



Proposed Reforms to the National Planning Policy Framework and Other Changes to the Planning System Consultation, December 2025

Response from The Association of Directors of Environment, Economy, Planning and Transport (ADEPT)

10 March 2026

About ADEPT

The Association of Directors of Environment, Economy, Planning & Transport (ADEPT) is the voice of local authority place directors and their teams. Our members manage vital local services - from highways, waste, recycling, and planning - while also preparing for the challenges and opportunities of the future.

ADEPT is a membership based, voluntary organisation with members across England. We bring together directors from county, unitary, metropolitan, and combined authorities, along with sub-national transport bodies and corporate partners. Collectively, our members provide services for more than 42 million people, manage 164,000 miles of road, and handle around 75% of all recycled waste in England.

ADEPT members develop long term strategies, investment and infrastructure needed to make their places resilient, sustainable, inclusive, and prosperous. They drive clean, sustainable growth, delivering the projects that are fundamental to creating more resilient communities, economies, and infrastructure. These services include housing, environmental and regulatory services, planning, economic development, culture and highways and transport.

ADEPT develops, supports, and represents members to make their places more resilient, sustainable, inclusive, and prosperous, leading the transformation of local authorities. We proactively engage with central government on emerging issues, promoting initiatives aimed at influencing policy, regulation, and funding, developing best practices and by responding to government initiatives and consultations. We also drive leadership development, foster innovation through programmes and initiatives.

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ADEPT Consultation Response

- 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

Response

We would encourage Government not to bring forward statutory NDMPs as this would undermine local plans. If the government wish to introduce statutory policies, they will need to ensure robust processes are followed. Non-statutory NDMPs maintains flexibility to respond to planning challenges. Upon adoption of the final version of the NPPF we strongly suggest a period of stability and limited further change to avoid un-going uncertainly for investment decisions.

- 2) Do you agree with the new format and structure of the draft Framework which comprises separate plan-making policies and national decision-making 14 policies? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

Response

Strongly agree.

We welcome the new format of the NPPF. We also support the inclusion of a purpose for planning. The proposed structure will allow the efficient use of the NPPF in local plan-making and on planning decision-making.

- 3) Do you agree with the proposed set of annexes to be incorporated into the draft Framework? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

Response

Partly disagree.

Whilst we broadly support Annexes A, C, E and F we have do not support some of the proposed definitions within Annex B and the prescription in relation to the guidance on the use of the Standard Method for housing in Annex D.

We consider the definition in Annex B of 'deliverable' as unduly restrictive and suggest a practicability element should be introduced.

Definitions for the following terms should be included in Annex 2: Glossary, should they be retained in the final NPPF document:

- 'monument'
- 'archaeological assets'
- 'public benefit'

The glossary entry for ‘designated heritage asset’ includes the statement that ‘monuments that the decision-maker has recognised as being of national importance but have not yet been designated as a Scheduled Monument (or as a different type of designated heritage asset) should be considered subject to the policies for designated heritage assets.’ This statement is similar to footnote 75 on page 95, in that it directs certain (non-designated) monuments to be considered subject to the policies for designated heritage assets, however, the descriptions of the monuments in question differs to that included in that footnote.

As this text does not relate to the definition of the term ‘designated heritage asset,’ but rather the application of the policies which relate to such, we would recommend that this text be removed from this definition. Should it be decided to retain this portion of the current definition, we would recommend that it be updated to match the final wording of footnote 75.

Furthermore in Annex C, we would, however, recommend the following:

- that the term ‘Historic Environment’ be used under ‘policy theme’ instead of the ‘heritage’ as this would better match the heading of the relevant chapter and content to which it relates;
- that the current reference, under ‘information requirements,’ to ‘asset(s)’ be updated to ‘heritage asset(s);’

- 4) Do you agree with incorporating Planning Policy for Traveller Sites within the draft Framework? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree

Response

Partly disagree.

The inclusion of policy on gypsy and travellers within the NPPF is to be welcomed. However we consider that provision for travellers site should be considered as part of Policy HO1 and HO5 alongside the other wider housing needs of different groups and other parts of the framework and not be subject to a specific 5 year requirement.

- 5) Do you agree with the proposed approach to simplifying the terminology in the Framework where weight is intended to be applied? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree a) Please provide your reasons, particularly if you disagree

Response

Partly agree.

The simplified more consistent terminology is welcomed. This should create an environment for more consistent decision-making across the country. The removal of ‘It is essential...’ from the minerals chapter is understood as it is also essential that many parts of the NPPF are given due consideration. The change from ‘great weight’ to ‘substantial weight’ is also

understood in terms of consistency within the Framework and its application. However, 'sufficient' is quite different from 'steady and adequate,' with the emphasis on the requirement for 'steady' to ensure the flow of aggregates supports the construction industry and the delivery of infrastructure. A compromise could be 'steady and sufficient.'

- 6) Do you agree with the role, purpose and content of spatial development strategies set out in policy PMI? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

Response

Partly agree.

We welcome the creation of Spatial Development Strategies (SDS).

SDS provide an overarching strategic context to their areas including housing distribution for the longer term. We object to the provisions of PMI part 3 and the potential for alterations every 5 years. It is vitally important that updates to a SDS as a result of delivery rates of the housing requirements of their constituent Local Authorities/Local Plans should not trigger this need at the 5 year point. Different Local planning authorities will be on different timelines for the production of their local plans and their implementation. Any required changes should housing requirements not be met should be considered at the local level and not be a reason to amend a SDS in advance of a 10 year review, this could create a continual cycle of reviews of Local Plans and SDS. This will create uncertainty across the SDS area in terms of the policy framework and should therefore be removed.

With regard to the relationship between local plans and SDS:

- How are the potential for different base dates and plan periods for a SDS to compare with local plans brought forward in advance of an SDS?
- What happens if the SDS distributes a greater housing figure to a local plan about to be adopted or post adoption?
- If the SDS prescribes a housing figure for years prior to a local plan period what happens to the housing for those years in terms of being planned for and accounting for this short fall?
- What happens when and if local plans demonstrate they cannot meet the SDS requirements?
- What is proposed if ultimately a SDS cannot meet the areas combined Standard Method and what happens then to unmet need and how does this then relate to adjoining areas SDS's.

In relation Policy PMI (f) which outlines that, where considered appropriate, the provision of minerals could be included in setting out the type, extent, and broad location of strategic infrastructure, this is welcomed, particularly where Nationally Significant Infrastructure Projects (within the Strategy boundary or nearby) impact on aggregate demand or supply

within the boundary of the SDS. However, 'appear considered appropriate' requires more clarification on circumstances where this would apply and to avoid duplication with a minerals local plan. Reference to the inclusion of waste infrastructure is also welcomed but also needs to be clarified how this would relate to a waste local plan to avoid duplication. Minerals development is strategic in nature as it supplies a wider area as does strategic waste infrastructure so their inclusion and consideration in the Strategic Development Strategy is encouraged. Large-scale restoration opportunities which may help the delivery of the Local Nature Recovery Strategy, flood alleviation, and wider water management should also be considered at the strategic scale and included in the SDS.

It also assumed that 'provision of minerals' does not just refer to extraction but also the handling and processing of minerals which would include wharves and rail depots both of which are critical to the flow of aggregates required for infrastructure delivery. However, confirmation of this term would be welcomed.

As set out in chapter 20 of the draft NPPF, the historic environment has a significant role in plan-making. It is not, however, currently referenced in Policy PMI and should be. We would recommend that the historic environment be referenced in a bullet point under paragraph 2 in PMI. The following text could be added:

“Identifying broad locations for historic environment enhancement and conservation.”

- 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?

Response

Partly agree.

We are concerned that as currently drafted this will create a continual cycle of SDS and local plan updates and reviews. Whilst both SDSs and local plans have to have flexible spatial strategies that can respond to changing economic, social, and environmental circumstances, this has to be balanced with a long-overdue need for some stability within the planning system as a whole in order for the raft of recent changes to bed in so that investment decisions can be made within a stable rather than ever-changing policy context. So, in part, this could be dependent on what the circumstances are for when it may be 'considered appropriate' to include minerals provision in the SDS or not. Where major development schemes, such as an airport expansion, have significant implications for mineral supply or demand (or waste infrastructure) there may be a requirement for an alteration.

- 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.

Response

Partly disagree.

We have raised concerns in previous consultations regarding the application of a supply-side approach to the planning for housing using the Standard Method. However, we accept that the Government intends to keep this approach so we strongly advocate for clarity in the guidance as to the relationship between the Standard Method and local planning authorities still being required to consider the Objectively Assessed Need for housing in its area. The position that a default to the Standard Method after 5 years for the purposes of the Five Year Housing Land Supply is inappropriate when local planning authorities or Mayoral Strategic Authorities have clearly demonstrated that the Standard method housing number for an area cannot be met due to constraints, deliverability, viability, market failure or demand, or local market absorption rates. We remain of the view that the Housing Delivery Test and Five Year Housing Land Supply are blunt instruments that undermine plan making and a plan led system. They should be removed as Local planning authorities do not control or have any significant influence/powers to force housebuilders to deliver the homes that they have planning permission for.

The principle should be that the housing requirement set out in adopted local plan or a Spatial Development Strategy should remain the requirement used for the purposes of the Five Year Housing Land Supply calculation until such time as it is superseded by a replacement requirement in the local plan or Spatial Development Strategy review.

- 9) Do you agree with the role, purpose and content of local plans set out in policy PM2? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

Response

Partly agree.

We strongly support the Government's ambition to speed up plan preparation and for its strong statements in support of a plan-led system. However, there is a reality which flows from the years of austerity which has seen planning functions cut more than any other service in local government and often this has been at the expense of local plan teams. We of course recognise the funding that the Government have made available for local planning authorities and the past and planned changes to planning fees. However a bespoke solution to resourcing local plans is needed and we would welcome the opportunity to work with Government and the sector to explore how this could be achieved to ensure the Government's reforms have the desired outcomes as early as possible.

In terms of Policy PM2 (1b) and the associated foot note we are concerned with the potential level of detail required for specific allocations and their delivery. PM2 (1b) states that the setting of the spatial strategy should be in accordance with Policy S2. As Policy PM2 outlines that all of Policy PM1 relates to Minerals and Waste Plans (except in relation to affordable housing contributions), it should also be noted that some of the requirements set out in Policy S2 do not clearly relate to minerals and waste such as town centres.

With regard to Policy PM2 (4) we are concerned when SDSs and local plan are being twin-tracked how delays are to be dealt with in the event of a Secretary of State intervention in either process. The relationship between local plans identifying long-term growth expectations as required by Policy PM2 (1) (ii) and SDSs identifying broad areas of growth in Policy PM2 (2) (b) should be clarified by Government.

- 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

Response

Yes.

Government needs to provide clarity in relation to this requirement and the provisions of PM1(2) with regard to Spatial Development Strategies which do not require ‘from the point of adoption’. It is important that consistency in plan-making processes is provided.

- 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.

Response

Agree.

To ensure easy access and use by the public, digital local plans should be able to reference and National Decision Making Policies relevant to a local plan area, so that the people and businesses can always find the key policies for their authority in one place.

- 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

Response

Partly agree.

PM9(2a) requires a “thorough site identification process” which could pose an issue for mineral plans. In terms of minerals, site identification is through a ‘call for sites’ exercise and sites are nominated by industry in liaison with the landowner (usually under an option agreement). If mineral planning authorities are to be required to identify sites themselves, this will need to involve obtaining site ownership information and undertaking assessment of resources through boreholes and/or trial pits to determine whether a site would be viable which would be at considerable cost to the authority.

PM9(2b) requires an “assessment of the availability, suitability and achievability (including likely viability) of those sites” to be allocated. These assessments have not been historically required for minerals development as the issue of deliverability (addressed in PM9(2c)) is usually sufficient and viability is usually already demonstrated through nomination by an operator – a point often taken into consideration at examination. Further guidance would be required on how these assessments would be undertaken for minerals development.

Whilst it is recognised that plans should allocated sites to deliver the required needs, our recent experience in past site identification processes for minerals and waste have often resulted in insufficient sites to meet the need, leading to the use of criteria-based policies as well as site allocation (or in the case of waste sites, in replacement of site allocations). This approach has been found sound through examination, is likely to be needed in the future and should be clearly provided for in the NPPF.

In relation to point 2, the Government needs to explain what the ‘Four year evaluation report’ actually is as it does not appear to be mentioned elsewhere within the document. We would be concerned at the resource requirements for yet another document to be prepared for monitoring purposes (and presumably submitted to MHCLG) when the Government has just published its Local Outcomes Framework.

- 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.

Response

Partly agree.

We support the approach to setting out the evidence of plan making. We strongly believe that the required evidence base should be proportionate and not, as has become common practice due to the level of representations and challenge in relation to plan preparation, risk averse.

- 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

Response

Partly agree.

We support the approach advocated in Policy PM9, however in relation to the challenges of viability and deliverability we consider that a more flexible approach to achievability referenced in part 2b should be allowed.

- 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

Response

Partly agree.

We support the overall approach being advocated by these policies. The heading of Policy PM10 could however be amended to include infrastructure providers and as such the heading should be amended.

- 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.

Response

Partly disagree.

