

The ADEPT Response to the Draft National Planning Policy Framework (NPPF) and National Planning Guidance (NPG)

Introduction

The Association of Directors of Environment, Economy, Planning and Transport (ADEPT) represents Place Directors from county, unitary and metropolitan local authorities, along with Local Enterprise Partnerships (LEPs). ADEPT members are at the very heart of maximising sustainable growth in communities throughout the UK. This is our response to the Government's consultation on the National Planning Policy Framework (and associated documents). ADEPT has also produced a position statement on Housing and the Industrial Strategy which are attached. In the first section we make some general comments before responding to the detailed questions set out in the consultation.

1.0 ADEPT welcomes the opportunity to comment on the draft National Planning Policy Framework (NPPF) and associated documents. Before responding to the consultation paper in detail ADEPT wishes to set out three key aspects upon which it can assist government.

- A strategic approach to planning and infrastructure is fundamental to delivering the housing the government wishes to see come forward. We work to get the balance between social, economic and environmental objectives, and are at the heart of creating vibrant sustainable places for all.
- Viability is a vital consideration in delivering the housing needed. There must be transparency about the viability of development and the issues of land value capture must be properly and fully addressed. It is not just about the costs of delivering housing but also in terms of the burden on local authority budgets of housing schemes once built.
- ADEPT members are at the very heart of maximising sustainable growth in communities throughout the UK. We are delivering the projects that are key to unlocking broader economic success and creating more resilient communities, economies and infrastructure. We would extend to government the offer of

working together to take forward the Framework and exploring what initiatives might achieve our shared aspiration of providing the sustainable homes our communities need.

2.0 The NPPF has been in place since 2012 and ADEPT welcomes the review of its effectiveness represented by this consultation. The changes to the NPPF arise substantially from, and seek to implement, policy changes promoted through the Housing White Paper (fixing our broken housing market) 2017, Planning and Affordable Housing for build for rent (2017); and Planning for the Right Homes in the Right Places consultation 2017. ADEPT has responded to the consultations on these documents and details can be found on our web site.¹ It is understood that the Government's focus is on housing delivery however, this does run the risk that the NPPF does not adequately focus on delivering on areas of real concern to proper planning, that is to say, high quality sustainable communities of the future that provide for growth, with the necessary infrastructure and protect what is important in the historic and natural environment, to provide places that people want to live in and visit.

Achieving Sustainable Development

3.0 The draft NPPF re-affirms its support for the presumption in favour of sustainable development. However, there is no mention in either the NPPF or the Planning Policy Guidance (PPG) of the New Urban Agenda² or the Sustainable Development Goals (SDGs).³ The Government has committed itself to the SDGs and in its most recent corporate report (14 December 2017) it states that:

*"The UK is committed to the delivery of the Sustainable Development Goals. The most effective way to do this is by ensuring that the Goals are fully embedded in planned activity of each Government department. The most effective mechanism for coordinating implementation is the departmental planning process."*⁴

It is very surprising that the new Framework does not at the very least, identify this commitment, or explain how the SDGs are "fully embedded" within it.

4.0 The restructuring and distribution of Core Planning Principles (paragraph 17) seems to undermine their centrality to the Government's vision for planning and potential for demonstrating how they might fulfil the SDGs. It may even encourage a fragmented or disparate approach rather than a holistic one, in achieving sustainable development, as it allows for individual subjects to be addressed in isolation from each other, rather than on an integrated basis. Whilst the Government's drive to boost housing delivery is supported, this must be delivered through a 'place' based approach to planning, and not to the exclusion of all else. This is why an understanding of, and commitment to, the SDGs is so important.

5.0 This is also reflected in the omission of Garden City principles that were in the original version of the NPPF. The measures to improve housing delivery are generally welcomed, but the emphasis on delivery has eroded the broad place-making objectives to create new communities where people want to live. The promotion of the Garden City principles set out in the existing NPPF should be reinstated and reinforced in the draft NPPF to highlight their importance in accelerating housing delivery, improving place-shaping and creating new communities.

6.0 ADEPT suggests that the Framework is the opportunity to consider the golden thread that runs through the Government's major policy positions such as the Clean Growth Strategy, 25 Year Environment Plan, Circular Economy, and Industrial Strategy. However, the sense from considering the draft NPPF in its entirety is that a number of the policy positions on these issues are under-developed and not necessarily aligned.

Plan-making

7.0 The NPPF recognises the statutory status of the development plan as the starting point for decision making. ADEPT strongly encourages the government not to diminish the role of the development plan or its centrality to the planning system. If the importance of the development is diminished in the perception of the development industry and significantly, the local community it will undermine support for planning generally. Any measures to change the NPPF or the role of plans should strengthen the role of the

development plan rather than diminish it. In assessing the effect of the Framework, It is important not to overstate the scope of this policy-making role. The Framework itself makes clear that as respects the determination of planning applications it is no more than “guidance” and as such a “material consideration” in planning law. (For instance, *R (Cala Homes (South) Ltd) v Secretary of State for Communities and Local Government [2011] 1 P & CR 22*, paragraph 50). However, the dispersal of the core principles and the portfolio approach to plan-making may have the effect of undermining the status of the Development Plan and its primacy in decision-making. It would be helpful for the NPPF to be clear on its support for plan-making beyond those containing strategic policies.

8.0 ADEPT is of the view that any one objective (i.e. housing) cannot be pursued without the others or at the expense of the other objectives. Creating balanced sustainable communities needs a range of aspects to be successful.

9.0 Sustainable communities cannot be created without the appropriate infrastructure and the appropriate support to enable them to grow in an appropriate way over time. The Association welcomed the Housing Infrastructure Fund to support housing need. However, we would encourage the Government to ensure that the processes and procedures underlying the bid process are as clear and streamlined as possible. It is time consuming and complex for authorities to submit bids which if unsuccessful just diminish existing hard-pressed resources. We would also encourage the new Fund to complement other funding sources so that authorities can maximise the funding available to them to deliver growth. Any methodology for assessing future bids should reflect the different circumstances of individual areas including those that are low value but require significant investment so as to ensure balanced investment across England. The Association also wishes to point out that there should be more flexibility in the balance of how funding can be used. Often authorities struggle with revenue budgets whilst having sufficient capital programmes and are unable to capitalise such programmes.

10.0 The government should take the opportunity look at how other countries can offer the UK a different way of funding infrastructure through capturing the uplift in land value

resulting from the granting of planning permission and public investment being made on or near a piece of land.

11.0 ADEPT welcomes the willingness to take a broader strategic view of planning for areas greater than individual authorities and to consider how the duty to cooperate has worked in practice. A more holistic and collaborative approach is required to deliver housing than just a statutory duty to cooperate. Professional bodies have been calling for this strategic approach to planning for housing for a number of years and ADEPT supports this change in emphasis. ADEPT members are drawn from 'Place' Directors in upper tier local authorities, Local Enterprise Partnerships (LEPs) and commercial partners. We work to get the balance between social, economic and environmental objectives, and are uniquely placed to provide advice on strategic planning across a range of contexts. A strategic approach to planning and infrastructure is fundamental to delivering the housing the government wishes to see come forward.

