

## Response ID ANON-C9BS-24QZ-2

Submitted to Proposed reforms to the National Planning Policy Framework and other changes to the planning system  
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### Respondent details

a What is your name?

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b What is your email address?

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c What is your organisation?

Organisation:  
CIBSE (Chartered Institution of Building Services Engineers)

d What type of organisation are you representing?

Professional body

If you answered "other", please provide further details:

### Consultation Introduction

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?

Answer:

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

Not Answered

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

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

Not Answered

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

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

Not Answered

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

### Chapter 1: Introduction

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

Not Answered

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

### Chapter 2: Plan-making policies

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

Not Answered

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

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?

Not Answered

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?:

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?

Not Answered

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

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

Not Answered

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

10) Do you think that local plans should cover a period of at least 15 years from the point of adoption of the plan?

Not Answered

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. :

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

Not Answered

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

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

Not Answered

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

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

Not Answered

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

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

Not Answered

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

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

Not Answered

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

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

Not Answered

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

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?

Not Answered

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

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

Strongly disagree

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

CIBSE strongly disagree with the proposal to prevent local authorities from setting higher standards in areas already covered by Building Regulations, other than accessibility and water. Local planning is a powerful and important mechanism to:

- Deliver improvements earlier and faster, including on energy use and carbon reductions, both operational and embodied
- Drive innovation and skills development which in turn benefit the rest of the country. For example, early local plans which required energy efficiency improvements, energy performance modelling (rather than compliance modelling) and embodied carbon assessments, have significantly contributed to the development of associated skills, products and services, which then become more common practice across the country.

A number of local authorities have been implementing policies which go beyond building regulations standards on energy use and/or embodied carbon policies, without impacting housing delivery. Please refer to evidence provided by LETI in their response (<https://www.leti.uk/consultations>), to which CIBSE contributed. Similarly, a very large number of local authorities have incorporated BREEAM certification requirements within their policies, without impacting non-residential development, and with BREEAM certification effectively acting to implement, in a verified manner, planning policies on a number of topics such as light pollution, biodiversity, water efficiency etc (see details in the BRE letter sent to MHCLG in response to this consultation).

Restricting this would not only be detrimental to environmental improvements and the costs and speed of delivering these, it would also restrict Local Authorities commitments and legal duties to act on climate change (as detailed in the LETI response), and would appear to be in contradiction with other parts of the NPPF, including Chapter 5 on Meeting the challenge of climate change and Chapter 19 on protection of the natural environment. Government should instead take advantage of this potential for local standards to drive improvements faster and wider.

Viability is already taken into account through plan making, and through individual decisions, therefore higher standards can be implemented with a certain level of flexibility, without significantly affecting viability or housing delivery. Proposed reforms to viability assessments could further help this, by ensuring that complying with standards is taken into account in land prices; inversely, it is quite possible that limiting standards would just lead to increases in land prices, with no or limited reductions in overall housing costs.

Notwithstanding the above, CIBSE recognise the wish to bring consistency in local standards; this can support developers, housebuilders, as well as designers and local authority themselves, reducing process time and costs. To respond to this while allowing higher local standards where viable, government could put in place a framework for the implementation of local standards (e.g. energy use metrics and levels beyond Building Regulations; embodied carbon assessment methodology and benchmarks), which could be adopted by Local Authorities as appropriate, in a similar way as is done for water efficiency levels.

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?

Not Answered

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?:

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?

Answer:

### Chapter 3: Decision-making policies

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

Not Answered

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

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

Not Answered

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

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

Answer:

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

Not Answered

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

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

Not Answered

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

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

Answer:

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

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

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?

Not Answered

Answer:

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

Not Answered

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

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

Not Answered

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

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?:

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

Not Answered

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

#### Chapter 4: Achieving sustainable development

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

Not Answered

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

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

Not Answered

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

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

Not Answered

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

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

Not Answered

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

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

Not Answered

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

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?