The proposed approach fails to consider that the delivery of the local plan vision and strategy can and will come forward and be delivered in a variety of ways and that local circumstances will also change over any proposed plan period. The plan making system must have some flexibility. We do not consider it appropriate for such a prescriptive approach to be taken to the inclusion of developer contributions as part of the preparation of a local plan. Such an approach could be unduly constraining on investor decisions and fails to acknowledge that site specific considerations may well not be known until the planning application stage.

We believe a better approach to developer contributions is to keep a separate regularly updated document on developer contributions which can be updated to reflect changes in the market, local requirements, and other economic factors. There must also remain the opportunity for specific contributions to be judged at planning stage. This is particularly important when development can come forward in different ways and with different quantum's and mixes of development that reflect prevailing national and local economic conditions.

- 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

Response

Strongly agree.

Monitoring of the delivery of what is set out in local plans should be undertaken in relation to consistent national framework. Should this be included within the Local Outcomes Framework?

- 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.

Response

Strongly disagree.

This policy is considered overly prescriptive and unnecessary and should be reworded to allow greater flexibility in terms of when and how standards are included in local plans. Part C should be deleted as it fundamentally fails to acknowledge the importance of securing appropriate internal layouts in achieving wider net zero objectives.

- 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?

Response

Strongly agree.

We support the proportionate approach advocated. We do however consider that there could be further streamlining of the required evidence base and clear and more detailed guidance given to Local planning authorities about what supporting documentation is explicitly required in plan preparation. In our view, the Government should work with the sector to co-design this more streamlined approach. ADEPT would be happy to assist in this regard.

- 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

Response

The text in the box at the beginning of chapter 2 makes reference to 'conserving and enhancing the quality of the built and natural environment'. This should also include reference to the historic environment – we would recommend that the final sentence be updated as follows:

'The preparation of development plans allows people to influence development in their area, including directing growth to the most appropriate and sustainable locations, supporting regeneration and conserving and enhancing the quality of the built, historic and natural environment.'

- 21) Do you agree with the principles set out in policy DMI? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree

Response

Strongly Disagree.

We welcome the increased emphasis placed on undertaking pre-application discussions but this should not be confined to major developments. The policy should support to the benefits of pre-application discussions for all applications, such as through the wording currently provided in paragraph 40 of the NPPF.

- 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.

Response

Strongly Disagree.

We appreciate that the intention of the policy is to provide greater clarity and reduce costs to support the development industry, but the policy is over-simplistic, and the formatting of Annex C is too vague. This could result in planning officers being forced to make decisions without suitably robust information, with greater likelihood of legal challenge. For example, there appears to be several requirements missing, including BNG baseline, ecology survey (Policy N2), tree surveys (Policy N3), and noise surveys (policy P3).

The formatting of Annexe C would need to be greatly improved to provide a one-stop area where information requirements can be clearly understood without needing to cross-reference to other parts of the document. More detailed guidance on the nature of these supporting documents should also be included.

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

Response

Government may find it difficult to provide a comprehensive national validation list through regulations given the variety of planning issues in different parts of the country necessitating different information requirements. Further clarity should be provided on what could be included in local lists if these are to be retained.

- 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.

Response

Strongly disagree.

Proposed Policy DMI is seeking to only encourage pre-application discussions for major applications. The wording for Policy DM3 is suggesting that local planning authorities should work positively on applications that potentially have many policy conflicts in order to secure an approval. Negotiations should be taking place through the pre-application process. There is simply not enough time for extensive negotiations during statutory determination periods. Developers recognise the advantages of this, which is why they agree to Extensions of Time. Whilst speed is one measure, the quality of the planning decision and the outcomes it delivers on the ground are of more importance. Over many decades the planning system has been asked to consider an ever increasing range of technical issues, necessitating engagement with a wider and wider range of statutory consultees and others. Whilst we support the notion that the planning officer must balance all of the policy issues and material planning considerations in weighing up the overall planning balance consultee advice can be fundamental. Planning officers should not be forced to make decisions without all the facts, rather, statutory consultees should be sufficiently supported and resourced to provide responses with the necessary timeframes.

- 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.

Response

Partly disagree.

We are concerned that the policy has so many caveats that it will cause confusion in how it is applied and recommendations and decisions that flow from it.

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

Response

Seeking to reduce the length and complexity of viability negotiations during the decision-making process is laudable, and to be generally welcomed, but it is unrealistic to expect high level viability work for a local plan to cover every eventuality when it comes to the submission of a planning application and the viability considerations pertaining to that development, at that time, in the prevailing macro-economic circumstances that exist at that point. We are concerned that this provision places an undue heavy burden on local planning authorities in terms of the required level of evidence for a local plan which runs contrary to the general move to lighten the evidence requirements overall set against the required 30-month plan preparation period.

- 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 106A and the main obstacles that result in delay when seeking modification of planning obligations.

Response

We support the preparation of national templates and would be happy to assist Government in their preparation. Given the paucity of specialist planning legal support left in local authorities the government should explicitly state that it expects developers to pay for the council's costs of preparing Section 106 and other legal agreements.

- 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.

Response

It is our understanding that legal advice suggests that any changes to a planning obligation should be carried out through Section 106A and cannot be undertaken as part of a Section 73 application. Legislative changes would therefore be required to change processes, and we would be supportive of a change in this regard. In addition, the principle of amendments to planning consents where it leads to an improved level of affordable housing position alongside accelerated overall delivery of homes is strongly supported.

- 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

Response

Strongly agree.

We support the use of model conditions and obligations and believe these should be co-designed with the sector.

- 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.

Response

Partly agree.

The wording of DM7 is similar to previous NPPF wording and so we broadly support this. There are several crossovers with other regulatory regimes, for example building control and accessible homes (Policy PM13), planning gateway one in relation to high rise buildings, the upfront gateways in the Building Safety Act, and the intertidal area with the Marine Management Organisation and Marine Plans. It would be helpful if these areas of cross over are acknowledged and clarified.

- 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.

Response

Strongly disagree.

Whilst it is helpful that the NPPF acknowledges the importance of planning enforcement, establishing punitive measures such as this is likely to be counterproductive. Of more use would be to give proper consideration, working with the sector, on how resources for planning enforcement could be increased to maintain public confidence in the system. As these provisions do not run with the land, they undermine one of the central tenets of the planning system. As such Policy DM8 (2) should be deleted.

- 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?

Response

Yes - unauthorised development can cause harm to irreplaceable heritage assets which cannot be subsequently mitigated.

- 33) Do you agree with the new Article 4 direction policy in policy DM10? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree

Response

Strongly agree.

We strongly support the approach set out in Policy DM10, not least because the current process can be resource intensive, and a more proportionate approach would be welcomed.

- 34) Do you agree with the proposed approach to setting a spatial strategy in development plans? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

Response

Strongly agree.

Many local planning authorities have under previous local plan regimes set out inspirational visions for their area and creative spatial strategies focussed on delivering sustainable change for their areas. We therefore warmly welcome this approach.

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

Response

Strongly agree.

We suggest that it would be helpful if Government were clear when a settlement boundary cross over different local planning authority areas.

- 36) Do you agree with the revised approach to the presumption in favour of sustainable development? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

Response

Partly agree.

We welcome the retention of the previous wording that plans should provide for their objectively assessed needs. The need to deliver new homes and economic growth is a focus for government, and it is acknowledged there is a desire for delivery to be expedited. In the majority of cases, it will be more sustainable for this to be located within existing

settlements. General support for this policy is therefore given subject to our comments on policies S4 and S5, including in relation to minerals and waste development.

- 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

Response

Partly agree.

It is understood that all policy conflicts in the framework can contribute to adverse effects that may substantially outweigh the benefits. In contrast, the lack of reference in Policy S4 to policies beyond the allocation or safeguarding of land in the development plan fails to understand and consider that other policies within Local Plans, Spatial Development Strategies and other parts of the development plan are relevant material considerations, not least in law. The policy should be amended to reflect this.

There is no reference to the impacts on designated heritage assets as one of the key areas where the presumption would not apply. Given the pre-eminent need to consider impacts on heritage assets in decision making the policy should be updated to reflect recent case law.

Policy S4 (2ai) refers to 'safeguarding of land for particular uses' but should also equally apply where land has been safeguarded due to the presence of minerals to align with NPPF Policy M3. In addition, Policy S5(1a) states that mineral extraction is a suitable form of development that should be approved outside of settlement boundary. However, it should then be clarified whether this infers that mineral extraction inside a settlement boundary is not supported which could also have further implications for prior extraction opportunities.

- 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.

Response

Strongly disagree.

Policy S5 provides for an extensive list of development types that could be constructed in unsustainable locations. There are strong concerns with this approach, which could lead to many developments being located away from other vital infrastructure. It is unclear why some of the development types have been included, for example storage and distribution facilities, which could be far better located within settlements.

Policy S5(1a) states that mineral extraction is a suitable form of development that should be approved outside of settlement boundary. However, this should be extended to refer to extraction and processing of minerals which should include recycled and secondary aggregate production. By including wider consideration of mineral processing, this should not infer that it is not a suitable form development inside a settlement as this could have implications for mobile processing plants. The reference to mineral processing (and

extraction) as being a suitable form of development outside of a settlement should only result in a general principle of support as a sustainable location, subject to all other considerations such as noise, traffic, and amenity etc.

Certain waste developments may also be appropriate in or even require countryside locations. For example, anaerobic digestion plants whose primary feedstock can be agricultural may be most appropriately located in a countryside location. In order to allow for waste facilities that are more suitable to countryside locations it might be beneficial to amend Policy S5(1(a)) to “certain engineering operations and infrastructure (including for transport, energy, waste and water)”.

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

a) Please provide your reasons.

Response

Partly agree.

In relation to Policy S3 (1) (j), we do not believe that the Housing Delivery Test and the 5 Year Housing Land Supply are appropriate tests upon local planning authorities, as housing delivery is largely outside their control. A tilted balance should only be a consideration if the local planning authority's role has been assessed as a barrier to housing delivery i.e. a poor decision making/plan making record. As drafted, this criterion serves to undermine plan making and acts as a disincentive for housebuilders to deliver consented and allocated schemes expediently. Indeed it could be argued this actually encourages further greenfield development to come forward in advance of development planned in a local plan which is contrary to the aims of LI of the draft NPPF.

Policy S5 (1a) states that mineral extraction is suitable form of development that should be approved outside of settlement boundary. However, this should be extended to refer to extraction, processing and handling of minerals which should include recycled and secondary aggregate production. By including wider consideration of mineral processing, this should not infer that it is not a suitable form development inside a settlement as this could have implications for mobile processing plants. The reference to mineral processing (and extraction) as being a suitable form of development outside of a settlement should only result in a general principle of support as a sustainable location, subject to all other considerations such as noise, traffic, and amenity etc.

Consideration should also be given to how this policy would be applied for waste management facilities, particularly those of a strategic scale.

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

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.

Response

Partly agree.

We consider that densities around railway stations should not be nationally prescribed and is best left to local plan allocations and master planning and design work by the local planning authority.

- 41) Do you agree that neighbourhood plans should contain allocations to meet their identified housing requirement in order to qualify for this policy? 36 Strongly agree, partly agree, neither agree or disagree, partly disagree, strongly disagree. a) If not, please provide your reasons

Response

Strongly agree.

For neighbourhood plans to be consistent with the NPPF they should include housing allocations aligned to the overall vision and spatial strategy set out in the local plan.

- 42) Do you agree with the approach to planning for climate change in policy CCI? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree

Response

Strongly agree.

We support the introduction of a dedicated chapter on climate change. Planning must play a greater role in reducing emissions and building resilience. We endorse the objectives of the policies in this chapter to support the transition to net zero by 2050 and to shape places in ways which are more resilient to the effects of climate change. However, the language of the Policy CCI needs to be strengthened considerably – it is a very weak formulation to say that development plans must “take a proactive approach” to mitigation and adaptation, instead there should be a clear statement of the overriding importance of achieving mitigation and adaptation objectives and giving these substantial weight in plan-making. The local plan should indicate the percentage reduction in carbon emissions expected to be achieved if the Plan is fully delivered and the extent to which this will contribute to meeting national and local targets.

- 43) Do you agree with the approach to mitigating climate change through planning decisions in policy CC2? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

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

Response

Partly agree.

Proposals should also take advantage of opportunities to improve air quality and to meet the objectives of minerals and waste plans to enable the delivery of sustainable waste management and a circular economy. There should be stronger emphasis on re-use of existing structures and materials to reduce construction carbon emissions. Substantial weight should be given to improving the water efficiency of existing and proposed buildings.

This policy should also state in accordance with Policy TR8 to recognise the value of the public rights of way network for sustainable travel. Proposals should also take advantage of opportunities to improve air quality and to meet the objectives of minerals and waste plans to enable the delivery of sustainable waste management and a circular economy. Substantial weight should be given to improving the water efficiency of existing and proposed buildings.

With regard to Policy CC2 (1) (d), we consider this needs stronger emphasis on the circular economy and the re-use of existing structures and materials to reduce construction carbon emissions. We suggest the removal of 'take advantage of opportunities' to re-use ...' and the insertion of: 'provide a plan on the re-use of structures and materials to maximise carbon emissions savings' . We also suggest a further bullet point for 'on-site water storage and management' as this can reduce carbon emissions from pumping water but also wider resource management efficiency.