Decision-making

12.0 For strategic infrastructure the Government proposes that combined authorities and joint planning committees with strategic planning powers should have powers to introduce a Strategic Infrastructure Tariff. However, as currently proposed, only combined authorities or Section 29 (of the 2004 Planning and Compulsory Purchase Act) statutory joint planning committees would be able to levy the proposed SIT. Given that the Government is promoting a strategic approach to planning across local authority boundaries it makes sense that there should be flexibility in how a Strategic Infrastructure Tariff can be implemented and administered.

13.0 Although reference is still made in the draft NPPF to poor design being a reason to refuse planning permission, the new text highlights that design should not be used as a valid reason to object to proposals if they accord with clear expectations in local policies. It is very unlikely that local policies will be able to cover the wide range of design judgements through criteria which means that a case by case assessment will still need to be made. The draft NPPF has the potential to undermine this important facet in decision-

making and may lead to a more formulaic and ironically less innovative approaches to design.

14.0 The revisions to the operation of both the CIL and S106 regimes are welcome. As the Government acknowledges, neither provides a sufficiently transparent and rigorous way to ensure that development value may be captured in order to help improve the infrastructure necessary for the delivery of successful places.

15.0 ADEPT welcomes the acknowledgement in the draft NPPF that strategic policies are necessary to address strategic priorities including relevant cross-border issues, and that these are to look ahead over a minimum 15-year horizon to anticipate and respond to long term requirements and opportunities, such as those arising from major improvements to infrastructure.

Delivering a Wide Choice of High Quality Homes

16.0 ADEPT welcomes the standardisation in the calculation of housing need in the draft NPPF, but also requests that the draft NPPF should allow for any 5-year housing land supply position and Housing Delivery Test to also be applied across the same housing standardised assessment area.

17.0 When local planning authorities are working together jointly they should be supported in managing housing delivery (both in terms of 5-year land supply and Housing Delivery Test) on a 'strategic plan' basis. ADEPT would also encourage the government to support and optimise the ability of local authorities to deliver housing. Authorities are taking up the challenge of delivering housing and ADEPT considers there should be NO impediments to this trend for example, see the research of Morphet and Clifford for the RTPI.⁵

18.0 Although the draft NPPF continues to highlight the role strategic development options, such as new communities, can play in contributing to housing delivery, the Government's promised support for the concept of 'Garden Villages and Towns' has not materialised. The principles behind this are important and should be included in national policy, or at the very least, in the PPG.

19.0 There is a risk that simplified housing demand-led targets will exacerbate existing trends – putting more emphasis where demand is already high undermining areas who have growth ambition but currently lack market stimulus to meet it. The planning system must ensure that places which now have lower targets do not have their growth and place-making ambitions subdued.

20.0 The glossary includes a definition of “Essential local workers: Public sector employees who provide frontline services in areas including health, education and community safety and can include NHS staff, teachers, police, firefighters and military personnel, social care and childcare workers.” The definition of affordable housing is “Affordable housing: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions: Affordable housing for rent ... Starter homes ... Discounted market sales housing ... Other affordable routes to home ownership: is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low-cost homes for sale and rent to buy (which includes a period of intermediate rent). ...”. There is an argument to say, planners could be included as essential local workers.

21.0 The shortage of trained planners not only nationally⁶ but internationally.⁷ The RTPi has identified the skills and expertise for planners in an international context.⁸ There are also a number of areas of planning practice which are in short supply. The Welsh Government's consultation paper 'Positive Planning' identified that we need a planning system that can span local planning authority boundaries but there is a lack of such expertise:

“The evidence also identified that a lack of specialist skills and the small size of planning teams within LPAs contributed towards issues with processing applications within the statutory periods. This resulted in a lack of confidence in the system and impacted on investment. This complexity and delay is particularly

highlighted in relation to renewable energy schemes due to a lack of skills and resources.”⁹

22.0 Kate Barker in her review of planning dealt with the issue of skills as follows:

“There are many highly skilled and competent professional staff within the planning profession. However, there are a number of concerns about maintaining the skills base. These include: recruitment and retention challenges, measured in part by high vacancy rates; concerns about the training of planners (13 per cent of departments lack a training budget) and council members; the demands for specialist skills (negotiating complex Section 106 agreements, for example, requires some knowledge of development finance that planners have previously never needed); poaching by private sector consultancies; and worries about the high proportion of agency staff and the turnover of these groups.

Part of the solution here is addressing supply constraints. Until current training and bursary initiatives take effect, the community of planners will remain limited and the public sector will often find it difficult to compete with the private sector because of the nature of the work and the private sectors greater ability to pay.”¹⁰

23.0 She expressed the view that skills may be closely bound to broader issues of local authority empowerment. Allowing planning services more autonomy could increase the status of the work she argued, thus making it easier to attract and retain high skilled employees.¹¹

24.0 The revised NPPF states at paragraph 78:

“To help ensure that proposals for housing development are implemented in a timely manner, local planning authorities should consider imposing a planning condition providing that development must begin within a timescale shorter than the relevant default period, where this would expedite the development without threatening its deliverability or viability. For major housing development, local planning authorities should also assess why any earlier grant of planning permission for a similar development on the same site did not start.”

25.0 This seems a rather toothless version of 'use it or lose it' and one which places the burden on local authorities. In areas where affordability of housing is most challenging, the Government propose an affordability index, which increases the housing target. This will require more houses of mixed type and tenure to be built and could result in reduced house prices. However, in addition the Government's own advisor - Oliver Letwin's interim report has highlighted a number of concerns, which include Developers building out slowly to manage the market (recognising that there are just 10 major housebuilders building 60% of the housing in the country), as well as both a skills and materials shortage.

26.0 Challenging site parameters, and constraints from utilities, land remediation costs and problems with local transport infrastructure are just some of the issues currently outside the control of Local Planning Authorities and need to be addressed. Letwin's final report will not be published until June 2018 and it is premature that the standard methodology should be promoted in advance of the final report and other measures to assist housing delivery introduced. The standard methodology will require additional land to be allocated/given permission but will not speed up housebuilding or deliver the additional housing needed if the Development Industry itself cannot meet the challenge.

27.0 Paragraph 63 of the draft NPPF requires that where the need for affordable housing is identified, policies should specify the type of affordable housing required and expect it to be met on site unless off site provision or contributions in lieu can be justified or the agreed approach contributes to objective of balanced communities. Paragraph 64 states that affordable housing should only be required on major sites and restates that brownfield sites can be reduced using the vacant building credit. The amount of affordable housing on brownfield sites should be established through viability assessments and not through the use of the vacant building credit.

28.0 In paragraph 65 the revisions introduce the requirement for at least 10% of homes on major sites to be available for affordable home ownership, subject to certain exemptions. The potential area of concern is that homes for affordable rent is the key area of need and policies should seek to require affordable housing to meet the specific needs of an area.

There is also an expectation that Plans should provide a housing requirement for designated neighbourhood areas.

29.0 In order to encourage greater use of small sites and the development of SMEs into the market, the revisions require that Plans show at least 20% of the sites allocated are of half a hectare or less. This proposal may be difficult to implement in practice – it depends very much on the local circumstances and local housing markets. Moreover, large sites are, and can be, developed by SMEs local to a particular area. Often these SMEs because they are local are better in tune to the local housing market. One possibility is to require larger sites to include smaller areas for development by SMEs to develop.

