Green Belt across the area of the plan as a whole?	Yes. ADEPT considers this a helpful overarching principle and safeguard.
30	Do you agree with our approach to allowing development on Green Belt land through decision making? If not, what changes would you recommend?	Yes. Provided the changes are made as set out in Question 23.

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31	Do you have any comments on our proposals to allow the release of grey belt land to meet commercial and other development needs through plan-making and decision-making, including the triggers for release?	Yes. ADEPT agrees with the proposed approach the release of grey belt land to meet commercial and other development needs through plan-making and decision-making, including the triggers for release in principle subject to changes identified at Question 23 to be made to the definition of grey belt and when land is considered to make a limited contribution to the purposes of Green Belt.
32	Do you have views on whether the approach to the release of Green Belt through plan and decision-making should apply to traveller sites, including the sequential test for land release and the definition of PDL?	Yes. ADEPT considers the release of Green Belt through plan and decision-making processes should apply to traveller sites. Paragraph 152(c) could helpfully make clear that the approach to the sustainability for Traveller sites is explicitly different to that for other types of development as this is necessary to ensure the effective provision of sites.
33	Do you have views on how the assessment of need for traveller sites should be approached, in order to determine whether a local planning authority should undertake a Green Belt review?	ADEPT is of the view that the existing process of identifying the assessment of need for traveller sites through the GTAA and HELAA processes is adequate.
34	Do you agree with our proposed approach to the affordable housing tenure mix?	Yes, ADEPT welcomes the proposal that Local Planning Authorities should decide on the tenure split of affordable housing delivered under the golden rules for Green Belt release and that this should be undertaken through council's preparing their Local Housing Need Assessment (LHNA) study.

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35	Should the 50 per cent target apply to all Green Belt areas (including previously developed land in the Green Belt), or should the Government or local planning authorities be able to set lower targets in low land value areas?	Yes, ADEPT agrees that the target to deliver 50% Affordable Housing should apply to all Green Belt areas and it should be made clear that it is a minimum target subject to viability.
36	Do you agree with the proposed approach to securing benefits for nature and public access to green space where Green Belt release occurs?	Yes. ADEPT agrees with the proposed approach to securing benefits for nature and public access to green space where Green Belt release occurs.
37	Do you agree that Government should set indicative benchmark land values for land released from or developed in the Green Belt, to inform local planning authority policy development?	Yes. ADEPT agrees that Government should set indicative benchmark land values for land released from or developed in the Green Belt, to inform local planning authority policy development.
38	How and at what level should Government set benchmark land values?	ADEPT suggests regular consultation with the local government sector and councils to set benchmark levels.



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39	To support the delivery of the golden rules, the Government is exploring a reduction in the scope of viability negotiation by setting out that such negotiation should not occur when land will transact above the benchmark land value. Do you have any views on this approach?	ADEPT supports this approach as it will prevent the ability of viability assessments to undermine the minimum of 50% affordable housing requirement.
40	It is proposed that where development is policy compliant, additional contributions for affordable housing should not be sought. Do you have any views on this approach?	ADEPT agrees with this approach.
41	Do you agree that where viability negotiations do occur, and contributions below the level set in policy are agreed, development should be subject to late-stage viability reviews, to assess whether further contributions are required? What support would local planning authorities require to use these effectively?	No, ADEPT considers late-stage reviews to be ineffective as they are costly and time consuming, cause delays and rarely deliver an uplift in provision.

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42	Do you have a view on how golden rules might apply to non-residential development, including commercial development, travellers sites and types of development already considered 'not inappropriate' in the Green Belt?	ADEPT considers that for any Green Belt land to be released for development it should be through special circumstances tests because it is essential that there is a considerable benefit to the public good as a result. How this is delivered will need to be inevitably on a site-by-site basis.
43	Do you have a view on whether the golden rules should apply only to 'new' Green Belt release, which occurs following these changes to the NPPF? Are there other transitional arrangements we should consider, including, for example, draft plans at the regulation 19 stage?	It would seem sensible that local plans that are already at draft Regulation 19 stage and or are progressing to Regulation 19 stage under the NPPF transitional arrangements should be able to benefit from this provision, provided that does not delay progress to the scheduled examination by having to then consider having to be in conformity with other aspects of the new NPPF that differ to the NPPF the local plans were prepared in accordance with.
44	Do you have any comments on the proposed wording for the NPPF (Annex 4)?	No comments.
45	Do you have any comments on the proposed approach set out in paragraphs 31 and 32?	ADEPT supports measures to strength Local Planning Authorities to be able to intervene where housing delivery on a site-by-site is stalled and there is a low prospect that this will be resolved through reliance on market forces to achieve policy compliant development. Where public resources are provided to deliver general market housing there also needs to be a clear benefit to the wider public good as a tangible outcome of this approach.