With regard to Policy CC2 (2) we suggest including water efficiency and site wide water storage along with the references to energy efficiency.

- 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?

Response

Strongly agree.

We support the proposed approach to climate adaptation.

- 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

Response

Partly agree.

Development should be located where the risk of wildfires is minimised. Where development is located adjacent to land with some risk of wildfires there should be an effective firebreak between the two.

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

Response

It may be appropriate to place additional guidance in the new Design and Placemaking document. The word 'wildfire' is mentioned six times in the current draft but there is limited detail on adaptation. It may also be helpful to define in the NPPF what level of risk triggers the need for mitigation measures, in a similar way to flood risk zones.

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

Response

Annex C should set out the evidence that will need to be provided to demonstrate compliance with these policies, including a climate resilience plan. Developers and local planning authorities should be able to draw upon a clear national methodology in order to identify and assess 'actual or anticipated impacts' of climate change.

- 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.

Response

Partly agree.

We support the overarching Government commitment to substantially increasing the supply and mix, especially socially rented, housing. We believe a lot more needs to be done working with the sector as part of a long-term credible systems-based response to the multi-generational housing crisis.

In finalising the NPPF changes we consider the Government needs to be much clearer how this relates to the parallel processes of local government reorganisation and devolution.

We remain concerned at the application of the Standard Method and its implications for proper place-making and infrastructure delivery. However we recognise the Government are committed to this approach at this point in time. We would, however, strongly recommend a review of the current housing need methodology, ahead of the role out of SDSs.

In relation to Policy HO2 (1) we consider there should be a clear definition of what 'significant' change means.

In relation to Policy HO2 (5) which refers to housing need how that relates to the supply-side methodology advanced using the Standard Method. Put simply, are local plans to allocate land for housing based on Objectively Assessed Need or based on the theoretical Standard Method?

- 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?

Response

Strongly agree.

Whilst we wholeheartedly support the principle of planning inclusively for the different groups cited in Policy HO 1 (2) (a – j) we are concerned at the evidence base requirements that will be required and then subsequently the resourcing implications of monitoring this. We consider there should be further discussions with the sector regarding the overall resource requirements of local plans (and indeed SDSs) brought forward after this 2025 NPPF is formally approved.

- 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.

Response

Partly agree.

We support the overarching objective of ensuring an adequate supply of deliverable gypsy and traveller plots, but consider the need to maintain what appears to be a six to 15 year supply of sites unrealistic. We do not believe that the Standard Method should be used to quantify the number of gypsy and traveller plots, which by its very nature is a very specialist element of housing need.

- 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?

Response

Strongly agree.

The NPPF does not provide sufficient clarity as drafted as to how local planning authorities should assess the required number of gypsy and traveller pitches/plots. Therefore greater detail should be set out in Planning Practice Guidance. We also consider that further clarification of what is meant by the phrase 'traveller in the area.'

- 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 42 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.

Response

Strongly disagree.

Overall housing targets, and the local plan housing allocations that are required to meet those targets should, as they have historically been, based upon up to date demographic projections and local evidence of need. This then needs to be tested against demonstrable environmental, infrastructure, viability and deliverability constraints, set within the overall vision for a place and the spatial strategy to achieve the outcomes sought by that vision. Therefore, the Standard Method should be the starting point for local plan housing provision not its sole arbiter.

We consider the Housing Delivery Test should be removed. However if should it is to remain we believe the buffer should be removed in its entirety as we believe this leads to potentially unsustainable sites being considered as a consequence of a formulaic approach to planning. As such it undermines the whole ethos of a plan-led approach.

- 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.

Response

Strongly disagree.

The housing requirement established following a through process of evidence-gathering, community and stakeholder engagement and testing via the public examination should remain in place until such time as it is replaced by a new requirement after the 5 year local plan review period. The Standard Method should not be the default as this undermines the whole concept, which we strongly support, of a plan-led system.

- 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

Response

Partly agree.

Whilst we support the objective of meeting the needs of the gypsy and traveller community we are unclear why this particular aspect of housing need has been separated out by the NPPF from other elements of need in relation to a 5-year land requirement. Paragraph 10 of Annex D is not sufficiently detailed as to how these needs, and the various other needs, for example those identified in Policy HO 1 (2) are to be balanced in meeting overall housing pressures.

- 55) Do you agree the plan-making element 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

Response

Partly agree.

We welcome the reference to realistic delivery rates in Policy HO4 (2) (b). In relation to Policy HO4 (2) (2) we support the identification of an appropriate mix of tenures which should be defined locally so as to genuinely meet local people's needs. In relation to HO5 (1) (d) whilst we support the reference to ensuring a mix of housing on sites of 150 dwellings, larger sites ('super majors') might require a change in the mix of tenures as they

will be built out over many years so we suggest that such an approach should be supported by the NPPF to reflect any changing market or need conditions beyond the plan review period where the phasing of development extends that far.

- 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.

Response

Partly agree.

We support the aim of the policy but question whether as drafted it is unduly prescriptive to meeting the needs of different rural areas and housing markets.

- 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.

Response

Partly agree.

We support the needs of meeting the needs of disabled people, and others with mobility impairments which may increase in severity with age, but consider the proportion to be provided should be for the local plan to set out not arbitrarily prescribed by the NPPF without any justifying background evidence base.

- 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?

Response

Partly agree.

We agree that a proportion of M4 (2) standard housing should be explicitly provided for over the plan period but we consider that the actual proportion should be left to local plans to determined based on its housing needs assessment.

- 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.

Response

Partly disagree.

Whilst we support the need to support different groups, we consider it too prescriptive to require a blanket percentage across all allocated housing sites in the local plan.

- 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?

Response

Partly disagree.

We consider that the precise tenure requirements on specific local plan sites should be left to the discretion of the local planning authority rather than apply a blanket national percentage which does not appear to be supported by specific evidence.

- 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

Response

Partly disagree.

Whilst we support the provision of a range of small and medium sites which can often meet local housing need more quickly, we do not consider that smaller housebuilders will benefit from the suggested policy approach. We are also concerned that a nationally-prescribed approach will cut across more locally focussed housing delivery strategies and initiatives that many local authorities have been pursuing to increase housing completions in their areas. An unintended consequence of this approach is to potentially push densities down on the new medium category of development proposed. The government also needs to be clearer for plan-making purposes what it now sees as the minimum size threshold for sites to be allocated in a local plan. If the new category is to be retained then it should be based on the number of dwellings not a site area.

- 62) Are any changes to policy HO7 needed in order to ensure that substantial weight is given to meeting relevant needs?

Response

Yes – the inclusion of a reference to developments that provide policy or above policy levels of affordable housing should be given substantial weight.

Whilst we support the approach

- 63) Do you agree that proposals to add military affordable housing to the definition of affordable housing, and allow military housing to be delivered 46 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.

Response

Partly agree.

We support the inclusion of military affordable housing but consider that a definition should be included in Annex B.

- 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.

Response

Strongly disagree.

Appropriately sized and well designed sustainable homes should be required from all developments. The approach suggested is also unduly prescriptive.

- 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?

Response

Partly disagree.

We support a minimum proportion for social rent but consider that should be left to the discretion of the local planning authority and not prescribed nationally.

- 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?

Response

No further changes are considered necessary.

- 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

Response

Strongly disagree.

We do not consider that as a matter of national policy, that developers should be allowed to make off-site payments in lieu of on-site affordable housing provision. Moreover, this could have implications for the provision of genuinely sustainable mixed use communities with a proper sense of place. Mechanisms already exist for local planning authorities to agree off-site financial contributions should that be appropriate to the circumstances of the site and the proposed development. It follows therefore that this should be left to local plans to provide a local policy context for these judgements to continue to be made locally.

- 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).

Response

Put simply, Policy HO8 appears unduly inflexible, containing many elements that should not be prescribed by national planning policy but left to local discretion and decision-making.

- 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.

Response

We consider that local planning authorities could be assisted by the Planning Advisory Service to transplant good practice in the management and monitoring of commuted sums, alongside standard templates that need to have model clauses that are sufficiently flexible to allow local discretion in implementation.

- 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.

Response

It is vital that where land has been purchased for development at an inflated price that this is not allowed to diminish design quality or required Section 106 infrastructure requirements.

- 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

Response

Strongly disagree.

The provision of Policy HO8 (1) (b) should be deleted as the correct starting point for the provision of affordable housing is for it to be on site.

- 72) Do you agree 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.

Response

Partly agree.

Whilst the criteria are broadly supported, all types of housing should be located in accessible locations. The drafting of this policy illustrates some of the many inconsistencies of approach, an example of which is how management plan are dealt with separately in Policy HO9 (I) (b) (i) and HO9 (I) (c) (iii).

- 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.

Response

Partly agree.

We support the proposed approach but the provisions set out should apply to all forms of specialist housing.

- 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.

Response

Partly agree.

It is unclear whether specialist accommodation would be regarded by the NPPF as contributing to overall affordable housing requirements so the policy should clarify this. In addition, it is possible to interpret the policy as not requiring communal space for self-contained studio units or in student accommodation, so this should also be clarified.

- 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?

Response

Strongly agree.

The Government may wish to consider re-wording the policy to remove the reference to traveller sites as is covered by Policy HO12.

- 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

Response

Strongly agree.

We consider this would be a positive move in relation to exception sites.

- 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?

Response

Strongly disagree.

We do not believe that the reason rural exception sites fail to come forward because of landowners have higher expectations over land values.

- 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.

Response

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

Response

Partly agree.

The provisions of the policy are welcomed but we are concerned at the requirement for a specific 5-year land supply requirement in relation to gypsy and traveller sites.

- 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.

Response

Strongly disagree.

The policy will not address the challenges that local planning authorities face in bringing forward large scale sites, especially in relation to wider urban regeneration initiatives. The provisions of Policy HO13 read as statements rather than policy with unclear definitions – such as ‘reasonable period’. The policy does not tackle the fundamental issue of delivery rates by the large volume home builders, and the reality of local absorption rates which dictates how many homes are built over a particular period.

- 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.

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 reasons.

Response

Yes

The local plan should be empowered to set out specific requirements for large sites and ‘super strategic’ sites, including allowing for review mechanisms that allow for viability and housing mix to be considered as phases of the development is completed and to reflect prevailing market and other conditions.

- 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.

Response

Strongly disagree.

We strongly recommend to Government that they take the opportunity with the publication of the final version of this NPPF to remove both the Housing Delivery Test and the 5 Year Housing Land Supply requirement in order to fully support the plan-led approach that it rightly advocates.

- 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.

Response

Strongly agree.

ADEPT supports references to national strategies in the NPPF, in recognition of the positive and proactive role that the planning system can and does play in relation to the delivery of economic renew.

- 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.

Response

Strongly agree.

The critical role that the planning system plays by identifying the needs of businesses through the identification of land as set out in Policy E2 is welcomed.

- 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.

Response

Strongly agree.

We welcome the specific recognition of the importance of freight and logistics provision in Policy E3. It may be helpful for Government to clarify the relationship between the provisions of Policy E3 and the locational and sustainability requirements with reference to Policies S4 and S5.

- 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

Response

Partly agree.

The overall thrust of the policy is supported but would benefit from further details regarding rural developments. We would also suggest the inclusion of a provision for diversification and intensification to be proportionate to existing buildings and the location so as to avoid impacts of existing town and high streets.

- 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

Response

Strongly agree.

We support the plan-led approach to town centres set out in Policy TCI, especially in relation to the establishment of a hierarchy of centres and options for diversification.

- 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?

Response

Strongly agree.

ADEPT supports the approach advocated in Policy TC2 to support appropriate development in town centres. The policy could potentially be improved further by including references to the visitor and night time economy and heritage led regeneration projects.

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

Response

Impacts have included:

- Increased food and beverage uses in city centres.
- Increased offices in retail units.
- Poor quality housing located in shopping frontages.
- Loss of active frontages in prime retail areas.
- Retail being located out of centres undermining town centre hierarchies and prejudicing long-term vitality.
- Undermining of the sequential test.
- Undermining of proactive supportive adopted local plan policies that seek to encourage diversification of town centres in a planned and balanced way.
- Undermining of sustainable transport policies.
- Inability to negotiate appropriate public realm and other Section 106 mitigation measures.

- 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

Response

Partly agree.

Retention of the sequential test is fundamental to the application of the new NPPF decision-making policies and the beneficial outcomes sought from them in town centres. Whilst the test should not apply to small floorspace charity or community proposals which can also add to the overall vitality of centre, this can be dealt with by how the local planning authority applies the test in practice. To support the plan-led approach advocated by the NPPF, the Government should consider revoking Class E.

- 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

Response

Strongly agree.

ADEPT would welcome further guidance on undertaking town centre assessments.

- 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.

Response

Partly agree.

Whilst we agree the updated policies are supportive of 5G and gigabit broadband rollouts, we would encourage the Government to look at what else can be done to ensure that the impacts of new development on mobile connectivity are sufficiently planned for. We are aware of issues arising from existing mobile networks not being able to cope with the additional demand from new housing schemes, or new development which can obstruct and degrade existing mobile coverage. We would like the Government to consider how the NPPF could help address these issues.

We would also highlight that whilst the updated policies incorporate most of the requirements from the earlier NPPF (December 2024), the requirement for new telecommunications equipment in new locations to be sympathetically designed, and where appropriate camouflaged, appears to have been omitted. We would ask that this provision is reinstated to protect the character of historic or other sensitive environments, as thoughtful design and effective camouflage can significantly reduce the visual impact of digital infrastructure and reduce public concern.

- 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.

Response

Partly agree.

We believe that it is important for the visual impact of telecommunications infrastructure to be minimised as far as possible and that existing structures should be reused wherever possible. However, we would ask that this is supported by additional planning practice guidance to assist local planning authorities in their assessment of applications. The Government should also give careful consideration to the status of the Code of Practice for Wireless Network Development in England. This is a very useful document and we welcome the proposal within the 'Reforming planning rules to accelerate deployment of digital infrastructure' call for evidence to update this code.

- 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

Response

Agree.

We believe that it is important for the visual impact of telecommunications infrastructure to be minimised as far as possible and that existing structures should be reused wherever possible. However, we would ask that this is supported by additional planning practice guidance to assist local planning authorities in their assessment of applications. The Government should also give careful consideration to the status of the Code of Practice for Wireless Network Development in England. This is a very useful document and we welcome the proposal within the 'Reforming planning rules to accelerate deployment of digital infrastructure' call for evidence to update this code. It will be important that proper support is given to planning departments and that guidance is clear.

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

Response

Partly agree.

We support the intent of Policy WI. However, the policy is currently stronger on process rather than on delivery outcomes. The draft policy WI states that plans should: "be

informed by engagement with infrastructure providers to understand existing capacity and future needs" and "Development proposals should demonstrate that there is, or will be, sufficient infrastructure capacity". However, the policy does not require publication of what that the engagement reveals; spatial mapping of constraints or clear phasing tied to infrastructure delivery. And the policy allows development to be approved on the assumption that infrastructure will be provided without any legal mechanisms to ensure it is delivered or the infrastructure to be in place before occupation.

Suggested improvement to WI: Local plans must:

1. publish a spatial infrastructure capacity map and delivery phasing plan for electricity and water/wastewater systems covering:
 - (a) Infrastructure Capacity Maps showing:
 - Electricity network capacity and constraints
 - Water supply and wastewater treatment capacity
 - Planned infrastructure upgrades with locations and timing
 - Renewable energy and heat network opportunities
 - (b) Infrastructure Delivery and Phasing Plan showing:
 - Which development allocations can be served by existing infrastructure
 - Which allocations require infrastructure upgrades
 - Sequencing of development to align with infrastructure delivery
 - Trigger mechanisms for infrastructure investment
 - Funding sources and delivery responsibilities"

2. apply an infrastructure-first sequencing test for major growth areas where capacity is currently constrained. If infrastructure capacity assessments identify constraints, Local Plans must:
 - (a) Phase development to align with infrastructure delivery:
 - Phase 1: Sites that can be served by existing infrastructure
 - Phase 2+: Sites requiring infrastructure upgrades, sequenced to infrastructure delivery
 - (b) Include clear trigger mechanisms:
 - Development in constrained areas cannot proceed until infrastructure capacity demonstrated
 - Phasing automatically progresses when infrastructure delivered
 - (c) Ensure legal delivery:
 - Planning conditions/Section 106 agreements prohibit occupation until infrastructure capacity exists
 - Not discretionary - mandatory sequencing where capacity is constrained

Development should not be approved in infrastructure-constrained areas unless infrastructure upgrades are funded, consented, and programmed for delivery, and,

Phasing/occupation controls ensure development does not proceed faster than infrastructure

GB Energy Strategic Plan explicitly calls for this: "Grid infrastructure must be planned proactively to enable renewable energy deployment, not reactively in response to individual applications. Strategic planning must identify where renewable energy will be located and ensure grid is ready."

3. include a demand-reduction hierarchy - a policy principle that says: "Before building new supply infrastructure (power stations, reservoirs, treatment works), first maximise demand reduction (efficiency, reuse, waste elimination)."

The Hierarchy (in order of priority):

- First: Reduce demand - Don't use energy/water unnecessarily
- Second: Use efficiently - When you do use it, minimise waste
- Third: Reuse/recover - Circular economy approaches
- Fourth: Reduce losses - Fix leaks, prevent waste
- Only then: Increase supply - Build new infrastructure

This mirrors the "energy hierarchy" (reduce, efficient use, renewable supply) and "waste hierarchy" (reduce, reuse, recycle, recover, dispose).

The benefits are that demand reduction is 10-100 times cheaper than supply increases for energy and water supply and delivers lower bills to residents. In addition, demand reduction can be implemented straight away whereas supply infrastructure can take years to plan and deliver.

- 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.

Response

Strongly agree.

We welcome the inclusion in the policy of electricity network infrastructure. We consider the policy could be included further as set out below:

In Policy W2 (1) (b) insert after 'energy': 'with potential customers and heat networks'. This will ensure that the local plan supports the transition to clean power and also the Advanced Zoning Pilot eta Networks around the country.

- 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.

Response

Partly agree.

We support the proposal to give substantial weight to the benefits of renewable and network infrastructure for energy security, economic development, and net zero, and to recognise repowering and community-led projects. This is the right direction, particularly given evidence that UK emissions progress is at risk of stalling in key sectors and that stronger implementation is needed. However, paragraph 169 in the current framework states that renewable energy development in Green Belt is 'inappropriate development' requiring 'very special circumstances'. This is contradictory in the context of the National Climate Emergency declared by Parliament in 2019, the Clean Power 2030 legal commitment to rapid deployment of renewables and NPPFs own requirement for proactive climate action. There is evidence to show that this policy has blocked or delayed renewable projects despite the climate urgency. Evidence in the 'The parliamentary briefing CBP-9888' documents numerous solar farm refusals in Green Belt areas with low landscape value, where the "inappropriate development" designation prevented otherwise acceptable schemes. The "Very Special Circumstances" Test is also now inappropriate for Climate Infrastructure. This test was designed for preventing urban sprawl, not for assessing nationally critical infrastructure during a climate emergency. However, W3 would be improved by clearer decision tests to reduce uncertainty and appeal risk. At present, balancing remains quite open-ended and could lead to inconsistent interpretation between authorities.

Suggested improvements to W3 could include:

- Add a clearer "approve unless" framework for repowering, network reinforcement, and community-scale schemes where impacts are mitigable.
- Require a system value statement in applications (grid constraint reduction, curtailment impacts, storage/flexibility contribution).
- Introduce proportional evidence routes for small/community projects to speed delivery while retaining safeguards.
- Change paragraph 169 to "Renewable and low carbon energy infrastructure, including supporting electricity networks, are not inappropriate development in Green Belt provided:
 - The installation is temporary (development can be removed and land restored)
 - The impact on openness is minimized through design
 - The development would not conflict with the purposes of including land in Green Belt

For permanent renewable energy infrastructure, substantial weight should be given to national climate and energy security objectives when assessing 'very special circumstances.'"

- Strategic Site Identification: "Local Plans should identify suitable locations for renewable energy in Green Belt where:
 - This would not undermine Green Belt purposes
 - Sites have lower landscape sensitivity
 - Grid connection is feasible
 - Significant climate benefits would result"

The Climate Change Committee's 2025 Progress Report states: "Strategic planning that identifies least-harmful locations for necessary infrastructure is preferable to case-by-case battles that delay climate action."

- 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.

Response

Partly agree.

We support the introduction of W4 and the proposal to give substantial weight to schemes that increase capacity, strengthen security of supply, and improve water quality/reduce water-borne pollution.

But Policy W4 should go further on future resilience and demand management. National evidence shows water resource pressures increasing, and adaptation evidence shows flood risk rising over time. Without stronger demand-side and catchment-based requirements, policy risks over-reliance on capital supply solutions and insufficient resilience for climate extremes.

Suggested improvements to Policy W4 could include:

- Adding in a water hierarchy: reduce demand and leakage first, then reuse/recycling, then new supply
- Stressed areas to use water neutrality or net-demand reduction tests for major development.
- Require integrated catchment and nature-based solutions (SUDS, wetlands, floodplain restoration) where feasible.
- Require appraisal of lifetime energy/carbon implications of water infrastructure options.

- 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.

Response

Strongly agree.

This position is required to support the transition to net zero by 2050.

- 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.

Response

Strongly agree.

This position it required to support the transition to net zero by 2050. Reference to licence areas is also important to give reassurance to communities regarding where development may occur. It would also be helpful if the MI included a footnote referencing that licencing was not part of the planning system as there is often confusion regarding this matter with local communities assuming licencing is undertaken by the local planning authority.

- 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

Response

Partly agree.

The inclusion of critical and growth minerals to the glossary of ‘minerals of national and local importance’ is welcomed.

- 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.

Response

Partly agree.

Policy M2(1c) could be strengthened to provide greater safeguarding support to aggregate wharves. The policy could be amended to read “Identify existing, planned and potential sites which need to be safeguarded for: the bulk transport, landing, handling and processing of minerals....”

The separation of safeguarding requirements into Policy is welcomed. However, there is concern that reference to ‘sites allocated for non-mineral development’ (M2(1b)) could be interpreted to imply that sites not allocated in a local plan do not require prior extraction which could impact opportunities for prior extraction on speculative developments outside of allocations. A minerals plan should also set policy to require prior extraction for speculative (windfall) developments to support M6(3).

- 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.

Response

Partly agree.

M3(1c) should also refer to the processing of recycled aggregate as well as secondary aggregate.

- 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.

Response

Strongly agree.

We support the ambition to reduce reliance on fossil fuels.

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

Response

This position is required to support the transition to net zero by 2050.

- 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.

Response

Partly agree.

No specific comments.

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

Response

The additional wording recognising the potential need for short-term noisy activities may be required is welcomed. However, M4(1c) could be strengthened to also encourage phased restoration. We are also pleased to note that M4: 1(a) recognises the importance of proposals for mineral development not having unacceptable adverse impacts on the natural and historic environment.

- 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.

Response

Strongly agree.

The policy could be further strengthened by adding a footnote which clarifies that licences are issued by the North Sea Transition Authority, not the local planning authority which is a common assumption by the public.

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

Response

Yes.

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

Response

By strict exception only if the UK was under direct attack to its energy infrastructure and further coal extraction was needed as a temporary replacement.

- 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.

Response

Strongly agree.

Policy M6(3) now states that prior extraction 'should' be approved subject to practical and environmental feasibility rather than prior extraction being 'encouraged' or that local planning authorities 'should not normally permit' as outlined in previous NPPFs. Minerals can only be worked where they are found and therefore, opportunities for prior extraction should be maximised to contribute to supply, where possible.

- 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

Response

Partly agree.

The clarification of the process for consultation is welcomed including the requirement for decision-makers to take into account the Minerals Local Plan.

However, it should be clarified that where a site is proposed within the Minerals Safeguarding Area, decision makers should also take account of the Minerals Local Plan. Policy PM6(2) should be re-worded:

“Where proposals for non-mineral development are located within the Minerals Safeguarding Area or a Minerals Consultation⁵³ Area, where relevant the decision-making authority should consult the mineral planning authority and take account of the local minerals plan (and consult the mineral planning authority where the Mineral Consultation Area applies) before determining the planning application.”

- 114) Do you agree policy L1 provides clear guidance on how Local Plans should be prepared to promote the efficient use of land? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Response

Partly agree.

We welcome the recognition of the key role of the local plan in making the best and most efficient use of land. That is a fundamental of good planning. The corollary of this is the inefficient use of land, which Policy L1 could explicitly include to make it clear that the inefficient use of land will not be supported. We also welcome the approach in Policy L1 to incentivise previously developed land.

- 115) If not, what further guidance is needed

Response

Partly agree.

The objective of this policy is to promote the effective use of land in meeting the need for homes and ‘other uses.’ There is a clear opportunity within policy L1 to promote the opportunities surrounding the prior extraction of safeguarded minerals, where they are present.

L1 (b ii) details how allocated sites should secure multiple benefits within developments, and prior extraction should be considered for inclusion in this paragraph. This would encourage non-mineral plan makers and developers to consider how prior extraction can be built into

site allocations/proposals. Early engagement with the Minerals Planning Authority on the safeguarding of mineral resources is essential and consideration of prior extraction in Policy L1 (b) (ii) would encourage the effective use of land as well as aligning with Policy M2 and M6(3).

Some example text is outlined below:

ii. taking opportunities to secure multiple benefits, such as through mixed-use schemes which provide retail, employment, education, and community facilities that help reduce the need to travel, and securing the prior extraction of mineral resources (where applicable) and net environmental gains (for example by enabling significant new habitat creation or improving public access to the countryside); and

- 116) Do you agree policy L2 provides clear guidance on how development proposals should be assessed to ensure efficient use of land? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

Response

Partly agree.

The objective of this policy is to promote the effective use of land in meeting the need for homes and 'other uses.' There is a clear opportunity within policy L2 to recognise the benefits of the prior extraction of safeguarded minerals, where they are present to align with M6(3).

Therefore, it is recommended that an additional bullet is provided under L2(1) such as:

'The extraction of safeguarded mineral resources prior to development or re-development of land, where applicable.'

- 117) Do you agree policy L2 identifies appropriate typologies of development to support intensification? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

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

Response

Partly agree.

We consider the typologies appropriate.

- 118) Do you agree the high-level design principles provided in policy L2(d) appropriate for national policy? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

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

Response

Partly disagree.

The design principles set out in Policy L2 (d) (i-iii) are too high level and simplistic. As drafted they do not provide sufficient flexibility in relation to the consideration of specific site circumstances and constraints. There is also no reference to the cumulative impact of development in an area on infrastructure. The Government should consider whether this policy better sits in Chapter 14 on Design and Place Making.

- 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. Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

Response

Partly disagree.

Whilst clearly the objective of the policy is to explicitly support larger scale development and intensification on urban corner plots, the acceptability of such development will be largely dictated by site circumstances, site orientation, and the relationship with existing buildings. In our view it would be better to allow authorities to define areas and sites where this form of intensification is acceptable and where it is not rather than having a blanket national policy which does not take account of site circumstances.

- 120) Do you agree with the proposed safeguards in policy L2 that allow development in residential curtilages? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree.

Response

Partly disagree.

As drafted the policy is unduly restrictive and creates uncertainty for decision-making.

- 121) Do you agree policy L3 provides clear guidance on achieving appropriate densities for residential and mixed-use schemes? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

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

Response

Partly agree.

We are concerned as drafted that the policy will not support higher densities in appropriate locations. With regards to Policy L 3 (3), it needs to be clearer what a reasonable walking distance is. We also understand that there are different approaches to how net developable area is defined (for example how the draft PPG defines it and how RICS define it which would benefit from some consistency).

- 122) Do you agree with the minimum density requirements set out within policy L3? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

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

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

Response

Partly agree.

We are concerned that the densities set in the policy will not achieve the Government's wider housing and regeneration ambitions. For example, a density of 40 dwellings per hectare around train stations may not achieve the best place-making outcomes or support the required strategic and other infrastructure. On balance, we suggest that the Government does not specify specific minimum density levels, but instead relies upon local plans coming forward in the context of the clear framework provided by Policies S1 and S2, and in the context of decision-making, provided by Policies S3, S4, S5 and DP3 (1) (a).

With regards to the impact of minimum density requirements on gypsy and travellers and other groups we have no comments to make.

- 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.

Response

Partly agree.

If minimum density requirements are to be set out in the NPPF, then it should be made clear they are a guide not an absolute requirement to meet, so that there are not unintended consequences with regards to place-making or meeting the needs arising from supported housing, older person accommodation, or specialist wheelchair or accessible housing.

- 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.

Response

Partly agree.

We understand that the data used to define the Travel to Work Areas is based on the 2011 Census and may not therefore be the most effective way of defining the stations where growth should occur. The underlying assumption of the policy seems to rest on a much greater role of the rail network to transport the people who will live in the new developments that will be located close to stations under this policy having access to reliable, dependable, and frequent services so they can access jobs and leisure opportunities. This goes on to imply the Government is therefore committed to investing in more rolling stock, capacity upgrades, improved WIFI connectivity on trains, digital signalling, and station upgrades (especially in relation to accessibility for disabled people). If developments occur without this investment in rail then we are concerned developments will be supported that are in effect located in very unsustainable locations. If retained we consider the Government should make a commitment to specific monitoring and review mechanism for how this policy is being implemented in order to addresses (through any subsequent revisions to the NPPF) any unintended consequences that may arise in practice.

- 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?

Response

No.

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

Response

No.

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

Response

We do not consider the specification of a density range would help.

- 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.

Response

Partly disagree.

The policy as drafted does not provide clear guidance on good design for residential extensions.

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

Response

The use of pejorative terms such as “blend” could inadvertently stifle more modern and contemporary extensions which contrast, but are nevertheless acceptable alterations to a dwelling house. The policy also does not adequately deal with issues of amenity, overlooking, overshadowing and general impact on neighbours. The provisions of Policy P3 (1) regarding living conditions and pollution should be added to this policy.

- 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. 75

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

Response

Neither agree or disagree.

- 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

Response

Neither agree or disagree.

- 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.

Response

Neither agree or disagree.

- 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.

Response

Neither agree or disagree.

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

Response

Neither agree or disagree.

- 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.

Response

Neither agree or disagree.

- 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.

Response

Neither agree or disagree.

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

Response

No comments.

- 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.

Response

Neither agree or disagree.

- 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 78 assessments are used only for genuinely previously developed land, and not predominantly greenfield sites

Response

No comments.

- 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.

Response

Neither agree or disagree.

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

Response

No comments.

- 143) Do you agree with local planning authorities testing viability at the plan making stage using a standardised Benchmark Land Values scenario of 10 79 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.

Response

Neither agree or disagree.

- 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?

Response

No comments.

- 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

Response

Neither agree or disagree.

- 146) Do you agree that policy DPI 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.

Response

Partly agree.

ADEPT supports the overall approach set out in Chapter 14 setting out the government's commitments to ensuring the planning system achieves high quality design and delivers sustainable places. We particularly welcome the support for local plans providing specific local guidance for their areas. Whilst we support the reference to design reviews in Policy DP 4 (2) (a), local planning authorities have no powers to insist to applicants that they are undertaken. As the Government rightly see this as an important part of the design process, then the wording should be strengthened to send a message that they are expected (effectively mandatory) on major developments.

- 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

Response

Partly agree.

Whilst we support the aims of Policy DP2, we are unclear how design codes and supplementary plans will fit within the new plan-led system. In order to meet the mandatory 30-month plan preparation time period it will not be practicable to include the level of detail that would be expected to guide development as would have been set out under the current system in a master plan, a design framework, or a development brief. Equally, that level of necessary detail to achieve design and place-making outcomes that will now be set out in design codes cannot be allowed to slow the progress of a local plan. Therefore, the Government need to explicitly state that design codes will not be subject to formal examination processes otherwise the proposed new local plan system will grind to an immediate halt.

- 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

Response

Strongly agree.

We welcome the overall support the NPPF is placing on the importance of good design and the specific element set out in Policy DP3.

- 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

Response

Partly agree.

We strongly endorse the overall approach set out in Policy DP 4 however local planning authorities have no powers to insist to applicants that they are undertaken. As the Government rightly see this as an important part of the design process, then the wording should be strengthened to send a message that they are expected (effectively mandatory) on major developments.

- 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

Response

Strongly agree.

We strongly support the move towards a vision-led approach as set out in Policy TR1. We also want to ensure that public rights of way are those routes that are identified and protected. We consider that horse riders should be included under Policy TR1 (d).

- 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.

Response

Partly agree.

We strongly support the policy and its overall approach but consider that the policy could be strengthened to support active travel initiatives by including minimum cycle storage standards. We also consider it could be strengthened by reference to supporting development-related bus provision and infrastructure.

- 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

Response

Partly agree.

We support the general thrust of Policy TR3 but consider there should be more explicit references to the vision-led approach as set out in Policy TR1. We are concerned at the vagueness of the word 'significant' with reference to transport movements so suggest this needs further clarification. We also note that none of the transport policies has 'substantial weight' accorded to them – why? We also consider it would be helpful if walking and horse riding were included under TR3 (1) (d), or otherwise the use of a term to cover all non-motorised users. It is not clear why walkers have been overlooked in rural areas. Also, there will be types of development due to their nature or location that should be providing benefit to all non-motorised users, which could and should include horse riders.

- 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.

Response

Strongly agree.

We welcome the strengthening of the existing NPPF paragraph 115 set out in Policy TR4. We consider that street trees/sustainable urban drainage could be helpfully added to the policy.

- 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.

Response

Strongly agree.

We support the policy regarding the provision of roadside facilities.

- 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.

Response

Partly agree.

We strongly support the overall approach of Policy TR6 but consider the terms 'significant' and 'severe' are too ambiguous and will lead to protracted debates at application and appeal stages. We consider this can be overcome by a more supportive reference to the importance of transport assessments.

- 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

Response

Partly agree.

We strongly support the positive framing of the assessment of such proposals and for the role the planning system can play in delivering the modernisation of these facilities. We consider it would be helpful if a reference to the historic and natural environment could be included in the list of environmental effects set out in TR7 (1) (c).

- 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

Response

Partly agree.

The inclusion of the word 'maintain' in the proposed draft could have other connotations that align more with what highway authorities have a duty to undertake and so we suggest this is reviewed. We consider the previous 'protect and enhance' wording should be

reinstated. There is a risk that the diversion of public rights is interpreted as the principal way of dealing with them; so we suggest that reference to this as an option should be less obvious in the revised policy. The policy would benefit from the inclusion of references to Rights of Way Improvement Plans, Circular 1/09 or its successor, upgrade of status, integration with active travel routes, national trails, rollback, and tidal sections of the KCIII ECP, applications to modify the Definitive Map, and protection during construction.

A proposed redraft could read as follows:

TR8: Public rights of way

Development proposals should:

- a Protect and enhance the network of public rights of way and National Trails, and have regard for Rights of Way Improvement Plans and Circular 1/09 (or its successor)
 - b Take opportunities to extend, link or and provide new routes, and/ or improve the quality and/ or upgrade the status of existing routes where this enables one or more of the following:
 - i improved access to green spaces and the countryside;
 - ii new direct and circular routes and connections between local and long-distance public rights of way and active travel routes;
 - iii alternative routes for the King Charles III England Coast Path, particularly where rollback is applicable or the trail is tidal, and also where it can provide for an improved safe coastal experience;
 - iv resolution of applications to modify the Definitive Map & Statement;
 - v the provision of accessible, safe, and convenient links to services and facilities;
 - and
 - vi improved connections with public transport stops and interchanges.
- c. Where necessary, work with highway authorities and local communities to agree suitable diversion proposals.

- 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

Response

Partly agree.

We support the comprehensive framework for the consideration of healthy inclusive communities through plan-making set out in Policy HC1. The policy could be strengthened by explicit recognition of locally tailored standards. In this context we question the value of Footnote 59. We consider that the reference in HC 1 (1) (c) to Local Green Space is superfluous given Policy HC2 and should be deleted. This policy could also usefully have a cross-reference to Policy TR8.

- 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.

Response

Strongly agree.

Where local green space is provided for wellbeing, social and cultural capital, it should be located close to those who will benefit especially welcome that HC2: 1(b) recognising that the historic significance of a place can make it 'special to a local community' and hold 'a particular local significance'. We also strongly support the provision of Policy HC 2 (2) which recognises that any such designations should be consistent with the provision of sufficient land for homes. We consider the policy could be usefully strengthen in this regard by the Policy HC2 (2) being amended as follows:

'Designating land as Local Green Space should be consistent with the **local plan vision and spatial strategy** ~~local planning of sustainable development~~ and the provision of sufficient land for homes, jobs, and other needs. Local Green Space should only be designated when a plan is prepared, or updated, and should be capable of enduring beyond the plan period.

- 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

Response

Strongly agree.

We support the recognition of the importance for new community facilities set out in Policies HC3 and HC4.

- 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?

Response

No further comments.

- 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.

Response

Partly agree.

Policy HC6 differs from the provisions of the current NPPF text in that it requires additional evidential tests, including a reference to the 'last of its type' which is ambiguous, and most likely beyond the remit of the local planning authority. Does this, for example refer to use class or function? We consider the last sentence of Policy HC 6 (2) should be deleted.

- 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.

Response

Partly agree.

The support for recreational facilities and the wider role they play in creating healthy communities is welcomed. In relation to Policy HC 7 (b) we consider this could be improved by recognising that in some cases facilities could be better reconfigured, enhanced or relocated to improve quality, accessibility, or meet wider planning objectives set out in the local plan.

- 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

Response

Strongly agree.

We suggest the inter-play between the new approach to green (and grey) belt policy and Local Green Space could be clarified by a better definition of the latter in the glossary.

- 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.

Response

Partly disagree.

Policy P1 (1) should be deleted as it is the role of the local plan evidence base to identify areas where ground conditions may inhibit development, and then local plan allocations as to where development can then take place based on that evidence. The provision is unnecessary.

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

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

Response

No further comments.

- 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.

Response

Strongly agree.

Consideration should be given to the uses that may result in 'agent of change' considerations.

- 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

Response

Strongly agree.

The policy clearer sets out relevant material considerations.

- 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.

Response

Strongly agree.

Government should give consideration as to whether 'significant weight' is sufficient in terms of the application of this policy: should it be 'pre-eminent weight' given the wider global defence context?

- 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.

Response

Strongly agree.

Policy F3 provides a clear framework for the consideration of coastal change issues in local plans. We also welcome the inclusion of tidal rivers and estuaries being included in Coastal Management Plans. There could also be reference to River Basin Management Plans. However, we would like clarity on assessing risk over a 100-year timeframe.

- 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

Response

Partly agree.

We agree with the majority of changes proposed however, we have concerns with regard to Policy F5 (2) (b) (ii), in that surface water flooding is currently the most prevalent source of flooding with the new NaFRA2 data showing that there are approximately 4.6 million properties currently at risk of flooding from surface water. When you factor in future climate change projections this grows to 6.1 million between 2040-2060 (see: National assessment of flood and coastal erosion risk in England 2024 - GOV.UK). By removing the sequential test on developments where the site is only at risk of surface water this contradicts Policy F5 (1) where it states that 'The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source'. This approach would leave it to Lead Local Flood Authority (for major developments) and local planning authority officers (for minor development) to decide if the proposed layout, design, and mitigation measures of a site could ensure that users would remain safe from current and future surface water flood risk for the lifetime of the development without increasing flood risk elsewhere in accordance with Policy F7. Local planning authority officers do not have

the detailed technical knowledge or expertise to decide if a proposal meets these standards as they have no training on flood risk or associated mitigation measures. This would leave minor developments at significant risk. If we consider cities and large built-up areas the majority of sites will fall into the minor category especially with the recent changes to the PPG which encourages development in towns and cities. These areas are often already subject to high surface water flood risk due to the extent of hard-surfaced areas.