30.0 The revisions then propose measures relating to supply and delivery, in particular, to bring in the Housing Delivery Test. Essentially this means that despite any allocations in an up to date Local Plan, from 2020 where housing delivery is below 75% of the Local Authority's housing requirement, then the presumption in favour of sustainable development will apply to applications for development on non-allocated sites. The consultation also refers to the local government finance settlement technical consultation and the possibility that new homes bonus could be linked to the delivery test or the use of the standard approach to local housing need. The housing delivery test and the potential link to new homes bonus provides considerable concern, particularly if the target the Local Authority is judged against is the standard methodology. Firstly, housing delivery is affected by the economic climate (which is outside the influence of the Local Authority) and thereby is to a degree volatile. Secondly, as described in the Letwin interim report, there are a lot of factors relating to housing delivery that are outside of the control of the Local Authority.

31.0 Until the concerns and constraints identified by Letwin are appropriately dealt with Planning Authorities should not be penalised by a test over which they have limited influence. In addition, significant weight should be given to steps that the Authority are taking to positively address housebuilding (see the Morphet and Clifford¹² research which sets out a number of recommendations to government at page 6, to support local authority housing delivery). In particular, the fiscal and financial measures recommended

in the report would also help deliver the much need housing the government seeks. It would be far more effective for the government to provide the necessary support and a clear, unequivocal mandate for local authorities to build housing. The housing delivery test would then make much more sense as a test of local authorities' delivery of housing rather than the private sector over which it has limited, if any, real influence.

32.0 Too much emphases is given in the NPPF to creating new stock and not on bringing poor quality, unused or under-utilised housing stock back into use by refurbishment, retro-fitting or fiscal incentives. Many properties have been built purely for investment purposes and consideration needs to be given to fiscal measures to discourage such investment. The House of Lords has made some suggestions on approaches in its report *Building More Homes*.

33.0 Paragraph 72, re-introduces the idea of starter homes as exception sites, which could be for sale or rent and should be outside existing settlements on land not already allocated. This would need to be carefully considered within policies in the Development Plan and must demonstrate that meets a local need.

Building a Strong, Competitive Economy

34.0 The initial paragraphs make more explicit the importance of supporting business growth and the section now brings within it the rural economy with the potential need for local policies to accommodate sites for businesses and community needs outside existing settlements. In principle all of this reads well and is supported and should be developed within Local Plan policies. There is, however, concern that the positivity of this section runs into conflict with the continued use of permitted development rights to change business premises into residential uses, which has resulted in existing businesses closing and cannot be correct when promoting business growth.

Ensuring the vitality of town centres

35.0 The sequential approach to planning applications has been changed to provide more support to Town Centre or Edge of Centre sites, as opposed to Out of Centre sites.

However, office developments outside centres will be subject to the same sequential approach, but will not be subject to an impact assessment.

Promoting healthy and safe communities

36.0 The implementation of Permitted Development rights has resulted in changes to areas in terms of loss of retail, community uses and employment that is harmful to the character and vitality of areas. It is better that this is properly assessed and controlled through positive plan policies and application determination rather than blanket implementation of Permitted Development rights that could result in harm.

37.0 While there is a support for outstanding or innovative design they should be in context and sensitive to their surroundings.

38.0 ADEPT considers that this is a section where the issues highlighted by the SDGs would be particularly pertinent. For example, goals dealing with good health and well-being, gender equality, sustainable cities and communities are all relevant (SDGs 3, 5, 10, and 11).

39.0 While it is not considered that there is anything intrinsically wrong with the section, there is a concern that such a short section on an important issue, which is key to the way people feel about where they live and the associated public health benefits linked to place making, may be given reduced weight compared to the requirement to deliver housing at appropriate densities, with resultant poor quality and unsustainable development being allowed (particularly on appeal). The importance of place making and good design cannot be understated. ADEPT would encourage the government to look at the work being undertaken in respect of well-being as a key component of policy by the Wales government.

40.0 ADEPT considers that this section could express support the use of Health Impact Assessments to support decision-making and policy development.

Sustainable Transport

41.0 Sustainable transport policies need to be incentivised which is why ADEPT would welcome any scheme that encourages the scrapping of diesel vehicles and that prioritise walking, cycling and the use of public transport wherever possible. See in particular ADEPT's response to the Government's consultation: 'Improving air quality in the UK: Tackling nitrogen dioxide in our towns and cities'.¹³ ADEPT would also refer to the response on the Major Road Network consultation which can be found on its web site.¹⁴

Supporting High Quality Communications

42.0 ADEPT would welcome policies that support high quality communications provided that they respect, and integrate with, the built and natural environment. ADEPT has been undertaking research into SMART place-making. SMART Places are places where increased citizen engagement, insight and intelligence, hard infrastructure, natural capital, social capital and digital technologies make places more liveable, workable, resilient and better able to respond to challenges. The NPPF could make reference to how it might support such digitally enabled approaches to place-making.

Achieving Well-designed Places

43.0 ADEPT supports the objective of creating well-designed places but the dispersion of the core planning principles throughout the draft NPPF run the risk of diluting this objective. Similarly, the increasing application of PD for conversion to residential uses without any compliance to space standards or other amenity issues and is creating the poor standard accommodation. The extensive use of PD rights not providing the right type of homes necessarily and its use is contrary to the aims of the NPPF for sustainable development. It would be better to have national and local policies guiding development than allowing poor substandard development through the implementation of PD rights.

Protecting the Green Belt

44.0 The Green Belt performs an important function. It is acknowledged that the Green Belt is a sensitive subject. However, the role and purposes of the Green Belt are not well understood outside the planning professional. ADEPT considers that now is the time to seriously consider how Green Belt policy is optimised to protect the countryside whilst

delivering the sustainable development (including housing) that the country desperately needs.

Meeting the Challenge of Climate Change

45.0 ADEPT considers that this is a section where the issues highlighted by the SDGs would be particularly pertinent. Issues around resilience, sustainability and well-being (for example, SDGs 3, 6, 7, 11, 12, and 13). Places must work for the people that live in them. For ADEPT, successful infrastructure is more than hard engineering; it provides the social, economic and environmental systems that support communities. Creating places that work for all relies on effective and localised decision-making, aligned with national strategy. Integrated industrial, economic and environmental strategies must 'make the case for place'. At the national level, Government must make the links between its major strategies for environment, industry and housing, and ensure these are jointly owned across Government rather than by just the sponsoring department. ADEPT has also responded to the recent consultation on the National Policy Statement (NPS) for Water Resources. This can be found on its web site.¹⁵ The draft NPPF needs to take account of the NPS.

46.0 The resilience of places is a key aspect of meeting the challenge of climate change. ADEPT believes that air pollution is not just a health issue, it is a health inequality issue that has a disproportionate impact on children and on the people who live in our poorest communities. Tackling air pollution requires a 'joined up' approach that crosses sectors, professions, and administrative boundaries. Air quality is a national issue, the Government must play its part and provide proactive leadership, not just push responsibility to Local Authorities to design local solutions. In the longer term, better planning is needed to create healthy, sustainable communities that facilitate and promote alternatives to the use of polluting vehicles.

47.0 The issue of air pollution is not just a technical matter, but communications and behaviour change are important. Greater public awareness is crucial both in helping people understand how their behaviour/transport choices impacts on air quality, and also

enabling them to use current information to modify their travel and avoid the worst affected areas.

48.0 This chapter (and the PPG) seems to be particularly lightweight in respect of the Government's recently published 25 Year Environment Plan. For example, there is little reference to the use of sustainable urban drainage systems, and the nature recovery network is not mentioned and of course there is no reference to the SDGs.

Transitional Arrangements

49.0 The final section emphasises the need to get more homes built but that more needs to be done. It considers that the permitted development rights referred to above have been successful in delivering homes – this is agreed; but it is questionable as to what harm that has been caused and substandard nature of some of the homes. More alarming is the proposal to introduce further permitted development for use of the airspace above existing residential and commercial premises to create new homes. There will be a future consultation on that

Q1 Do you have any comments on the text of Chapter 1?

No.

Q2 Do you agree with the changes to the sustainable development objectives and the presumption in favour of sustainable development?

No.

Q3 Do you agree that the core principles section should be deleted, given its content has been retained and moved to other appropriate parts of the framework?

No, there is a risks of diluting their impact. Clear reference should be made to the SDGs to which the Government has committed itself and confirmed will be *“fully embedded in planned activity of each Government department.”*

Q4 Do you have any other comments on the text of Chapter 2, including the approach to providing additional certainty for neighbourhood plans in some circumstances?

ADEPT welcomes the continued presumption in favour of sustainable development which lies at the heart of development plan preparation, and also welcomes the clarification in paragraph 12 in respect of the presumption in favour of sustainable development not changing the statutory status of the development plan as the starting point for decision making. However, the change to the core principles and the portfolio approach to plan-making may undermine the status of the Development Plan and its primacy in decision-making.

There is also a concern to ensure that the character of urban areas is protected from over development and poor design (the extensive use of permitted development rights is undermining the planning process and public perception of its value. Proposed revisions to policy relating to sustainable development (paragraph 11) are ambiguous and could be read as precluding design issues, which is in direct conflict with the objectives set out in the revised NPPF to achieve quality design. It should be made it explicitly clear that poor design and over development are two of the key reasons for not approving a development.

Q5 Do you agree with the further changes proposed to the tests of soundness, and to the other changes of policy in this chapter that have not already been consulted on?

The wording of the soundness tests is good in that it requires (positively prepared) a strategy to meet as much as possible the areas OAN – using clear and justified method to identify needs. The reference to meeting unmet need from neighbouring authorities is based on it being “practical to do so”. ADEPT welcomes the change to the soundness test to refer to an appropriate strategy taking into account reasonable alternatives and based on proportionate evidence.

Q6 Do you have any other comments on the text of Chapter 3?

ADEPT welcomes the proposals to introduce a ‘Statement of Common Ground’ to promote effective joint working (although as suggested in response to the consultation: “Planning for the Right Homes in the Right Places” the use of this term is considered to be unhelpful in the

context it is being used in the consultation). Perhaps the use of the term Joint Statement of Intent or a Joint Statement on Collaboration might be a better nomenclature. ADEPT welcomes clarity in the application of 'duty to co-operate' provisions in development plan preparation and their inclusion as tests of 'soundness' in examining the plan.

The recognised need for the development of strategic policies in development plans is supported by the ADEPT. These are considered to be essential to effective plan making in an area. However, there is the risk that given the resources, costs and effort required to develop plans containing strategic policies it may undermine other aspects of plan-making at a local level. It would be helpful for the NPPF to be clear on its support for plan-making beyond those containing strategic policies.

ADEPT welcomes proposed changes in relation to Development Contributions aimed at clearly setting out affordable housing and infrastructure expectations at the plan-making stage so that developers can factor this into the viability of development proposals.

Q7 The revised draft Framework expects all viability assessments to be made publicly available. Are there any circumstances where this would be problematic?

ADEPT supports this proposal it is necessary for transparent planning.

Q8 Would it be helpful for national planning guidance to go further and set out the circumstances in which viability assessment to accompany planning applications would be acceptable?

In principle yes. It is important that the role of utility providers and service planning in delivering housing is seriously addressed. Too often poor planning by utility companies or a lack of urgency can put a handbrake of achieving timely infrastructure provision and/or housing delivery. The role of utility companies in enabling the bringing forward housing (and hence the housing delivery test) is significant. There is little if any correlation between the capital programme of providers such as the water companies and sewerage provides and the preparation and implementation of Local Plans.

The question of viability needs to be addressed more broadly. Viability in its widest sense. Not just about the impact on delivering housing but also in terms of the burden on local authority budgets of housing schemes that are poorly designed, 'valued engineered' to the lowest quality and are poorly built and constructed. Often local authorities are left to pick up maintenance and repair costs for poor public realm. These legacy issues often place a considerable revenue burden on local authorities. ADEPT has considerable experience and operates a unique system of technical working groups, subject and sub-national boards that work to support members through sharing best practice and technical expertise, facilitating strategic thinking and providing networking opportunities. ADEPT would be willing and prepared to work with government on sharing this expertise.

Q9 What would be the benefits of going further and mandating the use of review mechanisms to capture increases in the value of a large or multi-phased development?

ADEPT would welcome this. It seems sensible that if having negotiated a viability assessment that reduces contributions, that if circumstances change and the viability of the development improves, that the financial gains should be shared with the local community to off-set the pressures of the development. Inclusion of a mandatory requirement for review mechanisms within national policy would support local authorities in decisions to impose such mechanisms in the interests of delivering maximum viable levels of affordable housing and supporting infrastructure.

Q10 Do you have any comments on the text of Chapter 4?

ADEPT welcomes the encouragement of pre-application engagement and front loading, many of its members adopt this approach as a matter of course. ADEPT generally welcomes proposed changes in relation to planning conditions and obligations aimed at speeding up the assessment process of planning proposals. However, in some instances developers choose to agree all planning obligations simply to secure a planning permission and then seek to renegotiate at a later date. This is costly and time consuming for all parties and could be avoided by allowing local authorities to either: - a) refuse planning proposals that appear undeliverable and in instances where the sites in question were not put forward for allocation, and shown to be deliverable, at the plan-making stage; or b) allow local authorities

to request viability evidence to demonstrate that a scheme is deliverable at the planning application stage or risk refusal.

The related Draft PPG, where it relates to standardised inputs for viability assessments, is welcomed. In particular, the approach to calculating costs, benchmark land value and profit is supported. However, it is considered that it could present a stronger position in respect of placing the onus on landowners/developers to provide local authorities with evidence at plan-making stage to demonstrate that sites are deliverable.