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46	Do you have any other suggestions relating to the proposals in this chapter?	ADEPT calls on the government to clarify “planning gain” for affordable housing, implementing an approach which supplies both the scale and type of affordable housing appropriate to meet local housing needs.
47	Do you agree with setting the expectation that local planning authorities should consider the particular needs of those who require Social Rent when undertaking needs assessments and setting policies on affordable housing requirements?	Yes. ADEPT recognises that the central component of the housing crisis is the need for more social rented homes, as well as more homes overall.
48	Do you agree with removing the requirement to deliver 10% of housing on major sites as affordable home ownership?	Yes. ADEPT strongly supports this change. It was always unclear what evidence supported the 10% figure in the first instance. Authorities should be able to determine the right mix of affordable housing tenures in Local Plan policy to reflect evidence identifying housing needs in their areas. Local Plan policy can also allow flexibility for specific projects where evidence suggests a different mix is necessary and appropriate. Setting thresholds nationally will rarely result in the correct approach at a local level.
49	Question 49: Do you agree with removing the minimum 25% First Homes requirement?	Yes. ADEPT strongly supports this change. Local Planning Authorities should be able to determine the right mix of affordable housing tenures to reflect evidence identifying housing needs in their areas.
50	Do you have any other comments on retaining the option to deliver First Homes, including through exception sites?	No comments.

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51	Do you agree with introducing a policy to promote developments that have a mix of tenures and types?	Yes. ADEPT strongly supports this change. The proposed amendments put a welcome emphasis on local policy and approaches to establish appropriate tenure mixes and types, particularly paragraph 66 and 69.
52	What would be the most appropriate way to promote high percentage Social Rent/affordable housing developments?	We consider that Local Housing Needs Assessments should be used to develop policy to determine the tenure required to meet the needs of the local area.
53	What safeguards would be required to ensure that there are not unintended consequences? For example, is there a maximum site size where development of this nature is appropriate?	ADEPT would not support the setting of an arbitrary national maximum site size. There is a need for better evidence and long-term research which explores how the provision of different concentrations of affordable housing at different scales effects the livelihoods of households and communities.
54	What measures should we consider to better support and increase rural affordable housing?	No comments.
55	Do you agree with the changes proposed to paragraph 63 of the existing NPPF?	Yes. ADEPT supports this change to the NPPF and commitment to looked after children.
56	Do you agree with these changes?	Yes. ADEPT supports these changes.

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57	Do you have views on whether the definition of 'affordable housing for rent' in the Framework glossary should be amended? If so, what changes would you recommend?	<p>There are two schools of thought on this. Some members advocate for the flexibility for non-Registered Provider affordable housing for rent to extend to community-led development, in addition to Build to Rent. As it stands the requirement for Registered Provider-operated tenures creates a significant obstacle for community-led groups looking to meet affordable housing needs while championing innovative construction techniques. On the other hand, community groups are unlikely to have the relevant expertise and may need a Registered Provider to develop on their behalf anyway. There are also potential issues as to whether community groups should be brought under the same regulatory regime as Registered Providers or given greater freedoms and flexibilities. RPs are regulated organisations, and any non-RP developer would need to be brought under the same regulatory regime. ADEPT would suggest further work is undertaken by MHCLG on this issue.</p>
58	Do you have views on why insufficient small sites are being allocated, and on ways in which the small site policy in the NPPF should be strengthened?	<p>The two fundamental issues for small builders are cashflow and certainty of sales. ADEPT agrees agree that small sites are crucial to the overall mix of housing supply, as they bring a wider range of options for delivery, with fewer infrastructure requirements and more developers in the mix. This adds resilience to an area's housing delivery potential. An over-dependence on a few large / strategic sites has the opposite effect and is high risk. However, ADEPT would not support a purely arbitrary percentage as each area is so different. A better approach would be for national policy to attempt to break up the volume house builders' control of land by requiring developments of certain size to be required to split up the site. If national policy could require that large sites are required to provide parcels of less than 1 hectare for small and medium size local housebuilders to bid for, this better addresses the issue raised in the Letwin Review of enabling increased delivery rates through a wider mix of tenures and types and prices. Many authorities have worked with small and medium sized builders to develop innovative approaches.</p>

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59	Do you agree with the proposals to retain references to well-designed buildings and places, but remove references to 'beauty' and 'beautiful' and to amend paragraph 138 of the existing Framework?	Yes. ADEPT supports the proposed changes to the NPPF on design matters.
60	Do you agree with proposed changes to policy for upwards extensions?	Yes. ADEPT supports the proposed changes and questions whether this level of detail should have been in a national and therefore by definition strategic government planning document in the first place.
61	Do you have any other suggestions relating to the proposals in this chapter?	A reference in the opening paragraph to "functional" places would be welcomed. This was in a previous version of the NPPF and emphasises the importance of function in good design.
62	Do you agree with the changes proposed to paragraphs 86 b) and 87 of the existing NPPF?	Yes. ADEPT supports the proposed changes to paragraphs 86 and 87.
63	Are there other sectors you think need particular support via these changes? What are they and why?	The government might wish to consider guidance on high energy users to cluster around high renewable energy production facilities which would help reduce the burden on the grid to free up capacity elsewhere.

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64	Would you support the prescription of data centres, gigafactories, and/or laboratories as types of business and commercial development which could be capable (on request) of being directed into the NSIP consenting regime?	Yes. ADEPT would support this change subject to clarification and consultation on development thresholds for the NSIP regime to apply.
65	If the direction power is extended to these developments, should it be limited by scale, and what would be an appropriate scale if so?	Yes, ADEPT agrees the direction power if extended to these developments should it be limited by scale, and for this to be subject to further consultation.
66	Do you have any other suggestions relating to the proposals in this chapter?	ADEPT is broadly supportive of the proposed changes to the chapter and see them as having a positive impact on 'Building a strong, competitive economy.' We would however suggest that because of the huge extension of Permitted Development Rights and various Prior Approval process that has occurred over the last 14 years that the government should undertake a review of these provisions to be assured that their retention does not undermine what the government is seeking to achieve with its planning reforms. ADEPT would be happy to assist in that review.
67	Do you agree with the changes proposed to paragraph 100 of the existing NPPF?	Yes. ADEPT supports the emphasis on public service infrastructure.

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68	Do you agree with the changes proposed to paragraph 99 of the existing NPPF?	Yes. ADEPT supports the inclusion of reference to early years and post-16 places.
69	Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?	ADEPT supports the proposed changes to paragraph 114 to reflect the vision-led approach to transport planning. ADEPT is concerned that the changes to paragraph 115 in relation to the inclusion of the wording '...., in all tested scenarios.' This could potentially lead to a development being approved on the basis of the results of just one of those tests providing a positive outcome (even though all of the remainder suggest a negative impact). This is not in our view a sound basis for decision making and we suggest the drafting is considered further.
70	How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity?	ADEPT believes that health and housing are inextricably linked. Poor housing can have serious long-term effects on both physical and mental health and wellbeing. We need to make homes and neighbourhoods places where people can live healthier lives. Housing is also inextricably linked with care. We believe that as far as possible, care should be built around people's homes – not around organisations and buildings such as hospitals and care homes – to enable people to stay independent and engaged in their communities. A healthy environment should be at the core of the design process. Planning policies and decisions should facilitate physical activity and mental wellbeing, including recreational space and encouraging walking and cycling in safety. Access to green spaces such as parks, open spaces and the countryside is associated with better overall health, lower stress levels and reduced depression. Green spaces and infrastructure are not only important for people's health and wellbeing, but also for supporting wildlife and biodiversity, and protecting natural capital and heritage.