In Policy F5 (1), it states that ‘the test applied should not be greater than the anticipated catchment of the development in terms of its likely occupiers or users.’, yet it fails to state how this is determined. If this refers to the boundary of the site itself, then it does not take into account potential issues beyond this boundary. For example, critical drainage areas, historic flooding incidents, capacity, or known issues with ordinary watercourses etc. This section needs clarification on what the ‘catchment’ refers to.

In Policy F7 (2) (b) ‘The development will be safe throughout its lifetime taking into account the vulnerability of its users’ there is no guidance specified on what constitutes ‘safe’ or ‘vulnerable user’. Arguably any residence has the potential to house a vulnerable user either through age, disability, or social status and without clear guidance on this it will create debates which has the potential for delays to the planning process and an increase in appeals. There is also a potential issue with Policy F7 (2) (d) where it states: ‘The development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment’. In the recent ‘Be Flood Ready’ report by Professor Peter Bonfield, it states that: ‘In the recent past, the reputation of PFR suffered due to poor quality products as well as installation by people with little or no expertise in flood resilience. This particularly occurred after major floods’ (see: FloodReady - an action plan to build the resilience of people and properties - GOV.UK). Before PFR can be mainstreamed there are a number of recommendations in the Be Flood Ready report that need to be followed through. We are therefore concerned that as drafted this policy is lacking foresight in suggesting that this could mitigate the risk of not having a sequential test for surface water flooding.

However, we do agree that with the use of SUDS, some level of risk of surface water flooding can be managed onsite through layout, design, and mitigation measures. We suggest that the basis for invoking the sequential test for surface water flooding be evidence led with clearly defined parameters to enable the LPA to make quick and easy decisions. We agree with the recommendations that Association of SUDS Authorities (ASA) have made in this consultation.

Ultimately it should be for the local planning authority to determine conclusively if the sequential test needs to be applied.

- 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

Response

Partly agree.

Whilst Policy F6 is clearer overall, the table within the PPG and subsequently Annex F, Table 2, does not consider local risk associated with surface water, groundwater or flooding from ordinary watercourses or any associated climate change risk.

ADEPT supports the recommendations ASA have made regarding a baseline, evidence-led approach.

- 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

Response

Agree.

The emphasis upon the National SUDS Standards is welcome and provides greater support to their uptake and compliance. However, the NPPG will need updating to remove contradictions between the guidance and the national standards (for example, the hierarchy of destinations). This would also allow for the standards to be updated independently from the NPPF/NPPG.

We also welcome that F8 (2), requirements apply to all SUDS systems not just limited to majors as in current NPPF paragraph 182. This is a positive change that will help delivery of SUDS and contribute to reduction of flood risk. We note that the Government has not increased funding for Lead Local Flood Authorities as the relevant statutory consultee to provide advice to local planning authorities on non-major applications, nor funding or training for planners to adequately assess SUDS. Lead Local Flood Authorities are therefore not currently resourced to assist planners in the regulatory oversight of this policy in respect of non-major development. We therefore strongly suggest the inclusion of Lead Local Flood Authorities in the list of consultees who may charge developers for advice which the Government are currently considering.

- 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.

Response

Strongly agree.

We welcome this change as watercourses provide biodiversity, amenity, water quality, reduced velocity and are less prone to blockages than culverted watercourses.

- 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. 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?

Response

Partly agree.

The 'continuous signed and managed route around the coast' (King Charles III England Coast Path) is nearing completion, therefore reference to it within this policy could usefully be amended as follows:

'Not hinder the creation, maintenance or realignment of the King Charles III England Coast Path and provide or safeguard alternative route options for the trail where it is tidal or where realignment is foreseeable due to erosion.'

- 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

Response

Partly disagree.

While the intention behind adding new development types such as hydrogen infrastructure, carbon capture facilities, data centres, and EV charging infrastructure is understood, it is not clear why these require a separate vulnerability category. These forms of development appear to fit logically within the existing classification of essential utility infrastructure, given their strategic function, operational importance, and role in supporting national transition to low carbon systems. Creating new standalone categories risks introducing unnecessary

complexity without clear benefit, especially when the existing framework already accommodates infrastructure that is fundamental to energy, digital and transport networks. Aligning these new technologies under the established “essential utilities” classification would maintain consistency, support clearer decision-making, and avoid proliferation of narrowly defined categories. At this stage, no further development types necessarily need to be added, but clarification would be beneficial for several of the categories proposed:

In relation to radioactive and major hazard installations, the classification of new radioactive and major hazard developments as “More Vulnerable” is understood and appears broadly appropriate. However, the NPPF should clarify how such developments should be managed where essential operational needs require siting near water, while still ensuring robust risk mitigation.

In relation to few are not convinced that treating floating or “rising” designs as a separate vulnerability type is necessary. In our view these are design approaches rather than land use vulnerabilities. Regardless of whether a building floats, rises, or incorporates adaptive foundations, the vulnerability classification should still relate to the use (e.g. as a dwelling house, a commercial building, a community facility etc.).

In relation to identifying land raising as a distinct classification, again we are not convinced this is necessary. In our opinion, land raising is typically a design or engineering intervention that accompanies development rather than a development type in and of itself. The NPPF places land raising in the ‘Less Vulnerable’ classification it would appear to facilitate the changes to the sequential test which we do not agree with. Land raising can have considerable impacts on surface water flood risk for existing/neighbouring land/properties: at worse it can displace flood water rather than reducing risk, increasing flood depths or velocities on neighbouring land; at best, it can increase the burden of mitigation for new development. This is therefore in conflict with the key principle of the NPPF to not increasing flood risk elsewhere. A clearer approach would be to address land raising under design considerations or mitigation measures, rather than within vulnerability tables.

- 179) Do you agree that the proposed approach to planning for the natural environment in policy NI, 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.

Response

Partly agree.

Whilst the broad thrust of the Policy NI is supported, it is unclear what is meant by the reference to ‘habitats and species of principal importance’. The reference to limiting scale and extent of development in protected landscapes, should add ‘and their setting.’ Either here or at Policy N4 there should be a reference to the duty on local planning authorities to seek to further the purpose of protected landscapes. We are also concerned at the proposed restriction on the ability of local authorities to set more ambitious Biodiversity Net Gain requirements. The proposed limitation to only be able to require higher levels of

BNG on specific sites when those requirements are judged to be “fully justified and deliverable” is in our view too restrictive and would prevent Local planning authorities from applying higher standards to categories of development in their area, particularly where national exemptions apply, even if this could be justified on grounds of viability and biodiversity. This would undermine local authorities’ ability to deliver on local ecological priorities, emergency declarations and inhibit their ability to deliver Local Nature Recovery Strategies (LNRSs) in their areas. It will also preclude the application of higher BNG on any sites that come forward as speculative, even if those provided the opportunity to do alongside the development proposed. This could result in significant missed opportunities. We note that a large number of local planning authorities have adopted or proposed policies that require more than the minimum 10% Biodiversity Net Gain. Also that the original 2018 impact assessment carried out by Defra described 10% as the ‘lowest level of net gain that the department could confidently expect to deliver genuine net gain, or at least no net loss, of biodiversity and thereby meet its policy objectives,’ with advice received that a level of net gain above 10% gives greater confidence in halting biodiversity losses.

We would recommend that ‘historic landscape character’ be added to the ‘environmental qualities in N2 (1) (a) as this would recognise the time-depth of many ‘natural’ features including centuries-old field patterns and hedgerows.

We would recommend updating N2 (1)(d) to ‘conserve and enhance existing natural and **man-made** features of visual, historic or nature conservation value’ would recognise the human influence on the natural environment and vice versa.

With regard to Policy N2 (1)(e), this lists a number of ways in which green infrastructure and nature-based solutions can secure multiple benefits. We would recommend that the ‘historic environment’ be included in that list; heritage features can be conserved within green spaces, can help provide wildlife-rich linear networks across the landscape and/or homes for specific species to flourish.

- 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?

Response

None - as the impact of BNG at 10% is already having significant impacts on the viability of small and large developments and created a significant administrative burden on both local authorities and developers.

- 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.

Response

Partly agree.

ADEPT is satisfied that the provisions of Policy N2 (1) (a-g) covers the main material planning considerations, however we note that there is no longer any reference to 'recognition of the intrinsic character and beauty of the countryside' as per paragraph 187 b) in the existing NPPF.

- 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.

Response

Partly disagree.

Whilst we understand the Government's desire to be consistent in its use of the term 'substantial' as to the weight accorded to NPPF policy, With regards to Policy N4 (1) we are unclear how this relates to the strengthened duty on local planning authorities (as public authorities) to seek to further those purposes. This along with the removal of the phrase (in current NPPF paragraph 189) "*which have the highest status of protection in relation to these issues [landscape and scenic beauty]*" appears to indicate a weakening of the long-standing high-status of protection for these nationally important landscapes at odds with the duty.

With regard to the reference to the supply of minerals as an example of a national consideration in Policy N4 (2) (a), whilst this may be true in specific circumstances, it would seem an odd issue to single out. There could, for example be other nationally significant considerations, such as energy generation or transmission, or water supply.

- 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.

Response

Partly agree.

The Government should satisfy itself that compensatory measures to be set out in the Environmental Delivery Plan referenced in Policy NP6 (1) (a) (ii) and (1) (b) (iii) are consistent with the Habitat Regulations.

With regard to the provision concerning veterans trees set out in Policy NP6 (2), we consider the original terminology which referred to 'size and condition' should be reinstated to aid overall considerations of the planning balance.

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

Response

It is our understanding that Policy N6 is one of the national decision-making policies referenced in S3-5 in Chapter 4 Achieving Sustainable Development with the effect that the presumption in favour of sustainable development will not apply if the proposed development fails to comply. Paragraph 195 of current NPPF provides clarity in this regard and we would suggest that a similar clear statement is included here to avoid confusion and lead to delays in planning permissions.

- 185) Do you agree the government should implement the additional regard duties under Section 102 of the Levelling-Up and Regeneration Act? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons.

Response

Strongly agree.

The relevant assets to which the additional regard duties would apply have considerable significance and value (as reflected in the basis of their designation/ identification) that should be given due regard in the consideration of any development proposals that might impact on them. They also have the potential to positively shape any development proposal and for that to incorporate elements that will contribute to the conservation and enhancement of the asset and to its wider social and economic benefits.

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

Response

No.

- 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 H1 – H3? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree

Response

Partly agree.

With regards to Policy HE1, the NPPF defines the historic environment as ‘all aspects of the environment resulting from the interaction between people and places through time’. This includes landscapes, townscapes, character areas, buildings, monuments, and archaeological sites, some of which may not yet be known or recognised. These elements may be related spatially, temporally, functionally, visually, through character and/or cultural or social connections; the historic environment is not simply a collection of isolated, known, heritage assets. The historic environment contributes to local identity and can shape sustainable place making.

The current NPPF directs development plans to ‘*set out a positive strategy for the conservation and enjoyment of the historic environment*’ [our emphasis] (Paragraph 203). This requirement helps ensure that the plan approaches the historic environment in a broad sense as well as considering individual heritage assets, taking into account what is known now and what may become evident (following further research etc), in the future.

Proposed Policy HE1 in the draft NPPF focusses on the identification of the ‘main heritage features within the plan area’, and the creation ‘*of a positive strategy for their conservation and enhancement, including where these assets can be used to support sustainable growth*’ [our emphasis]. This shifts the emphasis from a holistic, area-wide strategy to one focussed on these specific, identified, ‘heritage features.’

This heritage asset focused approach, without the requirement for a plan to set out a strategy for the historic environment as a whole, risks the strategy:

- focussing mainly on areas where heritage assets are most visible or already well-understood, with areas of less visible or less well understood historic interest receiving little or no strategic consideration;
- being too focussed on the known heritage assets to support the conservation and enhancement of any aspects of the historic environment identified following the development of the strategy;

- missing opportunities to conserve and enhance heritage assets in the wider vicinity of the area covered by the relevant plan, for example, through the avoiding of impacts on, or improvements to, the setting of heritage assets in the wider vicinity.

We would therefore recommend that the more holistic requirement for development plans to include a strategy for the historic environment as a whole, updated to include reference to supporting the enhancement of the historic environment as well as its conservation and enjoyment, in the current NPPF be retained. This would help to ensure that the historic environment is considered in its fullest sense, not limited to individual heritage assets identified early in the plan-making process. We would also recommend that the important role that the historic environment has in place-making be specifically referenced in Policy HE1. This could, and should, also be reflected through cross-referencing to policies in other chapters, including Chapter 14.

In relation to Policy HE2, we welcome the explicit link to design guides and requirement for the periodic revision of Conservation Areas.