ADEPT considers that the treatment of enforcement is far from satisfactory. Proper enforcement is the bedrock of the planning system. Paragraph 59 in respect to Enforcement is very limited, indeed prior to the National Planning Policy Framework 'enforcement action' was always tested on levels of 'expediency' as opposed to been discretionary. Planning Policy Guidance 18 'Enforcing Planning Control' and Circular 10/97 'Enforcing Planning Control' were withdrawn and replaced with a small paragraph; the absence of 'weight' given to planning enforcement is surprising, in particular when non-compliance of a breach in planning control can lead to a criminal conviction.

In the revised NPPF at paragraph 78, it is suggested that a condition be used to help ensure that proposals for housing development are implemented in a timely manner. This is an interesting suggestion in the context of the very brief section on enforcement. The ability to enforce planning conditions is not without its challenges, so to suggest such an approach would be much more realistic if the support for planning enforcement was made much more unequivocally in the draft NPPF. Government should use this opportunity to review the existing enforcement 'toolkit'. The Framework or, at the least, the PPG should include more on the enforcement regime than is the case in the consultation draft.

The public register concerned with land charges resulting from breaches of planning control should also be displayed online.

Q11 What are your views on the most appropriate combination of Policy requirements to ensure that a suitable proportion of land for homes comes forward as small or medium sized sites?

ADEPT disagrees with the proposal for twenty percent of sites to be half a hectare or less, as the requirement should be driven by demonstrable housing need, affordability of market housing and site development viability. Each local authority area is different and many authorities benefit from a number of smaller sites as opposed to large developments and would therefore, be disadvantaged by this proposal.

ADEPT considers that the way forward is through partnership working with developers and the Government providing developers with greater incentives to deliver sites. Setting arbitrary thresholds will not achieve the objective and will only add another layer of complexity to plan-making.

ADEPT is of the view that this issue needs to be considered properly in the context Letwin Review. Oliver Letwin's final report will not be until June 2018 and it is premature in advance of the final report that this issue and other measures to assist housing delivery is introduced. These proposals to achieve housing delivery will be otiose if the Development Industry itself cannot meet the challenge.

Q12 Do you agree with the application of the presumption in favour of sustainable development where delivery is below 75% of the housing required from 2020?

There are significant concerns about the Housing Delivery Test in advance of the final Letwin report and consideration of the issues flowing from that report which is essentially about the barriers to delivery – much of which lies outside the control of the LPA. For instance, the availability of built environment professionals and skilled labour, materials, the dilatoriness of utility companies, cost and time of land remediation and infrastructure requirements etc. With only 10 major developers in the Country for instance, it is entirely possible for the development industry to slow the rate of delivery in order to get planning permission on non-allocated green field sites despite an up to date Local Plan. In addition, there is a need to consider the positive steps that a LPA is taking to address housing delivery, sometimes in the face of significant constraints. In addition, consideration should be given to the starting point

in terms of housing delivery and where a LPA has been able to work with the development industry to get to.

ADEPT is also concerned that in referring to the presumption in favour of sustainable development where the adequacy of the housing delivery test is not met could preclude the consideration of good design and issues of over development and as such be in direct conflict with the design statements in the NPPF.

Q13 Do you agree with the new policy on exception sites for entry level homes?

There is a need to clarify how the local need aspect will work in reality and how the proportionate in size will be defined in order to avoid challenges through the appeal process and courts.

Q14 Do you have any other comments on the text in Chapter 5?

ADEPT welcomes initiatives to improve the delivery of affordable housing. However, there is real concern about the definition of affordable housing. The definition as set out in the appendix to the draft NPPF includes a wide range of intermediate housing products which really stretch what could reasonably considered affordable. It is likely that many on local incomes will be unable to afford what in terms of the new definition will be badged as affordable housing. For many households in many housing markets, 20 per cent below market rent or price remains unaffordable. High demand areas such where property prices have risen more markedly relative to average incomes are struggling to meet their affordable need. In the current housing market many affordable housing products are beyond the reach of local people because of the disparity between suppressed income levels and escalating house prices as well as for rent. The concept of a living rent should be considered for low income groups. Although Starter Homes may have a role in the housing market, they should not be included as a form of affordable housing which can be delivered in place of other forms of affordable housing tenure if they are not to be treated as affordable housing in perpetuity. Should the definition of affordable housing be revised as proposed, then local authorities should have flexibility to determine the balance of affordable housing products delivered locally, including rent and home ownership.

Local Authorities are at the very heart of their communities and ADEPT wants to see more freedoms for Local Authorities to build and deliver a range of housing. The lack of affordable housing being built as a result is resulting in an increase in homelessness nationally which is costing more and more to the public purse. The affordability gap is becoming a chasm and will soon be unbridgeable for most of the population (especially the young). ADEPT would encourage the government to be bold and go much further in pursuing policies that enable the delivery of genuinely affordable housing by local authorities.

In addition Oliver Letwin, in his interim report has highlighted a number of concerns which include developers building out slowly to manage the market (recognising that there are just 10 major housebuilders building 60% of the housing in the country) as well as both a skills shortage and a materials shortage. He also refers to concerns regarding the availability of capital, the effect of utilities, and issues with local transport infrastructure. All of these matters are currently outside the control of Local Planning Authorities and need to be addressed. Whilst it is fully recognised that an adequate and deliverable supply of land is vital in meeting future housing needs, it is considered that the Government has failed to recognise that delivering privately owned sites is not within the powers or remit of the local planning authority unless time consuming and costly CPO powers are pursued. Delivery is the responsibility of the developer and this will be dictated by the market place and the business decisions of individual developers. It may well be in the developers' financial or project programming interest to 'land bank' sites. Allocating additional land not identified in a local plan will not resolve this problem. These proposals merely penalise the local planning authority for decisions which are mainly outside their control. Letwin's final report will not be until June and it seems premature to come to any firm view until this report has been published.

It is important that Local Planning Authority through its Development Plan identifies its needs for an area including housing mix, housing needs and that should include for the percentage of affordable and the tenure mix, which should include sale and rent.

It is considered that the 95% delivery target in paragraph 77 is unrealistic and unreasonable; and it is not considered that pursuing action plans to assess the causes of under delivery or

restricting planning permissions to shorter time periods will resolve the matter. Under delivery is often due to developer decisions that are beyond the control of the local authority.

In addition, where objectively assessed housing needs are to be provided by two neighbouring authorities working jointly together, it is considered that the 5 year land supply criteria should apply to the two authorities as one joint test, not as individual tests for each authority. The latter would be illogical given the joint provision by neighbouring authorities to meet objectively assessed housing needs.

Q15 Do you agree with the policy changes on supporting business growth and productivity, including the approach to accommodating local business and community needs in rural areas?

ADEPT supports this chapter on building a strong and competitive economy.

Q16 Do you have any other comments on the text of chapter 6?

ADEPT welcomes this chapter, which will assist in promoting sustainable areas and communities. However, the existing permitted development rights regimes fly in the face of this aspiration and have and are resulting in the closure of viable businesses which is of significant concern to Local Authorities. There should be policies that encourage the re-use and appropriate redevelopment of redundant employment sites but not a blanket PD for conversion which results in the closure of viable businesses and also the provision of residential uses without any compliance to space standards or other amenity issues and is creating the slums of tomorrow. The permitted development is not providing the right type of homes necessarily and its use is contrary to the aims of the NPPF for sustainable development. It would be better to have national and local policies guiding development than allowing poor substandard development through the implementation of PD rights.