Not Answered

a) Please provide your reasons:

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?

Not Answered

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.:

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

Not Answered

a) If not, please provide your reasons:

## Chapter 5: Meeting the challenge of climate change

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

Strongly agree

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

We agree and welcome the reference to the transition to net zero, as well as the inclusion of both mitigation and adaptation in CC1. The ability for local authorities to set higher standards than building regulations, as part of the required "proactive approach", is crucial – see response to Q18.

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

Partly agree

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

CIBSE partly agree. We agree with the majority of measures listed, however:

- Clause c: the ability for local authorities to set higher standards than building regulations is crucial to deliver design approaches that conserve energy and other resources, including embodied carbon – see response to Q18.

Clause e: Whether or not connection to networks will deliver energy and carbon savings, will depend on the performance of the network, in itself and in comparison with decentralised alternatives. We recommend that clause e) is reworded to make this clear, so that connection to networks is not systematically encouraged, but subject to an assessment of that network and the alternatives available to the given development.

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

Strongly agree

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

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

Not Answered

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

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

Answer:

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

Answer:

To support the incorporation of planning policies on embodied carbon assessment and reduction, we recommend the adoption of a national assessment methodology and database. This would also, in turn, support the adoption of regulation, as CIBSE has been advocating for a number of years through its support for Part Z To support the incorporation of planning policies on embodied carbon assessment and reduction, we recommend the adoption of a national assessment methodology and database. This would also, in turn, support the adoption of regulation, as CIBSE has been advocating for a number of years through its support for Part Z <https://part-z.uk>.

## Chapter 6: Delivering a sufficient supply of homes

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

Not Answered

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

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

Not Answered

If so, what elements should this guidance cover?:

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

Not Answered

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

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

Not Answered

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

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

Not Answered

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

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?

Not Answered

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

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

Not Answered

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

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

Not Answered

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

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

Not Answered

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

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?

Not Answered

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

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

Not Answered

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

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

Not Answered

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

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?

Not Answered

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

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?

Not Answered

a) Please provide your reasons:

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

Answer:

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

Not Answered

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

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

Not Answered

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

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?

Not Answered

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

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?:

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?

Not Answered

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:

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).

Answer:

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.

Answer:

70) Would further guidance be helpful in supporting authorities to calculate the appropriate value of cash contributions in lieu?

Not Answered

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. :

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?

Not Answered

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

72) Do you agree the with the criteria set out regarding the locations of specialist housing for older people?

Not Answered

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

73) Do you agree with the criteria set out regarding the locations of specialist community-based accommodation, including changes to the glossary?

Not Answered

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

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?

Not Answered

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

75) Do you agree the proposals provide adequate additional support for Rural Exception Sites?

Not Answered

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

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

Not Answered

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

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

Not Answered

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?:

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

Not Answered

79) Please provide your reasons to Question 78, particularly if you do not agree

Answer:

80) Do you agree the proposals in policy HO13 will help to ensure development proposals are built out in a reasonable period?

Not Answered

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

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?

Not Answered

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

82) Are any more specific approaches or definitions needed to support the delivery of very large (super strategic) sites, including new towns?

Not Answered

a) Please provide your reasons:

83) Do you agree with the proposed changes to the Housing Delivery Test rule book?

Not Answered

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

#### Chapter 7: Building a strong , effective economy

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?

Not Answered

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

85) Do you agree with the approach to meeting the need for business land and premises in policy E2?

Not Answered

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

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

Not Answered

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

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

Not Answered

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

#### Chapter 8: Ensuring the vitality of town centres

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

Not Answered

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

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

Not Answered

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

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

Answer:

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

Not Answered

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

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

Not Answered

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

## Chapter 9: Supporting high quality communications

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

Not Answered

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

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

Not Answered

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

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

Not Answered

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

## Chapter 10: Securing Clean Energy and Water

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

Neither agree or disagree

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

The approach in W1 seems appropriate in principle, but it is unclear how it will apply in practice e.g. how planning authorities, particularly in the South, will apply the principles and reconcile development pressures with scarce water supplies.