Question Number	Consultation Question	ADEPT Response
71	Do you have any other suggestions relating to the proposals in this chapter?	No comments.
72	Do you agree that large onshore wind projects should be reintegrated into the NSIP regime?	Yes. ADEPT supports this proposal, provided the thresholds for inclusion in the NSIP regime are set to be truly national in scale and significance and subject to further consultation.
73	Do you agree with the proposed changes to the NPPF to give greater support to renewable and low carbon energy?	<p>Yes. ADEPT agrees with the proposed changes to the NPPF and the intention to give greater support to renewable and low carbon energy. Improving the energy efficiency of our homes and switching to low carbon heating methods are essential to meeting the statutory commitment to achieve net zero by 2050 and tackling fuel poverty. A top priority for investment in our national infrastructure must be to ensure that homes are fit for the future, that new housing is zero carbon, the existing stock is retrofitted to high standards through a national strategy delivered locally and the natural environment is enhanced for future generations. Both adaptation and mitigation are essential components of climate action. Striking a balance between them is crucial for a sustainable and resilient future. Retrofitting of the existing housing stock must be one of our national infrastructure investment priorities. ADEPT believes the pace of retrofitting our homes must be significantly accelerated if we are to meet our climate change targets. ADEPT supports the concept of the Future Homes Standard and believes that all new homes should be built to net zero energy standards. Local authorities should have the planning and building control powers to enforce this. Further, new homes should be built to ensure that they are resilient to the impacts of a rapidly changing climate – they must be able to stay cool and dry. Residents must be protected from flooding, other extreme weather events, high temperatures and rising sea levels. We note the limitations of the current electricity infrastructure which is already inhibiting the development of new</p>

Question Number	Consultation Question	ADEPT Response
		homes and the roll out of dependent green technologies. ADEPT requests the Government ensures the necessary investment in the National Grid and electricity supply chain to facilitate the transition from gas. We note the growing concern over embodied carbon. ADEPT supports a consistent approach to the consideration of the reuse, re-purposing, and renovation of existing buildings as a priority over demolition and rebuild.
74	Some habitats, such as those containing peat soils, might be considered unsuitable for renewable energy development due to their role in carbon sequestration. Should there be additional protections for such habitats and/or compensatory mechanisms put in place?	Yes. ADEPT agrees that for habitats, such as those containing peat soils which might be considered unsuitable for renewable energy development due to their role in carbon sequestration, additional protections for such habitats and/or compensatory mechanisms should be put in place.
75	Do you agree that the threshold at which onshore wind projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50 megawatts (MW) to 100MW?	Yes. ADEPT agrees that the threshold at which onshore wind projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50 megawatts (MW) to 100MW.

Question Number	Consultation Question	ADEPT Response
76	Do you agree that the threshold at which solar projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50MW to 150MW?	Yes, ADEPT suggests that 150MW is an appropriate threshold for solar projects.
77	If you think that alternative thresholds should apply to onshore wind and/or solar, what would these be?	No comments.
78	In what specific, deliverable ways could national planning policy do more to address climate change mitigation and adaptation?	<p>In our Manifesto for Stronger Places, ADEPT calls on government to commit to these strategic objectives:</p> <ul style="list-style-type: none"> <li>• Deliver ambitious devolution deals for local authorities in every area.</li> <li>• Move away from short-term competitive funding pots to a multi-year, simplified funding framework.</li> <li>• Tackle geographical inequalities to promote prosperity, inclusion, and better health and wellbeing for all.</li> <li>• Pursue sustainable growth that delivers green jobs and skills and protects the environment.</li> <li>• Take a place-based approach to the challenges of net zero, adaptation, nature protection and recovery.</li> </ul> <p>Specifically, our vision for the future of local climate action proposes:</p>

Question Number	Consultation Question	ADEPT Response
		<ul style="list-style-type: none"> <li>• We have decarbonised the main sources of greenhouse gas emissions– buildings, transport, energy –from existing infrastructure and vehicles.</li> <li>• We have a planning system that ensures all new infrastructure, and developments are net zero, sustainable, resilient, and support nature recovery.</li> <li>• We have climate resilient places with long-term strategies to ensure local places are able to plan and adapt to future climate hazards.</li> <li>• Local businesses and residents are empowered to take action that contributes to achieving climate change targets and resilience and support local authority action and leadership in this space.</li> <li>• All local authority services are adapted and made resilient to meet the challenges of the changing climate and have robust plans in place to respond to more extreme weather events.</li> <li>• Local authorities regularly collaborate and share resources – people, equipment, innovation, knowledge – with each other, the private sector and academia.</li> </ul>
79	<p>What is your view of the current state of technological readiness and availability of tools for accurate carbon accounting in plan-making and planning decisions, and what are the challenges to increasing its use?</p>	<p>Our top three priorities for the government are: devolution, green growth, and adaptation. Local authorities are ready and willing to help kickstart economic growth and make the UK a clean energy superpower. A place-based approach is an essential and cost-effective way of delivering green growth and clean energy, securing a fair transition to a net zero economy, and building resilient infrastructure and communities.</p> <p>ADEPT will work with the government to meet its climate and environment ambitions. In relation to devolution Local authorities are essential to the delivery of national ambitions on climate and environment (as the Climate Change Committee have repeatedly said in their Carbon Budget reports). We need a genuine partnership with government that recognises the need for a place-based approach with adequate funding and support.</p>