Q17 Do you agree with the policy changes on planning for identified retail needs and considering planning applications for town centre uses?

The proposed revisions to policy relating to economic development and town centres are generally welcomed. However, it is considered that the proposed revised policy fails to recognise and adequately address the significant challenges that town centres are facing as a

result of changing retail shopping patterns and provision. ADEPT considers that the policy should recognise these significant challenges and be far more positive in its approach in helping town centres to adapt to changing retail patterns and demand in order for centres to retain their vitality and viability. As explained below the increasing flexibility of PD rights may be harming commercial activity. For example see the research published by the British Council for Offices which has suggested that 13.3 million square feet of London office space could be lost to office-to-residential conversions carried out under permitted development rights.¹⁶ Another recent study by the RICS has found that “overall, office-to-residential PD has been a fiscal giveaway from the state to private real estate interests, whilst leaving a legacy of a higher quantum of poor quality housing than is seen with schemes governed through full planning permission.”¹⁷

Q18 Do you have any other comments on the text of Chapter 7?

The ever increasing introduction of PD rights runs contrary to the aspirations of the NPPF and local Development Plans and is actually harming the appearance and viability of Town centres, while providing in some cases, substandard accommodation. It would be better for the PD rights aspect to be deleted and for appropriate encouragement in national and local policy. It could also be undermining public support for planning as it is increasingly been perceived as a free for all. The recent research by the RICS highlights the poor quality accommodation arising from this relaxation in planning.¹⁸

Q19 Do you have any comments on the new policies in Chapter 8 that have not already been consulted upon?

ADEPT welcomes the chapter on promoting healthy and safe communities. There is a clear link between the New Urban Agenda and the SDGs and it would have been helpful and logical to include reference to them in this chapter.

Q20 Do you have any other comments on the text of chapter 8?

No

Q21 Do you agree with the changes to the transport chapter that point to the way that all aspects of transport should be considered, both in planning for transport and assessing transport impacts?

Yes, however the opportunity should be taken to revisit and revise guidance notes in regards to Transport Plans and Assessments. The loss of PPG13 created a significant void in the planning system and the current position leaves transport planners very little to underpin their decisions or recommendations.

Q22 Do you agree with the policy change that recognises the importance of general aviation facilities?

ADEPT has no specific comment this policy change.

Q23 Do you have any other comments on the text of Chapter 9?

ADEPT supports the proposed changes to policy in relation to sustainable transport although greater clarification in paragraph 111 of what constitutes “significant amounts of movement”, thus requiring a Travel Plan, Transport Statement or Transport Assessment, would be helpful.

Q24 Do you have any comments on the text of Chapter 10 (high quality communications)?

No

Q25 Do you agree with the proposed approaches to under-utilised land, reallocating land for other uses and making it easier to convert land which is in existing use?

In principle ADEPT agrees provided that this is secured through the appropriate wording of national and local policies and proper assessment of planning applications rather than through the application of PD rights which could result in inappropriate uses, detrimental impact to areas and poor living standards. ADEPT has real concerns over the quality of environments being created through the wide-spread application and use of permitted development rights which seem to fly in the face of the principles of sustainable development.

Q26 Do you agree with the proposed approach to employing minimum density standards where there is a shortage of land for meeting identified housing need?

ADEPT understands why such a proposal is being made by Government but this must be linked to other chapters particularly in terms of requiring high quality design and amenity. ADEPT recognises the need to optimise the use of urban land in meeting development needs and supports this in general terms. However, this needs to be sensitively applied in order to protect the character and amenities of areas and to retain a sense of place. Over-development and poor design can have a detrimental impact on an area and give rise to a decline in the quality of the urban environment.

ADEPT is concerned about the proposal to include reference such as “Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities”. In certain areas low density development may be appropriate in order to retain the areas distinct character regardless of the prevailing development needs in the area as a whole. ADEPT members are at the very heart of maximising sustainable growth in communities throughout the UK and as such consider that these issues are best determined at the local level through the preparation of local plans and tested at examination. Similarly, specifically promoting upward extensions and potentially relaxing daylight and sunlight standards is not supported. Again these are issues that should be determined at the local level through the preparation of local plans and design guides and tested at examination. These provisions are considered to be in direct conflict with the objectives set out in proposed revised policy relating to ‘achieving well designed places’ (Chapter 12). ADEPT has real concerns that extensive PD rights are undermining the quality of places and especially housing.

Q27 Do you have any other comments on the text in Chapter 11?

No

Q28 Do you have any comments on the changes of Policy in Chapter 12 (well-designed places) that have not already been consulted upon?

ADEPT would point out little there is in this section for such an important issue as design and place-making. This has huge implications for people’s health and well-being and can make the

difference between successful places and unsuccessful which links to so many other parts of the NPPF including sustainable development, transport, and health etc. It is about place making, providing places that people want to live with high quality design and amenity etc. The section maybe needs greater emphasis. The impact of PD rights should also be more directly picked up in the NPPF particularly where it affects the economic viability and quality of places.

Q29 Do you have any other comments on the text of Chapter 12?

ADEPT is happy to see the clear and strong statements about the need for quality design in all development, it is concerned that this is not adequately reflected in other parts of the proposed revised policy, particularly that relating to the presumption in favour of sustainable development, maintaining a 5 year land supply and making the optimum use of land which are in direct conflict with it. Moreover the effect of PD rights should also be addressed in the NPPF more explicitly.

ADEPT would wish to see the inclusion in policy of clear statements that achieving quality design to retain the distinctive character of areas and their sense of place applies to all proposals for development regardless of any other issues such as housing need, land supply or making the optimum use of land.

Q30 Do you agree with the proposed changes to enable greater use of brownfield land for housing in the Green Belt, and to provide for the other forms of development that are “not inappropriate” in the Green Belt?

Yes – subject to comments in response to question 31 below.

Q31 Do you have any other comments on the text of Chapter 13?

ADEPT welcomes the support for the Green Belt as a planning tool to manage development. However, some of the proposed wording is considered to be ambiguous in relation to the protection of the Green Belt and when ‘exceptional circumstances’ may apply.

In the revised draft (paragraph 136) it implies that Green Belt boundaries should be considered for review where brownfield development has been maximised, density in town

centres and other areas well served by public transport has been optimised and opportunities for neighbouring authorities to meet any unmet need have been exhausted. For authorities with tight administrative boundaries or limited land resources, this presents a major challenge.

ADEPT considers that national policy should make it explicitly clear that as part of the preparation of a strategic plan a Green Belt assessment should be undertaken to ascertain whether the land affected still meets the stated purposes of the Green Belt. If it does, policy should state that exceptions criteria do not apply regardless of any unmet development needs of the area. To do otherwise would undermine the stated purposes of Green Belts and their permanence. In cases where it no longer serves its purpose a local authority should be able to reasonably amend it to meet its needs.

Q32 Do you have any comments on the text of Chapter 14 (Climate change and flooding)?

This chapter (and the PPG) seems to be inconsistent with the Government's recently published 25 Year Environment Plan. For example, issues around green infrastructure (and how it is defined), the use of sustainable urban drainage systems, and the nature recovery network are not mentioned or sparsely dealt with and of course how the matters relate to the SDGs.