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

Partly agree

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

- Point a: The current drafting makes reference to “areas which are suitable for renewable and low carbon energy development”. In addition, we recommend there should also be consideration of the following:

- o the integration of rooftop generation, which would have benefits including location where consumers are, and reduced land take.

- o The integration of air source heat pumps, which are sometimes prevented or hindered by overly restrictive planning policies.

- Point b: Please see our response to Q43 on heat networks

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

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

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

Partly agree

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

In considering proposals, the integration of blue / green infrastructure should be considered as alternative or as part of the water infrastructure proposals.

## Chapter 11: Facilitating the sustainable use of minerals

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

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

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

Partly agree

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

CISBE strongly agree that plans should not identify new sites or extensions to existing sites outside licenced areas. Within licenced areas, we strongly recommend that plans should be developed in line with the latest advice from the Climate Change Committee.

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

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

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

Not Answered

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

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

Not Answered

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

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

Strongly agree

106) Please provide your reasons in response to question 105, particularly if you disagree

Answer:

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

Partly agree

108) Please provide your reasons in response to question 107, particularly if you do not agree

Answer:

- 1a states that mineral development "should not have unacceptable adverse impact". This seems very open to interpretation, and we recommend non-ambiguous guidance.
- Point b should mention air, soil and water pollution, not just noise, dust and particle emission and vibrations.
- Furthermore, we strongly recommend the incorporation of requirements to mitigate impacts during development and operation, not just after development as required under point c.

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

Partly agree

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

See our recommendation in Q101 regarding following the advice of the CCC with regards to decisions within licenced areas.

110) Are there any other exceptional circumstances in which coal extraction should be permitted?

Not Answered

111) If yes in reply to question 110, please outline the exceptional circumstances in which you think coal extraction should be permitted.

Answer:

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?

Not Answered

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

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

Not Answered

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

## Chapter 12: Making effective use of land

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

Not Answered

115) If not, in response to question 114, what further guidance is needed?

Answer:

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

Not Answered

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

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

Not Answered

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

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

Not Answered

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

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.

Not Answered

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

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

Not Answered

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

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

Not Answered

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

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

Not Answered

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.:

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?

Not Answered

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

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 proposed for the number of Travel to Work Areas and service frequency appropriate for defining a 'well-connected' station?

Not Answered

a) Please provide your reasons and preferred alternatives:

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?

Not Answered

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

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

Not Answered

127) In reply to question 126, if so, what should that range be, and which locations should it apply to?

Answer:

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

Partly agree

129) Please provide your reasons in response to question 128, particularly if you disagree

Answer:

"Maintain safe access and egress for occupiers and users" should be added to these principles, just as it is in policy L2d.

## Chapter 13: Protecting Green Belt land

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

Not Answered

131) Please provide your reasons in response to question 130, particularly if you disagree.

Answer:

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?

Not Answered

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

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

Not Answered

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

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

Not Answered

135) Please provide your reasons in response to question 134, particularly if you disagree.

Answer:

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

Not Answered

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

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

Not Answered

138) Please provide your reasons to your reply to question 137, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers

Answer:

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

Not Answered

a) Please provide your reasons, particularly if you 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 assessments are used only for genuinely previously developed land, and not predominantly greenfield sites?

Answer:

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?

Not Answered

142) Please explain your answer to question 141, including your view on the appropriate approach to setting a 'floor', and the right level for this?

Answer:

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

Not Answered

a) Please explain your answer.:

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?

Answer:

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?

Not Answered

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

Chapter 14: Achieving well-designed places

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

Not Answered

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

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

Not Answered

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

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

Partly Agree

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

DP3-1C: embodied carbon should be mentioned among the resources to conserve; flood risk should be mentioned among the risks to minimise.  
DP3-d: Nature: the need for improvements should be mentioned.