Question Number	Consultation Question	ADEPT Response
		<p>Ambitious local climate action agreements should be part of all devolution deals. This approach provides a platform for developing ambitious local climate action agreements. In relation to green growth Local authorities can help deliver sustainable growth that creates green jobs and skills and protects the environment.</p> <p>Decarbonisation of our places is a significant investment opportunity and local action delivers bigger benefits at a third of the cost compared to national action alone. The transition to clean energy represents a big economic opportunity. This can be achieved locally by giving councils a clear remit to develop Local Area Energy Plans (LAEPs) to manage the transition to net zero energy systems in their places.</p> <p>ADEPT has engaged with Energy Systems Catapult to support the roll-out of local energy system decarbonisation. In relation to resilience, preparing for the future means not only decarbonising to mitigate the climate and nature emergencies but also adapting to the changes that are already happening and making our places more resilient. More needs to be done to provide proper leadership on adaptation and resilience. Local authorities can help deliver but need national leadership and a clear framework of roles and responsibilities.</p>

Question Number	Consultation Question	ADEPT Response
80	Are any changes needed to policy for managing flood risk to improve its effectiveness?	<p>ADEPT considers that the government should state whether it intends to enact the provisions of Schedule 3 of the Flood and Water Management Act 2010 and create properly funded Sustainable Urban Drainage Approval Bodies which would ensure surface water is appropriately considered and managed.</p> <p>In the absence of any clarity on Schedule 3, the NPPF should be strengthened to ensure appropriate surface water drainage is properly implemented and managed throughout the whole life cycle of developments and associated drainage systems. This should include guaranteeing the ongoing maintenance of surface water drainage systems with provision within the planning system to ensure such maintenance is carried out. In addition, the following improvements should be considered:</p> <ul style="list-style-type: none"> <li>• The NPPF should make the requirement for appropriate surface water drainage and SuDS clear for all development using the updated mandatory standards, including non-majors, and permitted development. This could address the cumulative impact of small developments on the overall flood risk in a catchment.</li> <li>• The NPPF should be strengthened to ensure flood risk from all sources is appropriately considered with improved emphasis on groundwater (including which body is the statutory consultee for groundwater) and the interaction between multiple sources of flooding.</li> <li>• The link between managing flood risk and delivering other environmental benefits should be strengthened i.e. using Sustainable Drainage to deliver multiple benefits such as habitat improvements, managing water quality, biodiversity net gain etc.</li> </ul>

Question Number	Consultation Question	ADEPT Response
81	Do you have any other comments on actions that can be taken through planning to address climate change?	ADEPT considers that new style local plan that will be brought forward and the Levelling Up and Regeneration Act 2023 should be more closely aligned with the commitments set out in the Climate Change Act 2008. To adequately address the need to rapidly deal with the issues of climate change for all new development, it is essential that building regulations and planning policy require very ambitious energy performance standards and a planned approach to implementation. The Government has the opportunity to provide a clear pathway to net zero through both Building Regulations and planning legislation.
82	Do you agree with removal of this text from the footnote?	Yes. ADEPT supports this change to the NPPF provided the safeguarding of the best and most versatile land remains an important consideration.
83	Are there other ways in which we can ensure that development supports and does not compromise food production?	No comments.
84	Do you agree that we should improve the current water infrastructure provisions in the Planning Act 2008, and do you have specific suggestions for how best to do this?	Yes. ADEPT supports the opportunity for Sustainable Drainage Systems (SuDS) being used as a means of rainwater harvesting. Capturing surface water runoff locally and using it for toilet flushing or landscaping reduces the amount going into the combined sewer system causing flooding in high rainfall events. There are also opportunities for water storage and attenuation.
85	Are there other areas of the water infrastructure provisions that could be improved? If so, can you explain what those are, including your proposed changes?	No comments.

Question Number	Consultation Question	ADEPT Response
86	Do you have any other suggestions relating to the proposals in this chapter?	No comments.
87	Do you agree that we should we replace the existing intervention policy criteria with the revised criteria set out in this consultation?	Yes. ADEPT supports this proposal in principle provided this is subject to retaining the opportunity for LPAs to put forward any exceptional circumstances in relation to the intervention criteria.
88	Alternatively, would you support us withdrawing the criteria and relying on the existing legal tests to underpin future use of intervention powers?	No. ADEPT does not support this suggestion.
89	Do you agree with the proposal to increase householder application fees to meet cost recovery?	Yes. ADEPT totally supports a full cost recovery approach to householder application fees.



Question Number	Consultation Question	ADEPT Response
90	<p>If no, do you support increasing the fee by a smaller amount (at a level less than full cost recovery) and if so, what should the fee increase be? For example, a 50% increase to the householder fee would increase the application fee from £258 to £387. If Yes, please explain in the text box what you consider an appropriate fee increase would be.</p>	N/A.
91	<p>If we proceed to increase householder fees to meet cost recovery, we have estimated that to meet cost-recovery, the householder application fee should be increased to £528. Do you agree with this estimate? Yes  No – it should be higher than £528  No – it should be lower than £528  no - there should be no fee increase</p>	<p>Yes. ADEPT understands this is based on an estimated national average for householder applications. If there is an opportunity for a higher fee to be set to ensure that most Local Planning authorities would achieve full cost recovery (rather than those on or below the average) then the opportunity should be taken to do that now.</p>

Question Number	Consultation Question	ADEPT Response
92	Are there any applications for which the current fee is inadequate? Please explain your reasons and provide evidence on what you consider the correct fee should be.	<p>Yes. Planning application fees for all types of applications remain far below full cost recovery levels. Fees should therefore be increased across all areas to address this. However, the prior approval regime is now extensive, with the required fee considerably below the level of a planning application. These applications still require registration, validation, publicity, assessment, and evaluation, and still have the potential to be determined by Planning Committee at greater cost (and therefore subsidisation) for local council tax payers. Developers already enjoy substantial cost savings from these applications as a result of the reduced supporting documents needed alongside the potential removal of Section 106 obligations, including the delivery of much needed affordable housing. Adjusting the fee for prior approval applications to accord with the charge for an equivalent planning application would therefore appear fair and just. In addition, the fees of the discharge of conditions are wholly inadequate and again effectively result in local council tax payers subsidising large developers. These fees should be substantially uplifted. The fees for Section 73 and Section 96a area also wholly insufficient for the required work necessary – including meeting statutory requirements for notifications. These fees should be substantially uplifted.</p>
93	Are there any application types for which fees are not currently charged but which should require a fee? Please explain your reasons and provide evidence on what you consider the correct fee should be.	<p>Yes. Given the cuts that have been made to Local Planning authorities since 2010 it is ADEPT's view that the justification for any free applications no longer exists. In relation to listed buildings the costs associated with processing listed building consent applications can be extensive and so there should be a charge based upon the nature of development proposed. These applications are subject to greater publicity requirements and necessitate the input from specialist officers. In addition, a charge should be introduced for Article 4 Direction applications.</p>

Question Number	Consultation Question	ADEPT Response
94	Do you consider that each local planning authority should be able to set its own (non-profit making) planning application fee?	Yes. ADEPT strongly supports Local Planning Authorities being able to set their own fees. This will introduce much needed resources into the planning system. The decentralisation of planning fee setting would allow a much more flexible and nuanced approach to fee setting for development types than is possible under a nationally set fee regime – particularly one that is subject to the affirmative Parliamentary process. In our view the decentralisation of fees is long overdue, has widespread public and private sector support, reduces the burden on local government council tax payers and would be entirely consistent with a place-leadership role which is likely to be advocated through the proposals for the devolution of powers in England highlighted in the Kings Speech. Local fee setting will deliver true full cost recovery (as originally envisaged in 1981 when they were first introduced) will also enable Local Planning Authorities to provide a responsive, customer-focussed service that helps to deliver the much-needed growth the country needs.
95	<p>What would be your preferred model for localisation of planning fees?</p> <p>Full Localisation – Placing a mandatory duty on all local planning authorities to set their own fee.</p> <p>Local Variation – Maintain a nationally-set default fee and giving local planning authorities the option to set all or some fees locally.</p> <p>Neither</p> <p>Don't Know</p> <p>Please give your reasons in the text box below</p>	ADEPT supports the full localisation model.

Question Number	Consultation Question	ADEPT Response
96	<p>Do you consider that planning fees should be increased, beyond cost recovery, for planning applications services, to fund wider planning services?</p> <p>If yes, please explain what you consider an appropriate increase would be and whether this should apply to all applications or, for example, just applications for major development?</p>	<p>ADEPT considers there needs to be a more systematic resource review of the non-fee earning functions of the planning system undertaken in collaboration with the LGA and ADEPT and local councils to explore income-generating options that will help address the resource constraints in areas such as plan-making, enforcement and the related inputs that are made into the planning process by other professionals such as drainage engineers, ecologists, historic environment officers, highway officers etc.</p>
97	<p>What wider planning services, if any, other than planning applications (development management) services, do you consider could be paid for by planning fees?</p>	<p>As noted above there are a number of planning functions that require further funding these include plan preparation, plan monitoring, design work, historic environment review and assessment, biodiversity net gain, viability, drainage, and planning enforcement for example.</p>
98	<p>Do you consider that cost recovery for relevant services provided by local authorities in relation to applications for development consent orders under the Planning Act 2008, payable by applicants, should be introduced?</p>	<p>Yes. ADEPT supports this proposal in principle because it has full cost recovery at its heart and will provide the necessary capacity in order to deliver the infrastructure and growth the country needs.</p>

Question Number	Consultation Question	ADEPT Response
99	If yes, please explain any particular issues that the Government may want to consider, in particular which local planning authorities should be able to recover costs and the relevant services which they should be able to recover costs for, and whether host authorities should be able to waive fees where planning performance agreements are made.	No further comments.
100	What limitations, if any, should be set in regulations or through guidance in relation to local authorities' ability to recover costs?	ADEPT does not believe any limitations should be placed on Local Planning Authorities in the regulations to allow the simplest system of local cost recovery to be implemented in the shortest possible time.
101	Please provide any further information on the impacts of full or partial cost recovery are likely to be for local planning authorities and applicants. We would particularly welcome evidence of the costs associated with work undertaken by local authorities in relation to applications for development consent.	No further comments.

Question Number	Consultation Question	ADEPT Response
102	Do you have any other suggestions relating to the proposals in this chapter?	Commendably the government has already recognised the positive role a modernised planning system can play in delivering the sustainable growth the country needs and in achieving its 5 missions. It has also recognised the importance of planners and the planning profession in delivering growth. This is in sharp contrast to planners being accused as being the “enemies of enterprise” and the demotivational impact of the Planning White Paper published by the last government which denigrated the post-war achievements of the planning system itself and reinforced post-Covid aggressive attacks (verbal and otherwise) on hard working and dedicated planning officers. ADEPT therefore considers that the government needs to work with the Royal Town Planning Institute to attract people to the profession and support the retention and development of those already within it. This needs to include a range of measures that need to be accelerated under the MHCLG “Capacity and Capability” programme being led by the Chief Planner.
103	Do you agree with the proposed transitional arrangements? Are there any alternatives you think we should consider?	Yes. ADEPT supports the transitional arrangements. Whilst recognising the desire of the government to move to a new approach in relation to housing supply, we believe the transitional arrangements strike a better balance for Local Planning Authorities than the previous government proposals because they allow more options to be considered as to how individual councils want to proceed.
104	Do you agree with the proposed transitional arrangements?	Yes. The NPPF itself is not entirely clear on the proposed transitional arrangements. It is only the consultation document itself that references the December 2026 transitional period for plans. We therefore recommend that these changes should be elevated into the NPPF itself.

<b>Question Number</b>	<b>Consultation Question</b>	<b>ADEPT Response</b>
105	Do you have any other suggestions relating to the proposals in this chapter?	No further comments.
106	Do you have any views on the impacts of the above proposals for you, or the group or business you represent and on anyone with a relevant protected characteristic? If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how. Is there anything that could be done to mitigate any impact identified?	No further comments.