With regard to Policy HE3, we welcome inclusion of the important role that Historic Environment Records (HERs) have in plan-making and decision making. The consultation document states that, should the powers under the Levelling-up and Regeneration Act 2023 to place HERs on a statutory footing be used, Policy HE3 will not be required in future versions of the Framework. We would, however, recommend that Policy HE3 be retained, albeit updated to reflect that statutory footing, as it sets out how HERs are expected to be used in plan-making and decision making. We remain concerned at the resource implications of the introduction of HERs which we hope the Government will address in any new burdens funding arrangement. Policy HE3 also directs local planning authorities to make information about the historic environment, gathered through plan making or development management activities, publicly accessible. Whilst we fully support this requirement, we would highlight that while Historic Environment Records (HERs) play a significant role in making such information available (see also HE11 (1) (b)), they are not the only mechanism through which this can or should be achieved. Given this, and that this paragraph does not specifically reference HERs, we would question whether this policy, which is titled 'Historic Environment Records' is the most appropriate location for this paragraph. Alternatively, it may be appropriate to rename this policy so that it better reflects that it does not just relate to HERs, but also the use and handling of data informing and/or produced as a result of plan-making and development management activities.

188) Do you agree with the approach to assessing the effects of development on heritage assets set out in policy H5? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree

Response

Partly agree.

We strongly agree with the general approach to assessing effects on heritage assets as set out in Policy HE5. We consider that this policy will help to ensure that development proposals are accompanied by sufficient information to help enable timely, reasoned, and

informed (in respect of the historic environment) planning decisions to be made, that are in accordance with the other national decision-making policies set out in this chapter.

In relation to HE5 (1), we welcome the clarification that proposals should be accompanied by an assessment of significance (not simply a description) of any heritage assets affected and the potential effect on that significance of the proposal, and that that assessment should be provided by the applicant. We suggest this provision could be strengthened by making it clear that incomplete or inaccurate heritage statements with insufficient information should be a clear ground of refusal.

Policy HE5 primarily focusses on how the assessment described should accompany any proposal and be used when determining an application. Chapter 20 does not currently recognise how the information gathered and assessment undertaken when producing this assessment document should inform the design of the proposal and any mitigation, for example by identifying potential opportunities to conserve and enhance heritage assets, and identify opportunities to avoid harm, as set out in Policy HE4.

In relation to Policy HE5 (2), we welcome the policy recognition of the full range of effects that proposals can have on heritage assets, including the positive. However, Policy HE5 (2) (a) references a positive effect being '*where a heritage asset would be enhanced, or its significance better revealed...*' [our emphasis]. This implies that the revealing of the significance of a heritage asset is always a positive effect, however, this is not always the case. Some works, such as archaeological excavation, which may better reveal the significance of heritage assets with archaeological interest, are innately destructive and as such may have a negative impact on the heritage asset in question. Whilst we agree that better revealing significance can be a positive benefit and should be encouraged for many heritage assets, we are concerned that the current wording of HE5 (2) (a) could be used to justify unnecessary harm to heritage assets with archaeological interest. We would seek clarification that a proposal which better reveals the significance of a heritage asset, but in the course of doing so, causes harm to it, is not by default assumed to have a positive effect.

In relation to HE5 (5), we strongly support this provision which references how and where a development proposal involves, or has the potential to involve, heritage assets with archaeological interest, an appropriate desk-based assessment should be employed, and, where necessary, a field evaluation. The results of that work would inform and form part of the assessment which is required by Policy HE5 (1) which should accompany development proposals. To make that relationship clearer, we would recommend that Policy HE 5 (5) be slightly amended and added to Policy HE (5) (1) to read as follows:

- I. Development proposals affecting heritage assets should be accompanied by an assessment of the significance of the assets affected (including any contribution made by their setting) and of the potential effect of the proposal on their significance. The level of detail should be proportionate to the assets' importance and no more than is necessary to understand the potential effect of the proposal on their significance. The relevant historic environment record should be consulted as a minimum, and appropriate expertise employed where necessary.

Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, this

assessment should be informed by an appropriate archaeological desk-based assessment, and, where necessary, a field evaluation. Where the submitted assessments are inadequate this would be a ground of refusal.

- 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 agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree. a) Please provide your reasons, particularly if you disagree

Response

Partly agree.

We consider the government should reflect the weight accorded to historic environment considerations as set out in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and established case law, and should be very careful in drafting text in this regard.

With regard to Policy HE6 (2), this states that 'development proposals which would have a positive effect on designated heritage assets should be approved'. Whilst we strongly support the bringing forward of schemes which would have a positive effect on heritage assets (designated or otherwise), we are concerned about how this may be applied to cases where there may be negative, as well as positive effects, on heritage assets. Specifically, that it could be argued that a scheme with a positive effect on a designated heritage asset should be granted consent, even where it could have other significant negative impacts on that heritage asset and/or other heritage assets within, or in the wider vicinity of, the application site. In such cases, both positive effects and harms should be balanced, and the quality of mitigation considered; we would recommend that HE6 (2) be amended to reflect this.

With regard to Footnote 75, we strongly support the continued recognition, that there may be heritage assets which are not designated but, given their national importance, should be considered subject to the policies for designated heritage assets. We do, however, have the following concerns relating to the current wording of this footnote:

- The meaning of the term 'monument' is not defined in this document, and its use in this footnote appears to be different to its use in HEI 1:2. Should this term be retained in this footnote, a definition of this term should be included in the glossary.

Should that definition be based on that in the Ancient Monuments and Archaeological Areas Act 1979 (the legislation which governs the designation of certain 'monuments' as Scheduled Monuments), we would highlight that there are heritage assets of national importance which that definition would not apply to but are nonetheless worthy of consideration under the policies for designated heritage assets. We would also highlight that such heritage assets are also ineligible for designation under the Ancient Monuments and Archaeological Areas Act, 1979, along with other heritage assets, such as those that are occupied (excluded by Part I, Section 1, Subsection (4) of the act). This has implications for the current wording of Footnote 75 and any potential redrafting of it.

Footnote 75 only refers to ‘monuments’ that have either been assessed for designation, or that have not yet gone through that formal process. It does not recognise that there are nationally important sites that are ineligible for designation under the Ancient Monuments and Archaeological Areas Act 1979, which should, nonetheless, be considered under the policies for designated heritage assets.

The criteria in Footnote 75 for establishing which non-designated heritage assets should be subject to the policies for designated heritage assets, would not identify those nationally important heritage assets which have been assessed as being nationally important by the relevant Secretary of State (SoS), and which cannot be designated. Such heritage assets would not be identified by the second criteria, as that only applies to monuments that have not yet been assessed by the SoS. The current wording could therefore fail to identify some heritage assets which are of national importance and worthy of consideration under the policies for designated heritage assets.

We would recommend the following wording for Footnote 75 as this would achieve the same objectives as intended by the current wording, whilst simplifying it and addressing the concerns raised above:

‘Non-designated heritage assets which are demonstrably of national importance should be considered subject to the policies for designated heritage assets.’

Alternatively, should reference to the relevant Secretary of State and the decision maker be preferred, we would recommend the following wording:

‘Non-designated heritage assets which are demonstrably of national importance should be considered subject to the policies for designated heritage assets. This should include any identified as such by the Secretary of State for Culture, Media and Sport and/or the relevant decision maker.’

Alternatively, we would not object to this footnote using the same wording as included in the current NPPF, which reads:

‘Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.’

We would also recommend that where the Footnote is placed in the text be carefully considered. It would be beneficial to attach it to either the policy title or the first reference to designated heritage assets in paragraph 1, as this would make it clearer from the outset that it applies to all of the subsequent policies relating to designated heritage assets.

- 190) Do you agree with the new policies in relation to world heritage, conservation areas, and archaeological assets in policies HE8 – HE10? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree

Response

Partly agree.

In relation to Policy HE8, we consider the reference at the end of HE8 (1) (c) to ‘archaeological or historical data’, should be updated to ‘archaeological and/or historical data’ as the use of ‘or’ only suggests that only one of the types of data listed in 1c is needed. Policy HE8 (3) directs decision makers to approve proposals that preserve those elements of the setting of a World Heritage Site that make a positive contribution to it (or which better reveal its significance) should be approved. Whilst we strongly support the bringing forward of schemes which would have a positive effect on heritage assets (designated or otherwise), we are concerned about how this paragraph may be applied to cases where there may be negative, as well as positive effects, on heritage assets. Specifically, that it could be argued that a scheme with a positive effect as described in this paragraph should be granted consent, even where it could have other significant negative impacts on the heritage asset in question, and/or other heritage assets within, or in the wider vicinity of, the application site. In such cases, both positive effects and harms should be balanced, and the quality of mitigation considered. We would recommend that Policy HE8 (3) be amended to reflect this.

In relation to Policy HE9, whilst we support this Policy HE9 (3) directs decision makers to approve proposals ‘that preserve those elements of a conservation area that make a positive contribution to it (or which better reveal its significance) should be approved’. Whilst we strongly support the bringing forward of schemes which would have a positive effect on heritage assets (designated or otherwise), we are concerned about how this paragraph may be applied to cases where there may be negative, as well as positive effects, on heritage assets. Specifically, that it could be argued that a scheme with a positive effect as described in this paragraph should be granted consent, even where it could have other significant negative impacts on the heritage asset in question, and/or other heritage assets within, or in the wider vicinity of, the application site. In such cases, both positive effects and harms should be balanced, and the quality of mitigation considered; we would recommend that HE9: 3 be amended to reflect this. Making information about Conservation Areas, including any relevant maps, appraisals, and management plans, easily publicly accessible through a central repository (similar to how information about designated heritage assets is accessible through the National Heritage List for England (NHLE) for designated heritage assets), would support the bringing forward of proposals which conserve and enhance Conservation Areas.

Whilst the separating out of the archaeology policies (Policy HE10) from the wider historic environment policies is well-intentioned, we are concerned that this doesn’t recognise the public benefit and place making merits of archaeology. There also seems to be an assumption that archaeology only relates to below ground only, when historic buildings and structures often have archaeological interest that come under the consideration of planning archaeologists when reviewing development proposals.

We suggest that Policy HE10 is deleted, that the provision of Policy HE10 (1) is combined/integrated with Policy HE5 (5) and also that the provisions of Policy HE10 (2) 2 is combined with Policy HE11 (1) (b) alongside the inclusion of a reference to public benefit.

Should it be decided to retain Policy HE10, we would highlight our following concerns and recommendations regarding its current drafting:

- The term ‘archaeological assets,’ used in the title and text of HE10, is not currently defined in this document. We would recommend that this term be replaced by ‘heritage assets with archaeological interest;’ this term is already used elsewhere in this chapter (Policy HE5 (5) and ‘archaeological interest’ is already defined in the glossary. This would also address our concern that ‘archaeological assets’ may be assumed by some to only apply to buried archaeological remains, whereas there are other types of heritage assets, such as historic buildings, which may hold ‘archaeological interest,’ to which this policy should apply.
- Some may presume that the addition of a specific policy dealing with ‘archaeological assets’ disappplies the other policies relating to heritage assets in Chapter 20. That this is not the case should be made clearer.

We presume that the word ‘identify’ in Policy HE10 (1) is meant to be ‘inform’. The following comments are made on that basis:

- Policy HE10 (1) sets out how, where a development proposal has the potential to affect an archaeological heritage asset, an appropriate investigation of the asset’s significance and the potential effect on this should be undertaken. This assessment is similar to that which Policy HE5 (1) states should accompany any proposal which would affect heritage assets.

Whilst Policy HE10 (10 references that assessment informing the ‘design, mitigation and implementation of the development proposal’, it does not reference it accompanying, and therefore informing the consideration of, any proposal. Whilst we presume that this would still be secured by Policy HE5 (1), this should be made clearer in Policy HE10.

- ‘Annex C: Information requirements’ currently only references the information requirements of Policy HE5. Should policy HE10 be retained, we would recommend that the information requirements set out in this policy be included in Annex C.
- Whilst we strongly support the conservation of heritage assets where possible, in a manner appropriate to their significance, we are concerned that the current wording of Policy HE10 (2), risks an over-emphasis on preservation in situ, rather than a more nuanced/considered application of the mitigation hierarchy. Some applicants may push through this policy wording for preservation in situ of archaeology for economic reasons alone and, for part of the site only, adversely affecting the integrity of the site, being neither subject to full preservation nor record.
- Policy HE10 (2) should also recognise the need for ‘public benefit’ through public engagement where there is harm/loss to the historic environment.

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

Response

Policy HE7: Decisions on Non-Designated Heritage Assets

Policy HE 7 (1) states 'development proposals which would have a positive effect on non-designated heritage assets should be approved'.

Whilst we strongly support the bringing forward of schemes which would have a positive effect on heritage assets (designated or otherwise), we are concerned about how this may be applied to cases where there may be negative, as well as positive effects, on heritage assets. Specifically, that it could be argued that a scheme with a positive effect on a non-designated heritage asset should be granted consent, even where it could have other significant negative impacts on that heritage asset and/or other heritage assets within, or in the wider vicinity of, the application site. In such cases, both positive effects and harms should be balanced, and the quality of mitigation considered; we would recommend that HE7 (2) be amended to reflect this.

Policy HE11: Loss or removal of heritage assets

We do not consider that the current inclusion of a separate policy (PolicyPHE10) covering 'archaeological assets' is necessary, helpful, or successfully achieved. Whilst it introduces some additional detail, policy HE10 largely duplicates the requirements of policy elsewhere in Chapter 20, including that in Policy HE11. We would recommend that, rather than 'archaeological assets' having a specific policy, Policy HE10 be removed and the content amalgamated across Policy HE4, HE5 and HE11 as appropriate. For Policy HE11 this would include the addition of the content of policy HE10 (2). This would help reduce unnecessary duplication across the NPPF, provide additional clarity regarding the consideration of schemes impacting heritage assets with archaeological interest, and address our concerns regarding the current wording of Policy HE10.

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.

Response

Partly disagree.

The arrangements do not consider the delayed update to the National Planning for Waste which will impact the delivery of Waste Local Plans during this period.

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

Response

Further comments in relation to Chapter 11:

- Policy MI(2a) retains the reference to ‘any published National and Sub National Guidelines on future supply, to identify the provision needed in the plan area’. The current National Guidelines are out of date and need to be updated.
- Policy MI(2b) states that the development plan should ‘Allocate sites and/or identify preferred areas to maintain this provision.’ This removes the option of ‘Areas of Search’ as provided for in 226c (Dec 2024).
- Policy MI(2b) states that ‘(longer periods may be appropriate to take account of the need to supply a range of types of aggregates. Locations of permitted reserves relative to markets, and the productive capacity of permitted sites)’ in relation to landbank periods. The new references in relation to location of markets and recognising the need to understand productive capacity are helpful additions, but it should be recognised that markets can change over the life of a quarry, and this information may be considered commercially sensitive. Therefore, a strategic consideration should be given to this. Data on capacity of sites is gathered as part of the Aggregate Monitoring Survey and therefore, should inform decisions.
- It is noted that the requirement for participation in the operation of Aggregate Working Parties has not been included in the re-draft of the NPPF. It is considered critical for a mineral planning authority to participate in their relevant Aggregate Working Party as part of their plan-making role. It is recommended that this requirement is reinstated and should feature as the first point in MI (ahead of the current MI(1) ‘The development plan should provide for a sufficient supply of minerals of national and local importance’) in recognition of the strategic importance of aggregates supply and demand.

National decision-making Policies T11 and T12 recognise the importance of high-quality telecommunications infrastructure in supporting the UK’s economic growth, productivity, and the resilience of public services. However, the NPPF does not acknowledge that telecommunications networks are formally designated by the UK Government as Critical National Infrastructure (CNI). Nor does it recognise the essential enabling role that digital connectivity plays in underpinning other nationally important systems—such as electricity networks, public services, transport, and green infrastructure—which increasingly cannot operate effectively without robust digital capability.

To ensure national policy reflects the UK’s current and future infrastructure needs, the NPPF should recognise fibre broadband and mobile networks as core ‘infrastructure’ and reference them accordingly. This would ensure that digital connectivity is afforded appropriate and consistent weight in development management and strategic spatial planning decisions.

Additionally, mobile connectivity should be mandated as a requirement deliverable at the point of occupation for new build premises. The New Build Regulations (amended

December 2022) require developers to install gigabit-capable infrastructure and, “wherever possible,” ensure readiness for connection upon occupation. In practice, this typically results in ducting and cabling for fixed-line broadband being provided by the developer. However, there is no equivalent requirement on mobile network operators to ensure the presence of 4G/5G coverage via masts or small cells serving the new development. As a result, new communities are being delivered without adequate mobile connectivity from day one with residents falling between the “gap” of the developer and MNOs. This significantly impacts residents, businesses, and delivery of digital public services.

Strengthening national policy and regulatory expectations in this area would support the UK’s digital ambitions and ensure that all new development is equipped with the mobile and fixed connectivity required by modern households, businesses, and public services.

- 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

Response

Strongly disagree.

Annex A (2) states ‘Development plan policies which are in any way inconsistent with the national decision-making policies in this Framework should be given very limited weight, except where they have been examined and adopted against this Framework.’ Clarification is required as to whether this would mean entire policies are given limited weight if only a part of the policy is inconsistent with the framework. We consider that this should be redrafted to recognise that many part of existing local plan policies should continue to carry significant weight (in a plan-led system) where they are demonstrably not inconsistent with the NPPF.

- 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.

Response

Partly agree.

We agree that the proposed reforms move the system in the right direction, but we do not think the regime is yet sufficiently flexible in practice for co-located data centre + generation projects to be consistently consented quickly and predictably under either NSIP or TCPA. The consultation itself correctly identifies the core problem: most data centres come through TCPA, while larger onsite generation can fall into the NSIP route, forcing related elements into separate consenting tracks. It also recognises that split regimes can create delay and fail to reflect interdependencies between the data centre and its power supply.

The same annex sets out two important flexibilities:

1. Extending section 35 direction powers so data centres can be directed into NSIP where appropriate, and
2. New powers (via the Planning and Infrastructure Act reforms) to direct projects out of NSIP where an alternative regime is more suitable, with case-by-case decisions and supporting guidance/secondary legislation.

The key issue is that the flexibility is mainly discretionary and case-by-case, so developers may still face uncertainty on route, evidence requirements, and programme risk at the point investment decisions are made. The consultation notes reliance on secondary legislation and guidance for how redirection decisions will be made. Until criteria, timelines and evidential requirements are operationally clear, flexibility may exist legally but remain uneven in delivery. Also, the draft NPPF itself confirms it does not set specific policy for NSIPs, which remain governed by the Planning Act/NPS framework; that increases the importance of clear bridging guidance between NSIP and TCPA pathways. Consenting flexibility alone does not remove the main delivery bottlenecks. Clean Power 2030 implementation depends on faster delivery of generation, storage, network and enabling infrastructure, with accelerated planning and grid connection reform; it also notes AI/data centre demand can significantly increase electricity demand and points to a major pipeline of enabling network projects. If those system constraints remain, route flexibility by itself will not fully solve delivery risk. The implementation context also matters. The Planning and Infrastructure Act (Royal Assent 18 December 2025) is intended to speed infrastructure decisions, grid connections, and pre-application stages, but practical delivery depends on capacity and consistent operation across regimes. Local Power Plan evidence on funding to upskill planners reinforces that consenting capability is a live constraint. Given Clean Power 2030 delivery needs and rising electricity demand (including AI-linked data-centre demand), the planning framework should now move from “flexible in principle” to “predictable in operation.” The Climate Change Committee progress report 2025 analysis indicates that while progress has improved, material delivery risks remain in planning, grid, and wider policy readiness. Improvements could include publishing statutory guidance with clear tests, timelines, and default criteria for NSIP↔TCPA redirection for co-located low-carbon generation, plus a standard definition of “co-located energy infrastructure.”

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.

Response

Yes, with conditions.

A targeted uplift could be beneficial to reduce consenting friction for genuinely integrated schemes, given rapid expected growth in data-centre electricity grid connection constraints. However, any uplift should be tightly defined and evidence-led. Section 15 thresholds were recently raised for key technologies (e.g., onshore wind and solar), so further changes should be cautious and reviewed after implementation.

Suggested threshold approach:

- Pilot a higher threshold for genuine co-located schemes only (e.g., up to 200 MW combined renewable capacity),
- subject to strict co-location criteria (see Q197),
- and a 2-year review of consenting speed, grid outcomes, and environmental impacts.

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

Yes.

We support a tighter statutory definition to prevent ambiguity and gaming, co-location should be defined using physical, operational, and contractual tests. Annex A is right to seek a clear definition.

Suggestions for this could cover:

“Co-located energy infrastructure” means renewable generation, storage and associated connection assets that are:

- on the same site or directly adjacent/nearby (e.g., within 2 km) to the data centre;
- electrically integrated through private wire or a shared connection strategy;
- primarily intended to supply the co-located data centre (e.g., minimum annual offtake commitment); and
- consented/phased as a single integrated project.

To reflect resilience concerns, the definition could also include the need for a cooling strategy and water impacts at application stage.

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.

Response

Yes.

Threshold changes should initially be limited to co-located data-centre projects. A broad uplift for other project types of risks moving strategically significant energy projects out of the regime best suited to nationally coordinated infrastructure planning. This is particularly important given the scale of clean power and network delivery required by 2030 and the associated investment challenge. A focused, monitored pilot for co-location may be preferable to system-wide threshold changes at this stage.

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

Response

Benefits:

- Faster and more coherent consenting for integrated data centre + energy schemes.
- Greater investor certainty.
- Potentially reduced dependency on delayed grid reinforcement where on-site generation/storage is integrated.

Risks:

- Fragmentation of strategic energy planning if thresholds are too high.
- Increased local cumulative impacts (land, biodiversity, water, wastewater) without strong tests.
- “Nominal co-location” is used to bypass appropriate scrutiny.
- Data-centre demand pressures are material (electricity demand is expected to rise sharply), while water impacts remain less transparent.

Mitigations we recommend:

1. Tight legal definition of co-location.
2. Mandatory reporting of projected/actual electricity demand and water use at site level.
3. Referral triggers where cumulative impacts are strategic.
4. Resourcing support for local planning authorities.

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.

Response

Partly agree.

We are not convinced that the Section 106 review mechanisms can achieve the same goal without introducing additional complexities. The precise definition of what ‘growth testing’

is in this context would provide the necessary clarity if the objective is to allow flexibility in a consent which will be delivered over more than one local plan period on larger strategic sites.

- 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

Response

Partly disagree.

Whilst we recognise the potential of what is proposed, we are not convince that an optional approach is appropriate. Not only does this place a significant resource burden on local planning authority planners, but it also introduces potentially significant inconsistencies of approach across the country.

- 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.

Response

Strongly agree.

Greater specificity would be welcome in relation to expected (reasonable) developer returns.

- 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.

Response

We consider it appropriate for returns on investment to be lower (say 6%) for affordable housing schemes or where commercial developments are pre-sold.

- 204) Are there further ways the government can bring greater specificity and certainty over profit expectations across landowners, site promoters and I I3 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

Response

We consider the guidance on land value doesn't work well in relation to agricultural land uplift, especially when located near to population centres (and therefore most likely to have been optioned by volume house builder strategic land portfolios.

- 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?

Response

We are only aware of developers using GDV to define margins.

- 206) Do you agree there are 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.

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.

Response

Neither agree or disagree.

Our view is that these metrics are unlikely to affect the speed of delivery.

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?

Response

Strongly disagree.

Developers looking to purchase land for development are in our view very unlikely to pay 20% more for the value of a site once the opportunities for development have been fully assessed. As such the likely unintended consequence of this approach is to impact on Section 106 affordable housing or other infrastructure requirements.

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.

Response

Partly agree.

ADEPT would support local planning authorities being given more detailed guidance on this issue.

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

Response

We consider this is entirely a matter for the decision-maker's discretion.

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?

Response

ADEPT strongly believes in more transparency with regards to the operation of the land market. In our view the Government should be very wary of non-compliant developments which use inflated land values, questionable financing costs, questionable site abnormal costs, and dampened return from sales projections.

- 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

Response

Strongly agree.

ADEPT would support local planning authorities being given more detailed guidance on this issue.

- 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.

Response

Strongly disagree.

The 2.5 hectare threshold will lead to the unintended consequence of lower density medium site proposals, potentially not making the most efficient use of appropriate land for development. This has the possible knock-on consequence of undermining the Government's commitment to delivering 1.5 million homes by the end of this current Parliament. Whilst we endorse meaningful initiatives to support small and medium sized builders, drawing upon some of the innovative approaches many local councils have already undertaken in this regard, we strongly consider the use of a size threshold undermines what is trying to be achieved. The threshold should be deleted.

- 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.

Response

Partly disagree.

As the unit thresholds would not cover certain housing developments, such as specialist or supported housing for instance, or indeed commercial proposals, we remain unconvinced about the value of introducing this category of development.

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

Response

Yes.

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

Response

Because it is unclear how this category of medium scale development will be finalised in the NPPF, how it operates in practice depends on whether the housing range numbers remains, whether the site threshold is retained, and the nature of the sites to which it applies across the country. We remain unconvinced about the benefits of this medium-sized development category. We are also concerned that if as we have suggested it could inadvertently result in lower densities then local planning authorities would in our opinion be justified in refusing unacceptably low densities making inefficient use of developable land.

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.

Response

ADEPT does not support the extension of the proposal to the higher level of 50 dwellings.

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.

Response

ADEPT does not consider that 120 purpose built student accommodation bedspaces to be an appropriate equivalent as that represents a very substantial, in all likelihood high rise development proposition.

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.

Response

Any metric should be based on the number of units not site size.

- 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.

Response

If a levy exemption were to be made, this potentially could encourage more accessible, wheelchair, supported and veteran accommodation to come forward to meet local needs.

- 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.

Response

Developers could potentially game the system by artificially designing schemes to sit slightly below the specified thresholds. We have evidence of this from a number of authorities around the country in relation to where local plan policy applies above a certain unit threshold.

- 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.

Response

Partly disagree.

ADEPT remains to be convinced that Permission in Principle as an approach to accelerating housing delivery (given that they are not a grant of planning permission and therefore are viewed differently as we understand it by funders and developers).

- 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?

Response

No further comments.

- 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.

Response

No further comments.

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

Response

No further comments.