Q33 Does paragraph 149b need any further amendment to reflect the ambitions in the clean growth strategy to reduce emissions from buildings?

There should be greater clarity as to how the NPPF and the Building Regulations relate to, and support, each other. This applies not just to this aspect but also in respect of Part M of the Building Regulations.

Q34 Do you agree with the approach to clarifying and strengthening protection for areas of particular environmental importance in the context of the 25-year Environment Plan and national infrastructure requirements, including the level of protection of ancient woodland and aged or veteran trees?

ADEPT supports the need to balance environment protection without preventing development schemes that are in the public interest.

Q35 Do you have any other comments on the text of Chapter 15 (natural environment)?

No further comments.

Q36 Do you have any comments on the text of Chapter 16 (historic environment)?

ADEPT agrees to the added support for designated heritage assets, but similarly recognises the need for balance in bringing forward schemes of significant public benefit.

Q37 Do you have any comments on the changes of Policy in Chapter 17 (minerals) or on any other aspects of the text of this chapter?

ADEPT is concerned that proposed changes to the NPPF weaken existing mineral planning policy, overlooking the significant role that minerals play in maintaining sustainable economic growth and our quality of life. For example, the removal of the phrase ‘essential to support sustainable economic growth...’ in paragraph 199 is a case in point. Crushed rock products are ‘essential’ in delivering nationally significant infrastructure projects and the growth agenda and the government’s housing aspirations and this should continue to be acknowledged in national policy.

This weakening of policy is seen further in paragraph 202 (d), with the addition of ‘any’ to the following sentence: *“taking account of **any** published National and Sub National Guidelines on future provision which should be used as a guideline when planning for the future demand for and supply of aggregates”*. The addition of ‘any’ introduces vagueness about the guidelines being referred to and undermines a commitment to update the National and Sub-National Guidelines.

Proposed changes to paragraph 200 (e) introduce an unnecessary ambiguity about what kind of sites are being safeguarded. ADEPT would like to ensure that importance of safeguarding is not lost in any revisions made to the NPPF. The process of safeguarding allows planning authorities to limit development that would jeopardise planning options for infrastructure and facilities for future generations. These infrastructure and facilities are essential to support the continued extraction and operation of economically viable mineral resources. It would be

preferable to detail specific infrastructure and facilities explicitly, for the avoidance of any doubt.

Changes to paragraph 203 (b) are also seen to weaken the policy, now reading: “encouraging **an appropriate level of** safeguarding or stockpiling so that important minerals remain available for use”. This introduces unnecessary subjectivity to the interpretation of the text, when the previous simple wording would have sufficed.

Q38 Do you think that planning policy on minerals would be better contained in a separate document?

ADEPT is of the view that National Planning Policy for minerals should continue to be maintained within the NPPF and National Planning Practice Guidance and continue to be considered part of “mainstream” planning. Separating minerals out of the core document detaches minerals from the rest of planning policy considerations, when the NPPF should be seeking to strengthen the pivotal role that minerals play in delivering growth.

Minerals are key to the delivery of the Government’s significant growth agenda and ambitions for future infrastructure provision. The NPPF appears however, to lose sight of the significant role that minerals play in supporting sustainable economic growth and our quality of life and the delivery of housing.

Q39 Do you have any views on the utility of national and sub national guidelines on future aggregates provision?

ADEPT considers that given that aggregate minerals are of strategic national importance and are essential for building more homes in the UK; the requirement for national and sub national guidelines is incredibly important to maintain the managed aggregates supply system. The problem appears to be the apparent absence of government support. ADEPT is concerned that without a steady and adequate supply of minerals for the long term, the delivery of economic ambition of the nation is put in jeopardy. The Government plays a central role in ensuring future requirements are identified and adequately planned for. Historically, a framework for this has been provided through the Managed Aggregate Supply System (MASS) and coordinated through the Aggregate Working Parties (AWPs). The

certainty provided by this system has allowed long-term planning for the supply of aggregates, to respond to growth demands, as well as allow a long-term approach to restoration and safeguarding.

Although reference is made to AWP's and National Aggregates Coordinating Group, within the text, there needs to be commitment by Government for continued funding of these groups too. A centralised system for managing aggregate supply provides clarity and consistency; creating certainty for industry and stakeholders. There needs to be a balance between demand and supply, ensuring that mineral policies reflect the need for an adequate and steady supply to deficient areas.

Local authorities are also suffering from year on year cuts. Subsequent resource issues also add to the stress of delivering additional requirements year on year.

The addition of 'any' in paragraph 202(d) serves to indicate a lack of commitment to update the National and Sub-National Guidelines. Without MASS, there are significant risks to the continuity of supply, including: uncertainty for stakeholders and industry; and planning decisions being made out of the context of national need.

ADEPT would like to see MASS continue, noting that there have been no updates to the aggregates data since 2005 and 2007. This gap in data, which we need in order to plan for future supply, is further worsened by the fact that we have also lost the Annual Minerals Raised Inquiry (AMRI), which used to provide data on an annual basis.

It is suggested that the national surveys are completed every two years as opposed to every four; this would paint a better picture of the flow of minerals around the country as operators do not want to provide the information at a local level, for fear it will breach confidentiality. Funding last time for the national monitoring was a year later; this is reflective of the fact that the government doesn't seem to associate the need for minerals to build the houses. The concern is that the country could be faced with severely limited aggregate resources to deliver the country's needs.

Q40 Do you agree with the proposed transitional arrangements?

ADEPT is concerned about the implementation of the Housing Delivery Test, prior to further, more considered, thoughts about housing delivery that will flow from the Letwin report and its conclusions. ADEPT has made it clear in previous submissions that it does not see how the delivery test against which local authorities are to be measured is reasonable when it has limited or no control over the main agents of delivery (housebuilders). ADEPT would encourage the government to support and optimise the ability of local authorities to deliver housing. Authorities are taking up the challenge of delivering housing and ADEPT considers they should have the governments wholehearted support and this should be reflected in the NPPF.

Q41 Do you think that any changes should be made to the planning policy for traveller sites as a result of the proposed changes to the Framework set out in this document?

No

Q42 Do you think that any changes should be made to the planning policy for waste as a result of the proposed changes to the Framework set out in this document?

ADEPT views this NPPF revision as an opportunity to deliver a more joined-up approach between MHCLG and Defra on national waste policy. It would be good to see greater linkages between the NPPF and National Planning Policy for Waste (NPPW), to make it clear that they are both part of national planning policy and that they need to be used together in planning for waste management and in planning for development more generally.

The NPPW could usefully clarify how policies in the NPPF are applicable to waste, in particular in relation to development in the Green Belt. It would be useful to clarify if the listing of uses in paragraphs 144 and 145 is an open or closed list. Also, if these paragraphs apply to waste development, particularly regarding re-use of buildings/previously developed land (brownfield) and low visual impact waste development such as open windrow composting, as waste development is technically covered by the National Planning Policy for Waste (NPPW) rather than the NPPF.

It is noted that the term circular economy is not currently referenced in the NPPW. Noting governments commitment to moving towards a more circular economy (in the

published Industrial Strategy), it is suggested that this could be addressed in any proposed update to planning policy for waste.

Q43 Do you have any comments on the glossary?

It's helpful to have a glossary of terms.

Going Further

ADEPT does have concerns in respect of the section titled Going Further. Throughout this response, we have raised concerns regarding the harm from the implementation of permitted development rights. We recognise that 30,000 new homes have been secured in this way but feel that a significant proportion would have been secured through the normal planning process encouraged by the appropriate wording of national and local policies, and that this could have been achieved in a far more positive way without the loss of viable businesses and the provision of substandard unsustainable accommodation for instance. There has been no assessment of the quality of homes being delivered through the PD process and the effect they have had on place-making. ADEPT would strongly discourage the introduction of permitted development rights for the use of airspace and, again, would strongly recommend that this is re-considered through with the development of appropriate national and local policies, so that where such development is appropriate, it can be secured in the highest quality and least harmful way. The more general application of PD rights could result in significantly harmful developments, of poor quality and design and amenity for prospective and existing residents. They also undermine public confidence in and support for planning amongst the public who have limited, or no, opportunity to engage with the process.

ADEPT would highlight the potential conflict between the imperative to increase supply of land for housing and the need to retain and protect key sites for employment use. In terms of maximising use of brownfield land and surplus public land, in particular, for house building, one of the justifications is to support economic growth. It is important to ensure increasing supply for housing does not diminish the supply of land for the important but lower land value use for economic development.

ADEPT notes that the Government will examine the options for reforming the system of developer contributions. The Association points out that a number of its members have

adopted the Community Infrastructure Levy and invested considerable time and resources in its implementation and any new or replacement system should recognise this.

The Government's measures designed to boost resources for Local Planning Authorities is welcomed by ADEPT given that further changes to national planning policies will place additional burdens on the planners. We also feel that ring fencing of fees sends that right signal that it is important to ensure that planning departments are properly resourced. The view expressed in the recent Scottish Government consultation is equally applicable to England. The consultation recognises the importance of investing in the planning service. It says that:

'The planning service must have the resources it needs to deliver the world-class service our communities deserve and our economy needs.'

It is important to recognise that fees for applications will only generate the income if applications are submitted. It is our view that over the years under-investment in planning services has seen a decline in numbers of planners and related professionals therefore, those planning authorities that are struggling will not necessarily benefit if there is not the sufficient level of new applications received. A shortage of trained planners will take some time to address and there is a need to support the planning profession in ensuring there is an adequate supply of trained planners and that there are a number of routes into the profession through degrees, bursaries and apprenticeships.

There is also the broader question of a shortage in construction skills and there should be a stronger emphasis on promoting apprenticeship schemes, and similar initiatives both for public and private sector. This is a point ADEPT has made most strongly in its recent submission on the consultation on the Industrial Strategy:

'The UK economy is being held back by historic under-investment in both infrastructure and skills. This Parliament has a unique opportunity to start to put this right, and to lay the foundations for the successful global economy for all envisioned by the Prime Minister. This is a long-term ambition that requires joined-up central Government complemented by effective partnerships with local government and other place-based institutions, supported by commitment from the private sector.'

ADEPT hopes that its contribution to the draft NPPF and associated documents will be well-received and we confirm we are willing and able to work with Government to make further contributions to improving these key documents.

¹ http://www.adeptnet.org.uk/documents?field_document_cat_tid=44

² <http://habitat3.org/the-new-urban-agenda>

³ <https://sustainabledevelopment.un.org/?menu=1300>

⁴ <https://www.gov.uk/government/publications/implementing-the-sustainable-development-goals/implementing-the-sustainable-development-goals>

⁵ <http://www.rtpi.org.uk/media/2619006/Local-authority-direct-provision-of-housing.pdf>

⁶ UK shortage is discussed in a number of locations: “Growing shortage of minerals and waste planners”: <https://www.theplanner.co.uk/news/growing-shortage-of-minerals-and-waste-planners-%E2%80%93-survey/>

“What else can a town planner do?”: <https://www.theguardian.com/society/2006/mar/08/guardiansocietysupplement9> : D. Butland, “Why is there a shortage of Town Planners in the Home Counties?”: <http://www.tdm-recruitment.com/news/why-is-there-a-shortage-of-town-planners-in-the-home-counties-62301714757>

⁷For example: “A Shortage of Planners In Mumbai, India”: <https://www.planetizen.com/node/12799> “New Zealand's Planner Shortage”: <https://www.planetizen.com/node/29452> and “Shortage of planners hamper Cape Town”: <https://www.iol.co.za/news/south-africa/shortage-of-planners-hamper-cape-town-426822> Also the recent survey by the Commonwealth Association of Planners: https://docs.wixstatic.com/ugd/25734f_0e14b7344d59479ab3d61a4e4523b719.pdf

⁸ RTP/Global Planners’ Network, *Delivering Better Development: The role of the urban and rural planner*, (2015). See:

<http://www.rtpi.org.uk/media/1539604/w2121 - rtpi international audience brochure web revised.pdf>

⁹ Welsh Government, *Positive Planning Proposals to reform the planning system in Wales*, (2013), p. 16. See <https://consultations.gov.wales/sites/default/files/consultation-documents/140212positive-planning-proposals-to-reform-planning-en.pdf>

¹⁰ HM Treasury, *Barker Review of Land Use Planning Final Report – Recommendations*, (2006), p. 126.

¹¹ HM Treasury, *Barker Review of Land Use Planning Final Report – Recommendations*, (2006), p.p. 127-128.

¹² <http://www.rtpi.org.uk/media/2619006/Local-authority-direct-provision-of-housing.pdf>

¹³ <http://www.adeptnet.org.uk/sites/default/files/documents/Improving%20air%20quality%20inquiry.pdf>

¹⁴

<http://www.adeptnet.org.uk/sites/default/files/documents/2018%2003%2013%20ADEPT%20MRN%20Response%20FINAL.pdf>

¹⁵

<http://www.adeptnet.org.uk/sites/default/files/documents/20171222%20Consultation%20on%20developing%20a%20National%20Policy%20Statement%20for%20Water%20Resources.pdf>

¹⁶ http://www.bco.org.uk/Research/Publications/Permitted_Development_Rights.aspx

¹⁷

[http://www.rics.org/Global/PDR%20Research%20trust%20reports/22790%20RICS%20Assessing%20Impact%20of%20Office-to-Residential%20REPORT-WEB%20\(without%20notice\).pdf](http://www.rics.org/Global/PDR%20Research%20trust%20reports/22790%20RICS%20Assessing%20Impact%20of%20Office-to-Residential%20REPORT-WEB%20(without%20notice).pdf)

¹⁸

[http://www.rics.org/Global/PDR%20Research%20trust%20reports/22790%20RICS%20Assessing%20Impact%20of%20Office-to-Residential%20REPORT-WEB%20\(without%20notice\).pdf](http://www.rics.org/Global/PDR%20Research%20trust%20reports/22790%20RICS%20Assessing%20Impact%20of%20Office-to-Residential%20REPORT-WEB%20(without%20notice).pdf)