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

Not Answered

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

## Chapter 15: Sustainable transport

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?

Not Answered

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

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?

Not Answered

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

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?

Not Answered

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

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

Not Answered

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

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?

Not Answered

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

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?

Not Answered

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

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?

Not Answered

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

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

Not Answered

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

## Chapter 16: Promoting healthy communities

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

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

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

Not Answered

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

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

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

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?

Answer:

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

Not Answered

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

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?

Not Answered

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

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?

Not Answered

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

## Chapter 17: Pollution, Public Protection and Security

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

Strongly agree

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

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

Answer:

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

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

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

Not Answered

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

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

Not Answered

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

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

Not Answered

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

## Chapter 18: Managing Flood Risk and Coastal Change

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?

Not Answered

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

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

Not Answered

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

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

Not Answered

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

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

Partly agree

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

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?

Not Answered

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

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

Not Answered

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?

Answer:

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

Not Answered

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:

## Chapter 19: Conserving and enhancing the natural environment

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

Partly disagree

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

We agree with some aspects of policy N1 but, as in our response to Q18 (PM13), we think that local authorities should be able to set higher standards than national minima, subject to viability assessments at plan level and development level.

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?

Answer:

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?

Not Answered

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

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?

Not Answered

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

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

Not Answered

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

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

Answer:

Generally speaking, and compared to other aspects of planning policy, there is little monitoring expected to be carried out, and little information publicly available about the implementation and impact of policy on biodiversity. We strongly recommend this should be addressed in the NPPF.

## Chapter 20: Conserving and enhancing the historic environment

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

Not Answered

a) Please provide your reasons:

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

Answer:

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?

Not Answered

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

188) Do you agree with the approach to assessing the effects of development on heritage assets set out in policy H5?

Not Answered

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

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?

Not Answered

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

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

Not Answered

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

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

Answer:

### Further questions

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

Not Answered

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

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

Answer:

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?

Not Answered

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

### Annex A - Data Centres / Onsite Generation

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?

Not Answered

a) Please provide your reasons:

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?

Not Answered

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

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

Answer:

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?

Not Answered

a) Please provide your reasons:

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

Answer:

## Annex B - Viability: Standardised inputs in viability assessment

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

Not Answered

a) Please explain your answer.:

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

Not Answered

a) Please explain your answer.:

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?

Not Answered

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 for sale housing:

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 keen for views on whether clarifying the appropriate profit on Gross Development Value for affordable housing tenures would make viability assessments more transparent and speed up decision making. :

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

a) Please explain your answer:

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?

a) Please explain your answer:

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

Not Answered

a) Please explain your answer:

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:

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

Not Answered

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?:

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?

Not Answered

a) Please explain your answer:

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?

Not Answered

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

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?

a) Please explain your answer:

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?

Not Answered

a) Please explain your answer:

## Annex C - Reforming Site Thresholds

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

Not Answered

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

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

Not Answered

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

215) Do you foresee risks or operability issues anticipated with the proposed definition of medium development?

Not Answered

216) In relation to question 215, if so, please explain your answer and provide views on potential mitigations.

Answer:

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, particularly if you disagree :

CIBSE disagree with the small site exemption, particularly with regards to biodiversity net gain requirements, and we support the widely-supported cross-industry letter to government about this: [https://drive.google.com/file/d/1SN0PFg7H4F5U509mDPayOoD\\_md4Ep093/view?pli=1](https://drive.google.com/file/d/1SN0PFg7H4F5U509mDPayOoD_md4Ep093/view?pli=1)

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, particularly if you disagree :

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.

a) Please explain your answer:

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.

Answer:

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.

Answer:

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

Not Answered

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

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?

Answer:

### Public Sector Equality Duty

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?

Not Answered

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

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

a) Please explain your answer: