



Celebrating 50 years

Planning Policy Consultation Team
Planning Directorate – Planning
Policy Division
Ministry of Housing, Communities
and Local Government
Floor 3, Fry Building
2 Marsham Street
London
SW1P 4DF

Contact: Rachael Rooney, Interim
Strategic Planning Manager

Direct Dial No: 01462 474353

E-mail: Rachael.Rooney@north-herts.gov.uk

10 March 2026

Dear Sir/Madam

Proposed reforms to the National Planning Policy Framework and other changes to the planning system

Thank you for consulting North Hertfordshire Council on the proposed changes to the National Planning Policy Framework. This response sets out our overarching comments on the key issues arising from the draft revisions. A detailed response to each consultation question is provided in the appendix.

Clarity and Definitions

There is a need for greater clarity and precision in several terms and phrases used within the updated NPPF. Clear definitions are essential to ensure consistency in interpretation and to provide certainty for plan-making and decision-taking.

- The definition of a “Large Built-Up Area”.
- A clear list of acceptable and unacceptable uses within settlements would be particularly helpful for very small settlements where interpretation varies widely.

- The term “reasonable walking distance” for development around train stations is too vague.
- Clarification is needed on the relationship between vision-led transport planning and transport modelling. Modelling is costly and time-consuming; without explicit guidance, Local Plans risk delay.
- The repeated use of the phrase “most appropriate level” introduces ambiguity and risks inconsistent application.

Statutory Weight for National Development Management Policies

Granting statutory weight to NDMPs could provide benefits, including greater national consistency, reduced duplication in Local Plans, and a more streamlined plan-making process. However, the current tension with Section 38(6) of the Planning and Compulsory Purchase Act 2004 means that non-statutory NDMPs risk legal challenge and could create uncertainty.

Local Plans must retain the ability to refine or supplement national policy where robust local evidence justifies a different approach. A statutory NDMP framework should therefore:

- Allow limited, evidence-based local variation.
- Set out clearly how conflicts between NDMPs and local policies will be resolved.
- Include formal consultation, transparent review processes, and clear transitional arrangements to avoid disadvantaging plans at different stages.

Development Around Train Stations

While development around train stations is supported in principle, we have concerns about the potential shift away from a plan-led approach.

- Many rural stations fall within top 60 Travel to Work Areas, but development within walking distance of these stations could fundamentally alter rural character.
- Policy L3 (minimum densities around stations) risks imposing densities that are inappropriate for rural contexts and could place pressure on local infrastructure.
- Density should remain a locally determined matter, based on site-specific circumstances and coherent placemaking.

Presumption in Favour of Sustainable Development

We support the principle of the presumption in favour of sustainable development. However, we have concerns about its application outside settlements.

- If an authority falls below a five-year housing land supply due to stalled sites—through no fault of the authority—the presumption could enable development in locations that undermine the spatial strategy.
- Large unplanned sites could divert infrastructure investment away from planned growth areas, weakening the coherence of the overall strategy.

Within settlements, the phrase “benefits of approving development are likely to be substantially outweighed by adverse effects” alters the planning balance. For biodiversity, mapped and designated areas are finite and irreplaceable; their loss cannot be justified if the aim is genuinely sustainable development.

Climate Change

We support the aims of policy CC1, which requires proactive planning to mitigate climate change and ensure local plans contribute to reductions in greenhouse gas emissions.

However, we have concerns that PM13 may undermine these aims by restricting Local Plans from setting local standards in key areas.

- This creates a potential contradiction: CC1 requires ambitious action, yet PM13 limits the tools available to achieve it.
- The Government’s rationale is that the Future Homes Standard will deliver these reductions, but its publication and implementation have been delayed.
- Local Plans under the new system could be adopted by 2028/29, meaning they could play a crucial role in accelerating progress.

Relying solely on building regulations risks being too slow and inflexible. Allowing Local Plans to set higher local energy efficiency standards, where viability allows, would support faster progress toward net zero and reflect local needs and ambitions. This is essential for those authorities that have declared a Climate Change Emergency.

Allocation of 10% of Housing on Sites Between 1 and 2.5 Hectares

Whilst this approach helps ensure an appropriate range and size of sites are brought forward to meet the authority’s identified needs, it is important that the policy includes safeguards to prevent larger sites, particularly those that would ordinarily be master-planned or delivered in phases, from being artificially subdivided to fall below the relevant thresholds.

Local authorities may also struggle to meet the requirement for 10% of allocations to fall within the 1–2.5 hectare range. Landowners of smaller sites are often reluctant to wait for the Local Plan process—given the long timescales involved—and may instead pursue speculative or windfall development, particularly in areas without a five-year housing land supply. This behaviour could significantly limit the pool of sites available for allocation and, in turn, restrict an authority’s ability to meet the 10% target in practice.

Affordable Housing

We disagree with the removal of the requirement for on-site affordable housing on medium sites. While flexibility may be appropriate in some cases, this should be done on viability considerations. Removing the requirement risks reducing affordable housing delivery, particularly in rural areas where medium-sized sites can often be a good source of supply. It also reduces the ability to plan for mixed and balanced communities.

5 year housing land supply and Housing Delivery Test

Local authorities work hard to ensure that development can be brought forward efficiently, but once planning permission is granted, delivery is largely outside our control. Strengthening national guidance, improving transparency, and ensuring shared responsibility across the system would help support more reliable housing delivery.

Density

It is not appropriate for the NPPF to specify a fixed density figure. Local authorities must retain the ability to set standards based on:

- local character
- infrastructure capacity
- design sensitivities
- environmental constraints

Green Belt

North Hertfordshire Council passed a Motion on 29 January 2026 expressing concerns about how villages are treated in relation to grey belt and the potential for villages to merge with each other or with neighbouring towns.

This motion can be found here: [Agenda item - NOTICE OF MOTIONS | North Herts Council](#)

Officers of the Council have additionally prepared technical responses to many of the detailed questions contained in the consultation. These are set out in the attached Appendix. Officer comments reflect their objective, professional opinions and expertise on these matters. These should be taken into consideration recognising that, where comments relate to matters other than those set out above, these are not presently formally endorsed positions of the Council.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'D Wright', written in a cursive style.

Cllr Donna Wright

Executive Member for Place

North Hertfordshire District Council

Appendix 1

Technical Officers comments

- 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?**

Giving statutory weight to NDMPs could bring clear benefits: greater national consistency, reduced duplication in local plans, and a more streamlined plan-making process. However, the current tension with Section 38(6) of the Planning and Compulsory Purchase Act 2004 means that non-statutory NDMPs risk legal challenge and could introduce uncertainty.

It remains essential that local plans can refine or supplement national policy where robust local evidence justifies a different approach. A statutory NDMP framework must therefore allow limited, evidence-based local variation and set out clearly how conflicts between NDMPs and local policies will be resolved.

If introduced, statutory NDMPs should be subject to consultation, with a transparent process for review and clear transitional arrangements so that plans at different stages are not disadvantaged and decision-making remains robust during the changeover.

Changes to structure and content

- 2) **Do you agree with the new format and structure of the draft Framework which comprises separate plan-making policies and national decision-making policies? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly agree. The revised format and structure are welcomed and provide clearer distinction between what should be addressed through plan-making and what should guide decision-making. However, the introduction of non-statutory Development Policies creates uncertainty and a potential risk of legal challenge. Because these policies would not form part of the statutory development plan, yet are intended to carry significant weight, they would not sit on the same footing as adopted Local Plan policies. This imbalance could undermine clarity for decision-makers and weaken the overall robustness of the planning framework.

- 3) **Do you agree with the proposed set of annexes to be incorporated into the draft Framework? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly disagree. While the annexes provide useful technical detail that supports understanding of policy approaches and methodologies, they are not policy in their own

right. The level of detail they contain makes it more appropriate for them to remain as annexes rather than being integrated into the main body of the NPPF, where they could interrupt the structure and clarity of the Framework.

Do you agree with incorporating Planning Policy for Traveller Sites within the draft Framework? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly agree. It is important there is a clear policy approach for planning for travellers sites within the main body of the NPPF.

Chapter 1: Introduction

- 4) **Do you agree with the proposed approach to simplifying the terminology in the Framework where weight is intended to be applied? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree***

Agree. The use of different terms does create the potential for inconsistent interpretation and for unintended weight to be attached where none is intended. Ensuring terminology is used consistently across the Framework is therefore important.

Chapter 2: Plan-making policies

The plan-making framework

- 5) **Do you agree with the role, purpose and content of spatial development strategies set out in policy PM1? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. The proposed SDS framework has the potential to address strategic, cross-boundary issues more effectively, however its success will depend heavily on how these bodies are constituted and empowered.

To operate at the appropriate strategic scale, SDS bodies must be sized and structured to work confidently at the broader level without simply cascading unresolved decisions down to local authorities. If SDS bodies lack the capacity, authority or clarity of remit to take decisions that genuinely sit at the strategic tier, the burden will fall back onto local planning authorities, undermining the purpose of the reform. For SDS to function as intended, these bodies must be properly resourced and equipped with the decision-making powers necessary to deliver on the outcomes they identify. At the same time, their work must be informed by meaningful involvement from local authorities and communities, ensuring that strategic decisions remain grounded in local realities. This

balance of strategic capability combined with local engagement is essential if SDS are to provide coherent, effective planning across functional geographies.

It would be helpful for the government to provide further clarity on how the sequencing of SDS and Local Plans is intended to operate in practice. In particular, there is a risk that Local Plans may be prepared or updated before an SDS is sufficiently advanced, making it difficult to safeguard land for strategic infrastructure such as transport corridors, water infrastructure, energy networks, or other cross-boundary requirements.

Clear guidance on the expected sequencing, or on mechanisms to ensure alignment would help avoid inconsistencies and reduce the need for early Local Plan reviews.

- 6) **Do you agree that alterations should be made to spatial development strategies at least every 5 years to reflect any changes to housing requirements for the local planning authorities in the strategy area? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

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

Disagree. SDSs should be reviewed every 10 years and should have a 30 year plan period. Given the scale and long-term nature of strategic planning, frequent or marginal updates would undermine certainty for local authorities, developers and communities, and risk weakening the strategic purpose of SDSs.

A 10 year review cycle provides stability needed for effective long-term planning and delivery. Regardless of whether the SDS itself requires updating, the accompanying Infrastructure Delivery Plan should be refreshed to reflect changes in funding, delivery opportunities and infrastructure priorities, ensuring that Local Plans beneath the SDS can be prepared on a sound and up-to-date basis.

- 7) **If spatial development strategies are not altered every five years, should related policy on the requirements used in five year housing land supply and housing delivery test policies, set out in Annex D of the draft Framework, be updated to allow housing requirement figures from spatial development strategies to continue to be applied after 5 years, so long as there has not been a significant change in that area's local housing need? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree.

- 8) **Do you agree with the role, purpose and content of local plans set out in policy PM2? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. We support the overall intent of PM2; however, we have concerns about the feasibility of delivering Local Plans within the proposed timescales. The current delays with issuing the new regulations and guidance, its impacts on the timings of Council decision-making cycles, and lack of recognition of implications for authorities going through Local Government Reorganisation raises questions about practical deliverability.

The resource implications are substantial. Many local authorities are already operating with constrained capacity, and the simultaneous progression of multiple plans through the system is likely to create bottlenecks, especially where input from the Planning Inspectorate is required at similar stages. This convergence of demand risks undermining the ability of authorities to meet the proposed deadlines, despite best efforts.

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

Yes. A 15-year plan period provides an appropriate long-term horizon for effective planning. While it is right to expect certainty over the first 10 years, inspectors should apply a more flexible approach to the later years of the plan period, where forecasting is inherently less reliable. The requirement for a five-year review also ensures that Local Plans are regularly reassessed and can respond to changing circumstances. This offers a sensible balance: maintaining stability for long-term priorities while allowing plans to adapt to updated evidence or emerging issues.

Preparing plans

- 11) **Do you agree with the principles set out in policy PM6(1c), including its provisions for preventing duplication of national decision-making policies? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly agree. While the principle of avoiding duplication between national policy and Local Plans is sound, there is a significant concern about how this will operate in practice. Local authorities can find themselves midway through preparing a Local Plan when the Government revises the NPPF, potentially removing or altering a policy that the emerging plan relies upon. This creates uncertainty for plan-makers and risks undermining the substantial investment of time and resources required to produce a sound plan.

The NPPF does not currently provide any guarantee or explanation of how such situations would be managed, nor does it set out what transitional provisions would protect authorities from the consequences of mid-process policy changes. Without clear safeguards, local councils remain exposed to shifting national policy during critical stages of plan preparation.

Greater clarity is needed on how the Government intends to manage the relationship between evolving national policy and ongoing Local Plan development. Clear transitional arrangements would provide stability, reduce risk, and support the timely delivery of robust Local Plans.

12) Do you agree with the approach to initiating plan-making in PM7? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree. We still reserve judgement on whether a 30-month timetable is genuinely appropriate for producing a coherent and comprehensive Local Plan. While the motivation to speed up plan-making is understandable, and indeed necessary, the current timeframe may not fully reflect the complexity of evidence-gathering, engagement, and cross-boundary coordination required to produce a sound plan.

Regarding the PID, it would be extremely helpful for Government to provide a clear national template setting out exactly what local authorities are expected to include, and the breadth and depth of detail required.

13) Do you agree with the approach to the preparation of plan evidence set out in policy PM8? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Agree. Joint commissioning and coordinated evidence production can significantly reduce duplication and cost, while also helping to ensure consistency across functional geographies. In many areas this already reflects established practice, and embedding this expectation more firmly in national policy should support more efficient evidence gathering and more coherent strategic planning across local authority boundaries.

A standard list of required evidence, alongside standardised templates and methodologies, would further help ensure that evidence bases are proportionate and consistent. This is particularly important where authorities may face capacity or skills gaps, as it would promote a more even quality of evidence and reduce the risk of divergence in findings that stem from methodological differences rather than genuine local variation.

The reference to only updating where there are strong reasons to do so is also welcomed. Local authority budgets are often constrained, and authorities may need to make decisions on what to prioritise.

14) Do you agree with the approach to identifying land for development in PM9? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Agree. Providing a clear, consistent framework for how sites should be assessed and allocated is helpful for both plan-making and decision-taking. A nationally defined

process can support transparency and ensure that key considerations, such as deliverability, infrastructure capacity, environmental constraints, and community priorities are addressed in a proportionate and consistent way.

However, it remains important that the approach retains sufficient flexibility for local authorities to reflect local evidence and spatial context. National principles should guide the process, but Local Plans must remain the primary vehicle for determining which sites are most appropriate within each area.

15) Do you agree with the policies on maintaining and demonstrating cross-boundary cooperation set out in policy PM10 and policy PM11? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Agree. Clear expectations for how authorities should engage with one another are essential for addressing strategic matters that do not align neatly with administrative boundaries, such as infrastructure planning, housing markets, environmental management, and economic development.

The proposed approach provides a more transparent and accountable framework for documenting cooperation, which should help reduce disputes at examination and support more coherent spatial planning across wider geographies. It will be important, however, that the requirements remain proportionate and do not duplicate existing duties or create unnecessary administrative burdens.

The introduction of SDSs should also help with this.

16) Do you agree that policy PM12 increases certainty at plan-making stage regarding the contributions expected from development proposals? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Agree. PM12 increases certainty by clearly setting out expected development contributions at the plan-making stage. This upfront clarity reduces later negotiation, supports transparent viability assessments, and promotes more consistent and efficient decision-making.

17) Do you agree that plans should set out the circumstances in which review mechanisms will be used, or should national policy set clearer expectations? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

National policy should set out clear expectations for the circumstances in which review mechanisms should be used. However, if local authorities consider there are additional circumstances that warrant inclusion, this should be considered and agreed through the Local Plan examination.

- 18) Do you agree with policy PM13 on setting local standards, including the proposal to commence s.43 of the Deregulation Act 2015? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly disagree. Whilst we support the introduction of consistent national standards for energy efficiency, we are concerned that the anticipated Future Homes Standard does not propose meaningful improvements to fabric efficiency compared with the current Building Regulations. A fabric-first approach prioritising high levels of insulation, airtightness, and reduced heat loss, should remain central to national policy.

Reducing energy demand at source is the most reliable and cost-effective way to lower household energy bills, improve comfort, and support long-term decarbonisation. Lower baseline energy consumption would also ease pressure on constrained parts of the electricity network, enabling growth in areas where grid capacity currently limits development.

This benefit would be further strengthened if the requirement for rooftop solar PV were combined with battery storage and EV charging controlled through a central smart energy control panel managing solar PV, battery storage, and EV charging. This would enable homes to generate, store, and use more of their own energy.

The inability to set local standards means that, where viability allows, opportunities to require higher performance and contribute more meaningfully to wider climate objectives are lost. This limits the scope for local authorities to drive improvements in energy efficiency and sustainability through the planning system. This is particularly important where Council has declared a Climate Emergency.

Examining plans

- 19) Do you agree that the tests of soundness set out in policies PM14 and PM15 will allow for a proportionate assessment of spatial development strategies, local plans and minerals and waste plans at examination? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. The proposed framework strikes a reasonable balance between ensuring plans are robust, evidence-based, and deliverable, while avoiding unnecessary burdens that could slow down plan-making.

A clearer and more proportionate set of tests should help streamline examinations, improve consistency across different plan types, and give local authorities greater confidence in preparing plans that are focused on key strategic issues rather than excessive procedural detail.

- 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?**

We do not have any additional comments on the content of the plan-making chapter beyond those already provided in response to the other questions in this section. The points we have raised elsewhere capture our key observations on the proposed approach, including areas where further clarity or refinement would be beneficial.

Chapter 3: Decision-making policies

Preparing planning proposals

- 21) **Do you agree with the principles set out in policy DM1? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. Early engagement can help developers understand local issues and adjust their proposals before a planning application is submitted. However, early engagement with local people prior to an application may give a vocal minority disproportionate influence over development, potentially to the detriment of the wider community whose housing and employment needs may not be as actively represented.

A proportionate approach is needed—one that encourages constructive dialogue without creating unreasonable expectations.

- 22) **Do you agree with the policy DM2 on information requirements for planning applications? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. Establishing a clear, proportionate, and nationally consistent framework for validation will help reduce uncertainty for applicants and ensure that local planning authorities receive the information they need to assess proposals effectively.

A more standardised approach should also help minimise unnecessary variation between authorities, reduce delays at the validation stage, and support a more efficient and transparent planning process overall. It will be important, however, that the policy continues to allow for flexibility where genuinely site-specific or locally justified information is required.

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

We note that many of the matters addressed in Policy DM2 appear to overlap with the existing provisions of the Development Management Procedure Order (DMPO), which already sets out statutory information requirements for planning applications. It would be helpful for the government to clarify how DM2 is intended to sit alongside the DMPO, and whether it introduces any substantive changes beyond what is already required in legislation.

Ensuring that the policy framework does not duplicate or conflict with the DMPO will be important for maintaining a clear and streamlined validation process.

24) **Do you agree with the principles set out in DM3? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly disagree. Clause 1(a) may have unintended consequences. It may be helpful to add a reference to seeking proportionate solutions.

We support the use of pre apps as an important tool for negotiation, however if extensive negotiation is reintroduced into live applications, applicants will have little incentive to engage meaningfully at the pre-application stage, and local planning authorities may feel obliged to negotiate even where proposals are fundamentally poor.

The proposed approach could also limit the ability of LPAs to issue clear refusals for development that does not meet policy requirements. The current system already expects authorities to impose conditions where they can reasonably address issues, rather than refusing permission unnecessarily. Requiring further negotiation on all live applications risks creating delay, uncertainty, and additional workload without improving outcomes. Again, it may be helpful to add a reference to negotiation on unforeseen problems.

A more targeted and proportionate approach would better support timely decision-making and maintain the integrity of the preapplication and application stages.

25) **Do you agree that policy DM5 would prevent unnecessary negotiation of developer contributions, whilst also providing sufficient flexibility for development to proceed? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree***

Agree. Policy DM5 provides a clear framework for developer contributions while retaining the flexibility needed to respond to site specific viability issues. This clarity helps ensure a consistent basis for land valuation and policy compliant schemes, while Clause D allows the policy to adapt to significantly changed economic conditions.

The inclusion of a review mechanism is also essential. It ensures that as market conditions evolve, councils can capture any uplift in value and secure appropriate contributions without reopening unnecessary or protracted negotiations. Together, these measures limit unnecessary negotiations while still enabling development to proceed.

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

We have no further comments to make on the likely impact of policy DM5.

- 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?**

Clarity and guidance on this would be useful as there is confusion for all parties relating to this process.

- 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.**

We consider that the proposals do not go far enough. If the Government is serious about accelerating housing delivery, a more fundamental reform is needed. A national scheme of standardised contributions, weighted by region to reflect viability, would provide far greater transparency, predictability, and efficiency for developers and local authorities alike. Coupled with a standardised Section 106 template, this would significantly reduce negotiation time, minimise disputes, and support faster decision making.

Local planning authorities should also be able to pool contributions more flexibly to fund emerging infrastructure needs, rather than being constrained by overly narrow project definitions. A 10 year spending period before unspent contributions are returned would strike a reasonable balance between accountability and the practical realities of delivering major infrastructure.

Taken together, these measures would create a more streamlined, certain, and delivery-focused system.

- 29) **Do you agree with the approach for planning conditions and obligations set out in policy DM6, especially the use of model conditions and obligations? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

We support the approach in principle, particularly the emphasis on using conditions where appropriate, and the ability to proceed where a statutory consultee has not provided a timely response. This will help avoid unnecessary delays and reinforce the expectation that issues capable of being addressed through conditions should not lead to refusal.

We also recommend that the policy explicitly addresses the use of conditions in retrospective applications. Comprehensive and coordinated conditions are essential to ensure that enforcement, whether informal or formal, and any revised schemes

submitted can be managed effectively and brought into compliance. Clear guidance on this point would support more consistent practice across authorities.

- 30) **Do you agree that policy DM7 clarifies the relationship between planning decisions and other regulatory regimes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Strongly agree. It will help prevent utilities, such as water companies, from effectively embargoing new development through blanket objections or delays. This is particularly important given the pattern of responses often received from statutory consultees (for example, Anglian Water), where objections can halt or significantly slow down otherwise acceptable schemes.

The policy also provides helpful clarity for other consultees, such as highways authorities, who sometimes stray into issues governed by their own regulatory regimes rather than planning policy. Ensuring that consultees remain within their proper remit will support a more efficient, proportionate, and predictable decision-making process.

- 31) **Do you agree with the new intentional unauthorised development policy in policy DM8? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Strongly disagree. A development either complies with planning policy and is acceptable, or it does not comply and/or causes harm. The perceived intentionality of the developer should not be a material consideration. Introducing intent into enforcement decisions would be confusing, subjective, and extremely difficult to assess or evidence. It risks personalising decisions rather than focusing on planning merits.

This represents a fundamental shift away from the established purpose of enforcement, which is to remedy harm arising from unauthorised development, not to punish individuals. The Town and Country Planning Act does not make it an offence to carry out development without first obtaining planning permission, and current practice rightly centres enforcement decisions on the extent of harm. Unauthorised development is not considered more harmful simply because of the developer's perceived motives.

It is also unclear how this proposed approach would interact with the existing ability to impose conditions on retrospective applications to make development acceptable in planning terms. The current system already provides flexibility to resolve breaches proportionately, and LPAs can take formal action where harm cannot be addressed.

While we agree that reliance on retrospective applications should be discouraged, the proposal risks pivoting away from informal resolution toward punitive measures that are currently reserved for non-compliance with enforcement notices. This would not improve outcomes and could undermine confidence in the enforcement system.

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?**

We consider the proposed approach to be very difficult to implement in practice. It is unclear how a local planning authority would determine what conditions should be imposed to make an unauthorised development acceptable in planning terms, particularly where the development has already been carried out and the harm is evident. This creates significant uncertainty and risks inconsistent decision-making.

We agree that stronger measures are appropriate for development that is built out following a refusal, and for schemes that deviate so significantly from an approved permission that a new full application is required. In such cases, the current enforcement tools can be limited, especially where resourcing constraints make direct action unrealistic. A more robust framework would help address situations where harmful development proceeds regardless of the planning process.

The same applies to unauthorised uses that generate revenue. These can continue to operate profitably while the planning application, appeal, enforcement, prosecution, and POCA processes run their course. This undermines public confidence and creates perverse incentives. Limiting from the outset the circumstances in which unacceptable and harmful unauthorised development can occur would be far more effective than relying on lengthy and resource-intensive enforcement routes.

Overall, while the intention behind the proposal is understood, the practical implications are unclear and risk creating more problems than they solve.

33) **Do you agree with the new Article 4 direction policy in policy DM10? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree.

Chapter 4: Achieving sustainable development

- 34) **Do you agree with the proposed approach to setting a spatial strategy in development plans? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Strongly Agree. This policy provides helpful clarity on the intended purpose of Local Plans and the strategic direction expected within each local authority area. However, aligning a local authority's spatial strategy with the emerging SDS may prove challenging where the local authority is more advanced in its Local Plan preparation than the SDS-producing body.

In such circumstances, there is a real risk of misalignment between the two tiers of strategy, potentially requiring local authorities to revisit or delay elements of their work to ensure conformity once the SDS is finalised. This could undermine plan-making efficiency and introduce uncertainty into the process at a point when clarity and stability are essential.

- 35) **Do you agree with the proposed definition of settlements in the glossary? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. We support the proposed definition of settlements as set out in the draft glossary. In our view, the definition is clear, proportionate, and provides a practical foundation for consistent interpretation across policy areas. Establishing this clarity is essential for effective implementation, and the proposed wording achieves that aim without introducing unnecessary complexity.

- 36) **Do you agree with the revised approach to the presumption in favour of sustainable development? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

We agree in principle, but we have concerns about aspects of the presumption outside settlements. If an authority falls below a five-year housing land supply because sites have stalled—through no fault of the authority—the presumption could lead to permissions in locations that undermine the overall spatial strategy. This is particularly problematic if these are large sites, which may divert infrastructure investment away from planned growth areas and weaken the coherence of the wider strategy.

- 37) **Do you agree to the proposed approach to development within settlements? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Strongly agree. The cross-referencing to policies HC7, HC8 and N6 is welcome and provides a coherent framework. However, the wording that “the benefits of approving development are likely to be substantially outweighed by adverse effects” alters the planning balance. In areas of particular importance for biodiversity, this risks weakening the protections these policies are intended to secure.

These areas are a finite and irreplaceable resource. If they are mapped and designated, they are done so for clear ecological reasons, and their loss cannot be justified if the aim is to achieve genuinely sustainable development. This is essential to ensuring that biodiversity assets of the highest importance are safeguarded for the long term.

- 38) **Do you agree to the proposed approach to development outside settlements? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly agree. We support the proposed approach to development outside established settlements in certain cases. It is essential that planning policy recognises the diversity of land uses that characterise rural areas and the distinct role they play in sustaining local communities. A balanced and proportionate framework must acknowledge that the rural economy depends not only on traditional agricultural activity but also on a wide range of ancillary and complementary uses.

By explicitly recognising these varied land uses, the proposed approach provides a more realistic foundation for decision-making. Rural businesses, land-based industries, and community services often require flexibility in terms of location, scale, and operational needs. A policy framework that understands these requirements is better placed to enable appropriate development while still safeguarding the character and environmental quality of the countryside.

A nuanced understanding of rural land use is vital to ensuring that planning policy supports a thriving rural economy, maintains essential services, and allows communities to adapt to changing economic and social pressures.

We also believe that policy S5 should include a clear cross-reference to N6. While it makes partial reference to HC8 in relation to Local Green Space, nature conservation considerations are equally, if not more, important outside settlement boundaries. Much of the LNRS and APIB mapping lies in these areas, and the policy framework should explicitly recognise their significance.

Ensuring that S5 aligns with N6 would provide a more coherent and consistent approach to safeguarding biodiversity across the full range of locations where important habitats

are found. Without this, there is a risk that ecologically valuable land beyond settlement edges may not receive the level of protection intended by the wider policy suite.

We do have concerns in relation to some of the categories. See answer below.

- 39) **Do you have any views on the specific categories of development which the policy would allow to take place outside settlements, and the associated criteria? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly disagree. We have concerns about situations where an authority falls below a five-year housing land supply because sites have stalled through no fault of the authority. In these cases, the presumption could lead to permissions in locations that undermine the area's overall spatial strategy. This risk is heightened for larger sites, which may divert infrastructure investment away from planned growth areas.

The wording of criterion j.i is also unclear. The term "well related" is ambiguous and open to interpretation. The policy should be more explicit about what "well related" means in practice, whether this refers to physical proximity, functional links, design coherence, infrastructure capacity, or another defined relationship. Clearer wording would help ensure consistent understanding and implementation.

The reference to "limited infilling within groups of houses" requires further clarification. It is unclear what constitutes a "group" of houses in this context, for example, whether this means two or more dwellings, or a more cohesive cluster with an established built form.

- 40) **Do you agree with the proposed approach to development around stations, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Disagree. It is not appropriate for the NPPF to specify a fixed density figure unless clearly framed as a starting point. Local authorities must retain the ability to set standards based on:

- local character
- infrastructure capacity
- design sensitivities
- environmental constraints

A single national density requirement would not reflect the differences between different areas.

As drafted, this criterion is also too narrow and lacks clarity. The supporting footnote focuses solely on weekday daytime services, which may provide connectivity to standard working hours but does not reflect the needs of shift workers, whose travel often occurs early in the morning, late at night, or at weekends. It also provides no detail on what “services” are considered important. Given that commuting accounts for only 12% of trips (National Travel Survey 2024), access to education, retail, leisure, social, cultural, and sporting activities is equally, if not more, important in determining whether a place is genuinely well connected.

While it is right that land close to railway stations should be considered for development, the presence of a station alone does not automatically make a location sustainable, whether in transport terms or more broadly. A more holistic definition of connectivity is needed.

The caveat that development should not prejudice “proposals for long-term comprehensive development in the same location” should be clarified to mean sites or proposals identified in a SDS, Local Plan or Supplementary Plan rather than unspecified future possibilities.

Whilst we recognise the sustainability benefits of directing development at or close to stations, such proposals can conflict with key heritage aims. There is therefore some concern regarding sections such as policy S2 1(d) and L3 3. In certain locations, intensification around stations may place pressure on the setting, character or significance of nearby heritage assets. Clearer guidance is needed to ensure that the drive for sustainable, transit-oriented development does not inadvertently undermine heritage objectives, and that appropriate balancing mechanisms are built into policy.

Furthermore, the policy should also explicitly reference N6 to ensure that nature conservation is fully considered. Proximity to a station does not diminish the ecological value of surrounding land; in fact, such locations can offer important opportunities for nature recovery, particularly where strategic habitat networks or LNRS priorities are present.

If higher densities are encouraged in these areas, there is a real risk that opportunities for biodiversity enhancement could be overlooked. To avoid this, LNRSs must be taken into account from the outset, ensuring that development responds positively to identified priorities and contributes meaningfully to nature recovery rather than inadvertently constraining it.

- 41) **Do you agree that neighbourhood plans should contain allocations to meet their identified housing requirement in order to qualify for this policy? *Strongly agree, partly agree, neither agree or disagree, partly disagree, strongly disagree.***

Agree. Neighbourhood Plans have an important role to play in shaping local development, and we believe they should be encouraged to make site allocations wherever possible. In practice, however, many Neighbourhood Plans avoid allocating land, often due to

concerns about complexity, local sensitivities, or the risk of challenge. As a result, these plans do not benefit from any meaningful protection under the proposed ‘tilted balance’ provisions.

Introducing a clear incentive, whereby Neighbourhood Plans that allocate sites are afforded additional weight or protection against the presumption in favour of sustainable development, could help shift this behaviour. A policy mechanism that rewards proactive planning would give communities greater confidence that the effort involved in making allocations will be recognised and upheld. This, in turn, may lead to more Neighbourhood Plans taking responsibility for identifying growth locations, supporting both local ownership and a more plan-led system overall.

This challenge is compounded by the fact that Locality funding is no longer available for neighbourhood plan forums. Without this support, many groups lack the resources or technical capacity to undertake robust assessments of local housing needs. As a result, neighbourhood plans may be even less able to engage meaningfully with the scale and type of development required.

A clearer framework is needed to reconcile these competing pressures and to ensure that neighbourhood planning supports, rather than frustrates, the delivery of sustainable development.

Chapter 5: Meeting the challenge of climate change

Plan-making policy

- 42) **Do you agree with the approach to planning for climate change in policy CC1?**
Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Partly disagree. We welcome the strong emphasis on directing development to sustainable locations, supporting higher-density growth, promoting nature-based solutions and Nature Recovery Strategies, and adopting a vision-led approach to sustainable transport. These elements form an important foundation for a more sustainable planning system.

However, to be fully aligned with Net Zero objectives, the Framework should place greater emphasis on improving the energy efficiency of new buildings. Higher standards of fabric efficiency—such as improved insulation, airtightness and ventilation—are essential to reducing energy demand. As drafted, Policy CC1 conflicts with policy PM13 which limits the ability of local authorities to set higher standards particularly where viability considerations would allow. The absence of embodied carbon considerations also represents a missed opportunity given its significant contribution to built-environment emissions.

Notwithstanding the above, clause 1c is particularly important. In areas such as North Hertfordshire, where chalk streams are globally rare and already under considerable

pressure, the cumulative impact of new development on water demand requires a coordinated national approach. Local planning authorities cannot address these challenges in isolation. Without national-level intervention on water efficiency, supply management and long-term resilience, development risks placing unsustainable pressure on these highly sensitive catchments.

National decision-making policies

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

Partly disagree. While the use of sustainable technologies is important, it should not be treated as a material consideration capable of outweighing poor design or other fundamental planning concerns. Good planning requires a balanced assessment, and sustainability measures cannot compensate for development that is otherwise unacceptable.

There is a risk of duplication or inconsistency between the planning system and Building Regulations, which could create confusion for applicants and decision-makers.

A clearer distinction between what is appropriately addressed through planning and what is better regulated through Building Regulations would help ensure a more streamlined and effective approach.

There should be explicit recognition of the value of trees, as set out in Policy N3, as carbon sinks. Their role in carbon sequestration, urban cooling, biodiversity and wider ecosystem services is fundamental to climate mitigation and should be referenced directly within CC2.

CC2(1a) refers to “sustainable transport modes”, but the current definition remains problematic. It continues to include “ultra-low and zero-emission vehicles”, which risks relieving planning authorities and developers of the responsibility to support a meaningful transition to active travel and public transport.

There is also a contradiction between the need to take a proactive approach to climate change mitigation and the requirements of Policy PM13. To meet climate objectives, we need highly insulated, airtight homes with mechanical ventilation systems that reduce overall energy demand. The NPPF should also include a policy on embodied carbon, omitted from the Future Homes Standard, requiring it to be assessed, reduced and verified. A reference to embodied carbon should be referenced under this Policy.

The anticipated introduction of mandatory rooftop PV on new dwellings (via the Future Homes Standard) should be accompanied by mandatory battery storage. This would allow households to benefit fully from the energy they generate and support grid balancing by smoothing supply and demand.

In addition to the specific points on the approach to Policy CC2, we would like to make the following observation on the glossary definition of sustainable transport.

Although the definition of sustainable transport is qualified by the word “efficient”, this is ambiguous. It could refer to energy efficiency or space efficiency. Hybrid vehicles are not especially energy-efficient, and single-occupancy cars, regardless of fuel type, are neither space-efficient nor energy-efficient. The definition also fails to consider public health impacts, including road danger, emissions from internal combustion engines in hybrid vehicles, and particulate pollution from tyres, brakes and road surfaces.

Car-sharing, while potentially beneficial, has limited relevance to spatial planning. Electric vehicle infrastructure is already adequately addressed elsewhere and does not require EVs to be included within the definition of “sustainable transport modes”.

For planning purposes, a clearer and more appropriate definition would be:

“Any safe, space-efficient, energy-efficient, healthy and accessible means of transport, including walking, wheeling, cycling and public transport.”

- 44) **Do you agree with the approach to climate change adaptation through planning decisions in policy CC3? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly agree. CC3(1)(d) could be clearer in articulating the full range of benefits that trees provide. In addition to their contribution to biodiversity and visual amenity, trees play a critical role in climate adaptation by providing shade, mitigating the urban heat island effect, and absorbing rainwater. Explicitly referencing these functions would strengthen the policy and ensure that the climate resilience value of trees is fully recognised and consistently applied in decision-making.

- 45) **Does the policy on wildfire adaptation clearly explain when such risks should be considered and how these risks should be mitigated? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Neither agree nor disagree as we have no experience in this issue.

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

We have no view or comment to offer on this issue.

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

Allowing Local Plans to set standards (i.e., energy efficiency standards) that go beyond existing regulations would provide a more flexible approach and allow local authorities to deliver net zero development to meet local and national targets more quickly.

Solar panels should be mandatory on the roofs of all new commercial buildings, such as large supermarkets, B8 uses, warehouses, and agro-industrial buildings. These developments typically have large roof areas that are well-suited to solar generation and represent a significant opportunity to contribute to national renewable energy targets. Car parks roofs also represent a significant opportunity.

On-site renewable energy generation should be accompanied by battery storage. This ensures that energy generated can be used efficiently, supports grid balancing, and enables occupiers to benefit fully from the renewable energy produced on site.

Whole-life carbon assessments should be required for major developments to account for both embodied and operational carbon. This is essential to ensure that development genuinely contributes to climate mitigation rather than simply shifting emissions between construction and operational phases.

On-site water reuse should be supported. Current “wholesome water” regulations mean that water companies can only supply potable water to homes, even though many household uses do not require drinking-water quality. Planning policy should encourage dwelling- or development-scale water reuse systems to reduce demand on potable water supplies and improve resilience.

Chapter 6: Delivering a sufficient supply of homes

Plan-making policies

- 48) **Do you agree the requirements for spatial development strategies and local plans in policy HO1 and policy HO2 are appropriate? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Policy HO1 is clear in its purpose and provides a straightforward framework for establishing housing requirements. Policy HO2 supports the intention set out above regarding allocations through Neighbourhood Plan.

A further issue arises around the point at which a housing need figure becomes sufficiently “fixed” to allow a Local Authority to progress its Local Plan with confidence. If housing need is recalculated annually, there is a real possibility that the figure underpinning a draft Plan could become out of date before the document reaches examination. While this scenario may be unlikely, and Local Authorities would no doubt plan contingencies, areas with high or rapidly changing housing need may find that such contingencies are insufficient. This creates uncertainty for plan-making authorities and communities alike and could undermine the stability and predictability that the planning system is intended to provide.

- 49) **Is further guidance required on assessing the needs of different groups, including older people, disabled people, and those who require social and affordable housing? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. Further guidance would be helpful on how Local Authorities should assess the needs of different groups.

Clear and consistent definitions are essential to avoid misinterpretation and to ensure that assessments are robust, transparent, and comparable across areas. Setting out the specific requirements of each group in a structured and accessible way would support more accurate evidence-gathering and help ensure that plan-making genuinely reflects the needs of all parts of the community.

- 50) **Do you agree with the approach to incorporating relevant policies of Planning Policy for Traveller Sites within this chapter? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. Whilst we support the inclusion of a dedicated policy on Traveller Sites, it is important to acknowledge the practical challenges associated with gathering robust evidence on the need and scale of provision. In many areas, the difficulty does not stem

from a lack of diligence on the part of the Local Authority, but rather from limited engagement by the very communities the policy seeks to support. This can result in an underestimation of need and, consequently, insufficient provision being planned for.

Further national guidance on how authorities preparing SDSs can improve engagement and avoid this evidence gaps would therefore be highly valuable. Clearer expectations, recommended methodologies, and examples of effective practice would help ensure that assessments are both accurate and inclusive, ultimately leading to better-informed and more deliverable policies.

- 51) **Is further guidance needed on how authorities should assess the need for traveller sites and set requirement figures? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

As above.

- 52) **Do you agree the new Annex D to the draft Framework is sufficiently clear on how local planning authorities should set the appropriate buffer for their local plan 5-year housing land supply? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly Agree. Further clarity is required on how the proposed approach will operate in practice.

- 53) **Do you agree the new Annex D to the draft Framework is sufficiently clear on the wider procedural elements of 5-year housing land supply, the Housing Delivery Test and how they relate to decision-making? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly disagree. The calculation of the Five-Year Housing Land Supply (5YHLS) remains highly open to interpretation, and this lack of precision continues to create unnecessary dispute and inconsistency. Government should provide much clearer guidance on what must be included under each component of the calculation, for example, a definitive point at which a dwelling is considered “completed.” Without this clarity, Local authorities and developers will inevitably reach different conclusions from the same evidence base.

To support greater consistency, Government should also issue a standardised national template for all Local Authorities to use when publishing their 5YHLS. This would allow authorities to input their figures into a uniform framework, ensuring that the resulting outputs are robust, comparable, and not vulnerable to misinterpretation or manipulation.

A consistent, country-wide approach would significantly reduce the scope for challenge and improve public confidence in the process.

In addition, developers should be required to publish expected delivery rates for all sites, regardless of size. This would place responsibility on developers as well as local authorities, enabling under-delivery to be identified more transparently and allowing appropriate action to be taken where necessary, including the potential revocation of planning permission. Such measures would help break the cycle in which some developers acquire land, delay build-out, and benefit from rising land values without contributing to housing delivery.

Local authorities work hard to ensure that development can be brought forward efficiently, but once planning permission is granted, delivery is largely outside our control. Strengthening national guidance, improving transparency, and ensuring shared responsibility across the system would help address this imbalance and support more reliable housing delivery.

- 54) **Do you agree the requirements to establish a 5 year supply of deliverable traveller sites and monitor delivery are sufficiently clear? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Disagree. There is currently no guidance on how this requirement should be implemented, and without such clarity it is difficult to see how local authorities could deliver it effectively. As noted earlier, engagement with some communities can already be challenging, and expecting authorities to produce robust assessments without a clear methodology or defined expectations risks creating an undeliverable obligation. Further detailed guidance is essential if this policy is to be workable in practice.

- 55) **Do you agree the plan-making requirements, for both local plans and spatial development strategies, in relation to large scale residential and mixed-use development are sufficiently clear? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly agree. The policy could go further in providing direction on the sequencing of housing and mixed-use elements within major developments. In practice, we are increasingly finding that mixed-use components are being delivered as “meanwhile” uses, often out of necessity. These uses then become embedded within the emerging community, and when the time comes to revert the land to its originally intended purpose, objections frequently arise. This creates tension, delays, and uncertainty for both developers and local communities.

A clearer policy steer on the expected phasing of housing versus mixed-use elements would help avoid these issues. In addition, there should be a stronger requirement for developers to be transparent from the outset about what will be delivered, when, and for how long. This would help manage community expectations and reduce the risk of

conflict later in the development process. Greater upfront clarity would ultimately support smoother delivery and more sustainable place-making.

- 56) **Do you agree our proposed changes to the definition of designated rural areas will better support rural social and affordable housing? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

We do not see the relevance of Section 157 of the Housing Act in this context. That provision relates specifically to restrictions on the disposal of former council houses in National Parks and certain designated rural areas. Its purpose is to control the resale of such properties, not to define what constitutes a “rural area” for planning policy purposes. It is therefore unclear why it has been referenced here, or how it is intended to inform the definition of rural areas within the draft policy. Further explanation would be helpful to ensure the reference is meaningful and correctly applied.

- 57) **Do you agree with our proposals to ask authorities to set out the proportion of new housing that should be delivered to M4(2) and M4(3) standards? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree.

- 58) **Do you agree 40% of new housing delivered to M4(2) standards over the plan period is the right minimum proportion? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly agree. We would support a higher percentage set nationally.

- 59) **Do you agree the proposals to support the needs of different groups, through requiring authorities to identify sites or set requirements for parts of allocated sites are proportionate? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. This approach provides an appropriate level of flexibility while ensuring that the needs of diverse groups are properly considered and planned for within the development process.

- 60) **Do you agree with our proposals to ask authorities to set out requirements for a broader mix of tenures to be provided on sites of 150 homes or more? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree.

- 61) **Do you agree with proposals for authorities to allocate land to accommodate 10% of the housing requirement on sites of between 1 and 2.5 hectares? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly agree. Whilst this approach helps ensure an appropriate range and size of sites are brought forward to meet the authority's identified needs, it is important that the policy includes safeguards to prevent larger sites, particularly those that would ordinarily be masterplanned or delivered in phases, from being artificially subdivided to fall below the relevant thresholds. Any such practice would undermine strategic planning, distort the evidence base, and risk creating misaligned, piecemeal development that fails to deliver coherent place-making.

It is therefore essential that only genuinely small-scale sites qualify, and that the policy is supported by clear guidance to avoid unintended consequences. This will help maintain the integrity of the plan-making process and ensure that development comes forward in a coordinated and sustainable manner.

Policy HO6(1)(a) also requires Local Plans to allocate land to accommodate 10% of the housing requirement on sites no larger than one hectare. In practice, this may be extremely challenging. Landowners of smaller sites may be reluctant to wait for a Local Plan allocation – due to the timescales involved - and may instead choose to pursue speculative proposals/ windfall, especially in areas without a five-year housing land supply. This may limit the ability of authorities to allocate sufficient land to meet this 10% target.

National decision-making policies

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

While substantial weight should rightly be given to meeting identified local needs, we are concerned about how this interacts with the presumption in favour of sustainable development—particularly where a five-year housing land supply cannot be demonstrated.

A practical example relates to affordable home ownership (AHO). In some rural areas, AHO units have been sold to applicants without a local connection because the local market has been exhausted. This illustrates the tension between meeting local needs and meeting wider district-level housing requirements and highlights the need for a more nuanced policy framework.

Overall, there is a risk that an over-emphasis on “local needs” could lead to sub-optimal development patterns, while an over-reliance on the presumption in favour of

development could undermine local priorities. A clearer balance between the two is needed.

- 63) **Do you agree that proposals to add military affordable housing to the definition of affordable housing, and allow military housing to be delivered as part of affordable housing requirements, will successfully enable the provision of military homes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Disagree. We do not consider it necessary to add “military affordable housing” to the definition of affordable housing. A member or former member of the Armed Forces, as well as a bereaved or estranged spouse or civil partner, is already deemed to have a local connection. This means they can apply for affordable housing anywhere regardless of their current address, and therefore an additional category is not required.

- 64) **Do you agree flexibility relating to the size of market homes provided will better enable developments providing affordable housing? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly disagree. We are unclear what this question is seeking to achieve. As drafted, it is ambiguous. It is not clear whether the intention is to encourage:

- fewer but larger homes, or
- higher-density schemes with smaller units to improve viability and therefore fund affordable housing.

These two interpretations lead to very different outcomes, and we do not support the approach if it is intended to justify allowing smaller units simply to improve viability. However, we would support an approach that seeks to limit or control the development of disproportionately large properties where these do not meet identified need.

- 65) **Would requiring a minimum proportion of social rent, unless otherwise specified in development plans, support the delivery of greater number of social rent homes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Disagree. Our concern is that increasing the proportion of social rent within schemes is likely to have a significant impact on viability. If viability is reduced, the overall number of affordable homes delivered will fall, and other tenures may be squeezed out. This could ultimately result in fewer affordable units being provided overall.

That said, social rent is extremely important in this district due to very high house prices. Our evidence shows that a far greater proportion of households require genuinely

affordable social rented homes. While we recognise the viability challenges, it is equally important not to deliver homes that people cannot afford to live in.

A balanced approach is therefore needed, one that recognises the essential role of social rent in meeting local needs but also ensures that viability considerations do not undermine the overall delivery of affordable housing.

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?**

We believe there should be no exceptions to meeting the minimum nationally described space standards. These standards are fundamental to ensuring basic quality of life, health and wellbeing, and should not be compromised.

However, we recognise that there may be limited circumstances, particularly in conversion proposals, where some flexibility could be appropriate. This is likely to be more relevant in dense urban areas where existing building constraints make full compliance difficult without undermining the viability or feasibility of bringing buildings back into use.

It is also important to ensure that temporary accommodation is appropriately supported. Even where accommodation is not intended to be permanent, it must still provide safe, healthy and dignified living conditions.

67) **Do you agree that applicants should have discretion to deliver social and affordable housing requirements via cash payments in lieu of on-site delivery on medium sites? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

We do not support this approach, particularly in relation to medium-scale sites, which can still deliver a meaningful number of affordable homes. Decisions about thresholds and the requirement for on-site provision should be set at the local level, based on robust evidence of need and viability. The responsibility for delivering affordable housing then sits clearly with the local authority, rather than being diluted through national flexibility.

This proposal requires far more evidence and justification. As a non-stock-holding authority, we rely heavily on the market to deliver affordable housing. If developers are given greater opportunity to make payments in lieu, many would choose this option rather than provide affordable homes on site. In our experience, financial contributions are rarely sufficient to deliver the equivalent number, or quality, of affordable homes that would otherwise have been secured within the development.

For these reasons, we strongly disagree with the proposal. On-site provision remains the most effective and reliable way to meet identified housing needs, support mixed and balanced communities, and ensure that affordable housing is delivered rather than deferred.

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.

We do not support this being permitted. Our priority is the delivery of affordable housing to meet identified needs and the creation of mixed and balanced communities. Allowing developers to provide off-site contributions instead of on-site affordable homes would undermine both objectives. On-site provision ensures integration, supports sustainable communities, and provides certainty that affordable homes are delivered rather than deferred.

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.

We do not support widening the circumstances in which commuted sums may be accepted. However, we do already accept commuted sums in genuinely exceptional cases—for example, to avoid mixed-tenure blocks of flats, or where robust evidence demonstrates that the affordable housing cannot be delivered on site or on an identified alternative site. These situations are rare, and our strong preference remains for on-site provision wherever possible.

- 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).**

As set out above, we do not support this approach. Allowing greater flexibility for off-site provision risks creating exclusive communities and undermining the objective of delivering mixed and balanced neighbourhoods. There is also a real danger that developers and landowners could “salami slice” larger sites into smaller parcels to avoid on-site affordable housing requirements altogether.

The consequence is that we may fail to deliver the affordable housing needed to meet identified local needs. As a non-stock-holding authority, we rely on the market to provide affordable homes. If developers are permitted to make payments in lieu more readily, there is a significant risk that:

- affordable housing is not delivered where it is needed
- commuted sums are insufficient to secure equivalent provision elsewhere
- delivery is delayed or prevented entirely, particularly where no suitable land is available

This would directly undermine our ability to meet housing needs and support mixed, inclusive communities.

For these reasons, we strongly oppose widening the circumstances in which off-site provision or commuted sums can be accepted.

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.**

We cannot identify any specific additional guidance that would be particularly helpful, but any national guidance produced would need to be clear and unambiguous. The key issue is not the guidance itself, but the practical ability of local authorities to spend commuted sums effectively, particularly where they do not own housing stock and/or have no land available for affordable housing delivery.

In these circumstances, councils are reliant on Registered Provider partners to bring forward additional affordable homes, either as part of market-led schemes or through regeneration projects. This can limit opportunities to use commuted sums in a timely and effective way and may reduce the overall impact of such contributions on meeting identified housing needs.

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

We already have a formula for calculating commuted sums set out in our SPD, but universal national guidance would provide greater clarity and transparency for both local authorities and developers. A consistent approach, comparable to the Biodiversity Net Gain (BNG) credit system, would be particularly helpful. The BNG model offers a logical, evidence-based process that is easy to follow and apply, and a similar framework for commuted sums would support more consistent and robust decision-making across the country.

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

Disagree. Allowing lower standards or separating affordable housing from market housing would undermine the creation of mixed and balanced communities. The quality of affordable homes should never be compromised, and affordable housing should be integrated within developments to ensure equality, inclusion and long-term sustainability.

- 72) **Do you agree the with the criteria set out regarding the locations of specialist housing for older people? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Strongly agree.

- 73) **Do you agree with the criteria set out regarding the locations of community-based specialist accommodation, including changes to the glossary? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

As above.

- 74) **Do you agree with the criteria set out regarding the locations of purpose-built student accommodation and large-scale shared living accommodation, including changes to the glossary? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree.

- 75) **Do you agree the proposals provide adequate additional support for rural exception sites? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. Such development should be required to meet a clearly identified specific housing need and should adjoin an existing settlement. This approach ensures that rural exception schemes remain genuinely needs-led, appropriately located, and well-integrated with existing communities.

- 76) **Do you agree with proposals to remove First Homes exception sites as a discrete form of exception site? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. First Homes have not been an option in our district. However, we do have concerns regarding HO10.2(c). The requirement for a “majority” of affordable housing is unclear and appears to contradict the fundamental principle of exception sites, which are intended to deliver affordable housing to meet locally identified needs.

- 77) **Do you agree proposals for a benchmark land value for rural exception sites will help to bring forward more rural affordable homes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Neither agree nor disagree. We are unsure whether the introduction of a benchmark land value for rural exception sites would help to bring forward more rural affordable homes. It is not clear at this stage how such a benchmark would operate in practice or whether it would genuinely incentivise landowners to release land at appropriate values. Further evidence is needed to understand whether this approach would support delivery or inadvertently constrain it.

- 78) **Do you agree the proposals to set out requirements for traveller sites at policy HO12 adequately capture relevant aspects from Planning Policy for Traveller Sites, whilst ensuring fair treatment for traveller sites in the planning system? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

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

Disagree. It is not clear how criterion (d) would be realistic or enforceable in practice. Without a clear mechanism for implementation or monitoring, this requirement risks becoming ineffective and could undermine the overall purpose of the policy.

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

Partly disagree. Following the grant of planning permission, it takes time to discharge conditions, finalise legal and technical matters, and put all necessary arrangements in place before development can commence. It is therefore unclear what this policy is trying to achieve.

The reference to a “reasonable period” in HO13 is particularly problematic. This is extremely difficult for planning officers to measure, and many factors affecting delivery are entirely outside the control of the local authority. The requirement feels unrealistic and unenforceable in practice. It is also unclear how local authorities would be expected to obtain reliable information about local market conditions or absorption rates.

It may be helpful to add reference to penalties for developers who commence a scheme to ensure planning permission does not lapse but then do not progress the development in a timely manner.

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

Agree that flexibility is required for larger schemes given the long timescales.

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

No, as these are very rare.

- 83) **Do you agree with the proposed changes to the Housing Delivery Test rule book? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

We reiterate a concern raised earlier regarding the persistent issue of developers securing planning permissions but failing to bring those permissioned sites forward for delivery. This pattern enables developers to benefit from rising land values without contributing to the actual supply of new homes. It is a structural problem that undermines the credibility and effectiveness of the planning system.

Local authorities have no direct control over whether developers choose to build out sites for which permission has already been granted. Despite this, the current Housing Delivery Test (HDT) places the burden of under-delivery squarely on local authorities, even when they have fulfilled their responsibilities by granting sufficient permissions. This creates a fundamental imbalance in accountability.

It would therefore be more appropriate for the HDT to take explicit account of the number of homes that have been permissioned, not solely those completed. Government should begin to hold developers to account for the non-delivery of sites they control. A fair and transparent system must recognise the shared responsibility between local authorities, who enable development through planning permissions, and developers, who are responsible for delivering homes on the ground.

Any approach that fails to reflect this shared responsibility risks perpetuating a skewed system that favours developer interests and profit-taking over the timely provision of homes for the communities that need them. Aligning the HDT with both permissions granted and delivery achieved would create a more balanced, evidence-based framework.

We agree that authorities should be assessed against their adopted housing requirement where an up-to-date plan is in place, and against local housing need where a plan is not current. However, this assessment must be accompanied by a more robust mechanism to ensure that developers are held accountable for the delivery of the homes they have permission to build.

Chapter 7: Building a strong, effective economy

Plan-making policy

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

Agree. The policy should draw a clearer distinction between the role and requirements of economic strategies at the SDS level and those of the Local Plan. Some of the potential barriers to investment are more appropriately addressed strategically through the SDS, where a broader spatial and economic framework can provide certainty and direction. This, in turn, should support and enable effective economic development at the local level.

There is a well-established hierarchical approach to planning for economic growth, and the policy would be strengthened by explicitly recognising and promoting this structure. Ensuring that strategic issues are resolved at the SDS stage would allow Local Plans to focus on delivery, site-specific considerations, and locally tailored economic opportunities.

National decision-making policies

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

Agree. The policy provides a clear and balanced framework to support economic growth and ensure that appropriate sites and premises are available to meet identified needs.

- 86) **Do you agree with the proposed new decision-making policy supporting freight and logistics development in policy E3? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly disagree. The introduction to E3(1) refers to development being “efficient” without explaining in what respect, whether operational efficiency, energy efficiency, space efficiency, or something else. Greater clarity is needed to ensure consistent interpretation.

The amended definition of “sustainable transport modes” suggested in response to Q43 is also relevant here. Local deliveries can be made using cycle-based vehicles on cycle networks, which should be recognised. While it is desirable for larger delivery vehicles to be electric, this is not a matter for spatial planning policy.

In addition, E3(1)(c) partly duplicates the requirements of TR5(1)(a), and this overlap should be addressed to avoid unnecessary repetition.

87) **Do you agree with the approach to rural business development in policy E4? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly disagree. Our concern relates to the potential adverse impacts on the road network, including increased intensity of use and wider transport and highways implications. These matters need to be fully considered and appropriately mitigated.

However, we support the broader intention of the policy, particularly in relation to supporting local landowners and farmers. They play a vital role in managing and maintaining much of the landscape, biodiversity and countryside. We therefore support farm diversification and measures that provide greater support to the farming community.

Chapter 8: Ensuring the vitality of town centres

Plan-making policy

- 88) **Do you agree with the proposed changes to policy for planning for town centres?**
Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Partly agree. More emphasis should be placed on the role of the evening economy in supporting the vitality and viability of town centres. While the policy addresses several important aspects of town-centre function, it would benefit from a stronger recognition of how well-managed evening and night-time activities contribute to footfall, local employment, cultural vibrancy, and the overall resilience of town centres.

A clearer policy steer on the value of evening economies, including hospitality, cultural venues, leisure uses, and community-focused activities, would help ensure that town centres remain active, inclusive, and economically sustainable beyond standard daytime hours.

National decision-making policies

- 89) **Do you agree with the approach to development in town centres in policy TC2?**
Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Partly disagree. There is a significant risk of conflict between new residential uses and existing town centre or late-night activities. Introducing unregulated residential uses into these areas could constrain or displace commercial units—such as retail, cafés and other active ground-floor uses—that are essential to the vitality and function of town centres.

Allowing residential uses without appropriate safeguards may therefore undermine the wider objectives for mixed, vibrant centres and limit opportunities for businesses to occupy suitable premises.

We consider it important to maintain consolidated town centre areas, with residential uses focused primarily within secondary areas rather than core commercial frontages. This approach helps to protect the vitality and viability of town centres, ensuring that key retail, leisure and service uses remain concentrated in the most accessible and active locations, while still allowing for appropriate levels of residential development in suitable adjoining areas.

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

There is growing concern about the proliferation of barbers, sweet shops and cafés, alongside a marked loss of comparison retail floorspace. Comparison retail is increasingly being pushed to out-of-town locations, which is undermining the vitality and viability of high streets and town centres. This shift weakens the diversity of the retail offer, reduces footfall, and accelerates the decline of traditional centres.

A more balanced approach is needed to protect comparison retail within town centres and prevent further erosion of their core function.

- 91) **Do you believe the sequential test in policy TC3 should be retained? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. The sequential test in Policy TC3 should be retained. It provides an essential safeguard to ensure that town centre uses are directed to the most appropriate and sustainable locations, supporting the vitality and viability of established centres and preventing unnecessary out-of-centre development.

- 92) **Do you agree with the approach to town centre impact assessments in policy TC4? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Neither agree nor disagree. At this stage, we do not have evidence or experience that would lead us to support or object to the proposed changes.

Chapter 9: Supporting high quality communications

National decision-making policies

- 93) **Do you agree that the updated policies provide clearer and stronger support for the rollout of 5G and gigabit broadband? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Strongly disagree. Introducing the “adverse” or cumulative health impacts of mobile phone masts as a material consideration would, in practice, lead to the refusal of almost all mast proposals. If masts, or a concentration of masts, are now considered to pose health risks, this is an issue that must be addressed at a national level by an appropriate expert working group, not delegated to the planning system.

Furthermore, most masts are now permitted development under the GPDO, where health impacts are not a consideration. Creating a two-tier system, where health impacts must be assessed for masts requiring planning permission, but not for those erected under permitted development, would be inconsistent, unworkable and illogical.

This approach risks undermining national digital infrastructure objectives and places an unreasonable and inappropriate burden on local planning authorities.

- 94) **Do you agree the requirements for minimising visual impact and reusing existing structures are practical for applicants and local planning authorities? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Disagree. The policy as drafted is effectively meaningless given the current permitted development regime. Permitted development masts can now reach 20 m in height and are often accompanied by large cabinets, typically around 1.8 m high, positioned on pavements. These cabinets can emit an audible hum, and together with the mast structures themselves, they are visually intrusive in the streetscape.

Any mast requiring planning permission will, by definition, exceed the scale of permitted development and therefore be even taller and more visually prominent. It is unrealistic to suggest that such installations would not have a high level of adverse visual impact on the locality.

The policy therefore fails to reflect the practical realities of modern telecommunications infrastructure and does not provide a meaningful or workable basis for decision-making.

- 95) **Do you agree the supporting information requirements are proportionate and sufficient without creating unnecessary burdens? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

We do not have a view on this matter.

Chapter 10: Securing Clean Energy and Water

Plan-making policies

- 96) **Do you agree with the approach to planning for energy and water infrastructure in policy W1? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly agree. However, it is not clear who would be consulted on this information or who would be responsible for making a decision based on it. Without clarity on roles, responsibilities and processes, the policy risks being unworkable in practice and could lead to inconsistent or contested decision-making.

- 97) **Do you agree with the amendments to current Framework policy on planning for renewable and low-carbon energy development and electricity network infrastructure in policy W2? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly agree. We would support this in principle, although we recognise the practical difficulties of implementing such an approach from a plan-making perspective. Further clarity and guidance would be needed to ensure it can be applied consistently and effectively.

National decision-making policies

- 98) **Do you agree with the proposed approach to supporting development for renewable and low carbon development and electricity network infrastructure in policy W3? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. This aspect of the policy needs to be given greater weight if it is to secure support from officers and planning committees. The inclusion of “substantial weight” is therefore welcomed, as it provides clarity on the importance of this consideration and strengthens its influence within the decision-making process.

- 99) **Do you agree with the proposed approach to supporting development for water infrastructure in policy W4? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. It is essential that proposals for water supply, drainage and wastewater development are positively planned for.

Chapter 11: Facilitating the sustainable use of minerals

Plan-making policies

- 100) **Do you agree with the proposed prohibition on identifying new coal sites in policy M1, and to the removal of coal from the list of minerals of national and local importance? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

We have no comment to make on this section of the NPPF. This matter is best addressed by Hertfordshire County Council, who are better placed to provide an informed response on the issues raised.

- 101) **Do you agree with how policy M1 sets out how the development plan should consider oil and gas? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

We have no comment to make on this section of the NPPF. This matter is best addressed by Hertfordshire County Council, who are better placed to provide an informed response on the issues raised.

- 102) **Do you agree with the proposed addition of critical and growth minerals to the glossary definition of ‘minerals of national and local importance’? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

We have no comment to make on this section of the NPPF. This matter is best addressed by Hertfordshire County Council, who are better placed to provide an informed response on the issues raised.

- 103) **Do you agree criteria b of policy M2 strikes the right balance between preventing minerals sterilisation and facilitating non minerals development? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

We have no comment to make on this section of the NPPF. This matter is best addressed by Hertfordshire County Council, who are better placed to provide an informed response on the issues raised.

National decision-making policies

- 104) **Do you agree policy M3 appropriately reflects the importance of critical and growth minerals? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

We have no comment to make on this section of the NPPF. This matter is best addressed by Hertfordshire County Council, who are better placed to provide an informed response on the issues raised.

- 105) **Do you agree with the exclusion of development involving onshore oil and gas extraction from policy M3? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

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

We have no comment to make on this section of the NPPF. This matter is best addressed by Hertfordshire County Council, who are better placed to provide an informed response on the issues raised.

- 107) **Do you agree policy M4 sufficiently addresses the impacts of mineral development, noting that other national decision-making policies will also apply? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

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

We have no comment to make on this section of the NPPF. This matter is best addressed by Hertfordshire County Council, who are better placed to provide an informed response on the issues raised.

- 109) **Do you agree with approach to coal, oil and gas in policy M5? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

We have no comment to make on this section of the NPPF. This matter is best addressed by Hertfordshire County Council, who are better placed to provide an informed response on the issues raised.

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

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

We have no comment to make on this section of the NPPF. This matter is best addressed by Hertfordshire County Council, who are better placed to provide an informed response on the issues raised.

- 112) **Do you agree policy M6 strikes the right balance between preventing the sterilisation of minerals reserves and minerals-related activities, and facilitating non-minerals development? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

We have no comment to make on this section of the NPPF. This matter is best addressed by Hertfordshire County Council, who are better placed to provide an informed response on the issues raised.

- 113) **Does policy M6 provide sufficient clarity on the role of Minerals Consultation Areas? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

We have no comment to make on this section of the NPPF. This matter is best addressed by Hertfordshire County Council, who are better placed to provide an informed response on the issues raised.

Chapter 12: Making effective use of land

Plan-making policy

- 114) **Do you agree policy L1 provides clear guidance on how Local Plans should be prepared to promote the efficient use of land? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***
- 115) **If not, what further guidance is needed?**

Partly agree.

L1(1)(a) should use a defined term in place of the word “area”. It is unclear whether this refers to the Local Plan area as a whole or the vicinity of a specific settlement. Greater precision is needed to avoid ambiguity.

L1(1)(a)(i) should use “repurpose” or “change of use” rather than “re-use”, which does not accurately reflect the planning terminology or the range of interventions that may be required.

In L1(2), the phrase “where necessary” is open to wide interpretation. Clearer guidance is required on the circumstances in which compulsory purchase powers should be considered. Mayors and local planning authorities need confidence that these powers can be used relatively quickly and cost-effectively—not only for land assembly to enable development, but also to secure safe access and connectivity for active travel and public transport.

Government should also recognise that few local authorities have significant experience in using CPO powers, and many have severely under-resourced legal teams. Without clearer national guidance and practical support, the effective use of CPO powers will remain limited.

The potential for allocated sites to deliver meaningful Biodiversity Net Gain (BNG) must form a core part of the assessment when land is promoted for development. Sites located within LNRS focus areas or those identified as ACIBs are particularly important in this regard. In such locations, BNG should not be met through off-site measures; instead, on-site delivery should be prioritised to ensure that development directly contributes to the strategic ecological priorities identified for the area.

Where feasible, gains in excess of the minimum 10% requirement should be sought. Maximising on-site ecological enhancement in these priority areas will help realise the full ecological potential of development land and, in turn, provide significant benefits for both new and existing residents through improved access to nature and stronger nature-connection outcomes.

National decision-making policies

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

Agree. We welcome stronger national policy support for making more efficient use of land, as this will help officers to encourage developers to deliver higher-density schemes where appropriate. Having this direction set clearly at national level is helpful and provides a stronger basis for local decision-making.

It is concerning that no reference is made to the potential ecological value of brownfield or previously developed land. Such sites can support highly distinctive and biodiverse habitats, particularly Open Mosaic Habitats, which are increasingly recognised as a scarce and valuable resource for nature.

Given their importance for invertebrates, pioneer species, and early-successional habitats, brownfield sites should not be assumed to be of low ecological value. The policy would be strengthened by explicitly acknowledging their potential contribution to nature recovery and ensuring that their biodiversity value is properly assessed and safeguarded before redevelopment is considered.

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

Partly disagree. We agree with criterion (b), but object to (d), which we consider inappropriate and unjustified within the policy framework.

The policy could be strengthened by being more explicit about the types of meanwhile uses that are encouraged. In particular, productive landscape uses, such as temporary community growing projects, offer clear social, environmental, and community benefits during periods when land is awaiting development.

Explicitly referencing these forms of meanwhile use would help normalise them within the planning process and ensure that land contributes positively to local wellbeing and nature recovery, even on a temporary basis.

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

Strongly disagree. Allowing additional storeys on existing roofs could have a significant adverse visual impact on established areas. In practice, most roof-level developments

are visually poor, disrupt the proportions of buildings, and detract from the character of the surrounding townscape.

Sky gaps are an important part of streetscapes, providing setting, context and a sense of openness. They also help to reveal the evolution and architectural language of an area over time. The introduction of additional storeys would erode these qualities, dilute local distinctiveness, and risk creating an unattractive and incoherent roofscape.

Overall, the approach would undermine the visual integrity and character of existing areas.

- 119) **Do you agree policy L2 (d)(i) achieves its intent to enable appropriate development that may differ from the existing street scene, particularly in cases such as corner plot redevelopment and upwards extensions. *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Strongly disagree. Each location is unique, and not all corner plots will be suitable for intensive development. Applying a blanket expectation for increased scale or massing on corner sites fails to recognise the varied character, constraints and sensitivities of different areas. A more nuanced, context-led approach is essential to avoid inappropriate development and protect local distinctiveness.

- 120) **Do you agree with the proposed safeguards in policy L2 that allow development in residential curtilages? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Strongly disagree. The intent of the policy is unclear, and as drafted it could allow an infill dwelling with a footprint significantly larger than the host property, potentially up to twice its size, and occupying a substantial proportion of the original curtilage. Development of this scale would appear out of context, disrupt established plot patterns, and result in harm to the character and appearance of the locality.

A point of clarification would be helpful regarding situations where a dwelling has already been intensified through development within its curtilage, and the newly created dwellings subsequently seek to extend. In such cases, how is cumulative impact to be managed? A more precise and context-sensitive approach is required to avoid inappropriate overdevelopment.

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

Disagree. The policy wording is clear, but we do not agree with the approach. We do not consider it appropriate for the NPPF to specify a fixed number unless it is explicitly framed as a starting point. Local authorities should retain the ability to set their own standards based on local context. A small-town station or a rural station will have very different characteristics and requirements, and a single national figure would not reflect these variations.

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

Strongly disagree.

A blanket density requirement is neither appropriate nor suitable for all areas. Local context must remain a fundamental consideration, as different locations have varying character, constraints, infrastructure capacity and design sensitivities. Applying a single density expectation across diverse settings would risk inappropriate development and undermine place-specific planning.

Hard-coding densities in guidance, combined with a strong presumption to refuse proposals that do not meet them, is highly likely to result in inappropriate forms of development. Other important factors—such as landscape sensitivity, heritage constraints, and the availability of safe and sustainable travel options to schools and local amenities—may justify a lower density in certain locations. A rigid density requirement would fail to account for these considerations and could lead to poor planning outcomes.

- 123) **Do you agree that using dwellings per hectare is an appropriate metric for setting minimum density requirements? Additionally, is our definition of ‘net developable area’ within the NPPF suitable for this policy? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly agree. The phrase “within the net developable area of the site” is misleading, as it appears intended to refer only to land within a reasonable walking distance of a station. To avoid ambiguity, we suggest amending the wording to:

“...within the net developable area of the site that is within a reasonable walking distance of the closest station entrance, ...”

This more accurately reflects the intended scope and ensures consistent interpretation.

- 124) **Do you agree with the proposed definition of a ‘well-connected’ station used to help set higher minimum density standards in targeted growth locations? In particular, are the parameters we’re using for the number of Travel to Work Areas and service frequency appropriate for defining a ‘well-connected’ station? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly disagree. The current wording focuses too heavily on travel to work, which represents only around 12% of all trips (National Travel Survey NTS 0611). While surface rail accounts for 7.2–8.3% of commuting and business trips, it serves only 1.4% of personal trips (NTS 0409).

A genuinely “well-connected” station must provide access not only to employment centres but also to daily amenities such as schools, shops, sporting facilities, leisure venues and cultural destinations. The definition should therefore be broadened to reflect the full range of everyday journeys that shape how people use places.

125) Are there other types of location (such as urban core, or other types of public transport node) where minimum density standards should be set nationally? Yes/No

No. Context must be given proper consideration. We would not support national standards, as the range of appropriate solutions varies significantly between different areas and their distinct characters. A single national approach would fail to reflect local circumstances and could lead to inappropriate outcomes.

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

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

We agree that higher densities should be expected in areas surrounding stations, as this is essential to achieving genuinely sustainable patterns of development. Concentrating homes within walking and cycling distance of high-quality public transport maximises the use of sustainable travel modes and reduces reliance on private cars, which is central to the success of any transit-oriented settlement.

However, while densities should be markedly higher than in more peripheral areas, this should not imply that high-rise development is appropriate or desirable. Density must be defined by the character, scale, and setting of the local area. A blanket, broad-brush approach to density targets would risk undermining local distinctiveness and could create abrupt transitions that fail to integrate with existing settlements.

Instead, density expectations should be informed by the built form of nearby communities, with the aim of achieving a seamless and contextually sensitive extension of the settlement pattern. This approach allows for higher densities where they are most sustainable, while still respecting the established character of the area.

Ultimately, the success of a new settlement will depend on striking the right balance between density and the sustainable transport options that connect residents to the station. Well-designed, higher-density neighbourhoods that are walkable, legible, and well-served by public transport will support both environmental objectives and high-quality placemaking.

128) **Do you agree policy L4 provides clear high-level guidance on good design for residential extensions? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.**

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

Disagree. No consideration is given to the impact on neighbouring amenity, which is a fundamental element of householder development. The term “blend effectively” is unclear and open to subjective interpretation. In some cases, it may be more appropriate for an extension *not* to blend with the existing dwelling, particularly where a contrasting design would better respect the character of the host property or the wider area.

It is also unclear why “appearance” has been removed from the policy, given its longstanding role in assessing householder proposals.

We do not agree with footnote 46. Any assessment should be made on a site-by-site basis, taking into account the original property and any previous extensions. A blanket approach would fail to reflect the varied circumstances of individual plots.

Chapter 13: Protecting Green Belt land

Plan-making policies

130) **Do you agree that policy GB1 provides appropriate criteria for establishing new Green Belts? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

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

Agree. The policy appears coherent and sufficient. We have no further comments to add at this stage.

132) **Do you agree policy GB2 gives sufficient detail on the expected roles spatial development strategies and local plans play in assessing Green Belt land? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. The policy is clear in setting out the respective roles of the SDS and Local Plans.

Please note that we have further comments relating specifically to the treatment of grey belt, which are addressed under question 145 below.

133) **Do you agree with proposals to better enable development opportunities around suitable stations to be brought forward? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

We consider that our concerns regarding development around stations have already been addressed under question 40 above. In this context, Green Belt is simply one of several policy designations to be weighed alongside the characteristics of the station environs.

The approach of not requiring exceptional circumstances for development around stations provides a degree of flexibility and helps to streamline the process of releasing sustainable, well-connected locations for development. This is an appropriate and pragmatic mechanism for supporting growth in areas with strong public transport accessibility.

134) **Do you agree the expectations set out in policy GB5 are appropriate and deliverable in Local Plans? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

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

Agree. The policy offers a range of acceptable alternative uses within the Green Belt, and this flexibility is welcome. Allowing uses that deliver community, environmental, and ecological benefits strengthens the overall value of the Green Belt designation. We

support this approach, as it enables the Green Belt to function not only as a tool for managing development but also as a positive asset for local communities and nature.

National decision-making policies

- 136) **Do you agree policies GB6 and GB7 set out appropriate tests for considering development on Green Belt land? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Footnote 49 conflicts with footnote 24. Both should be aligned so that they refer to *original buildings*, consistent with the approach set out in footnote 49. This is essential for clarity and for ensuring consistent application of the policy.

Part GB7(c) should also be amended so that *hamlets are treated in the same way as areas outside settlements*. This would ensure the policy reflects the character and scale of development typically found in such locations.

- 137) **Do you agree policy GB7(1h) successfully targets appropriate development types and locations in the Green Belt, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

We set out our response to housing near to stations under Question 40.

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

This question is unclear within the context of GB7. The policy wording does not provide enough clarity to understand how the question should be interpreted or applied, making it difficult to provide a meaningful response.

- 139) **Do you agree that site-specific viability assessment should be permitted on development proposals subject to the Golden Rules in these three circumstances? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree.

- 140) **With regards to previously developed land, are there further changes to policy or guidance that could be made to help ensure site-specific viability assessments are**

used only for genuinely previously developed land, and not predominantly greenfield sites?

No. Site-specific issues can and do arise, and these may justify the need for viability assessments outside the narrowly defined circumstances. A rigid approach would fail to account for the varied and sometimes unpredictable constraints that individual sites present.

- 141) **Do you agree with setting an affordable housing ‘floor’ for schemes subject to the Golden Rules accompanied by a viability assessment subject to the terms set out? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. Setting this at a national level would help address the national housing crisis by providing greater consistency and reducing opportunities for developers to under-provide. A clear national standard should also help minimise delays in the planning process.

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

If the aim of this policy is to ensure viability so that homes are actually delivered, then we would support it. We consider a figure of 10% or 15% to be appropriate, provided this is set out clearly and unambiguously in policy. Clear national guidance would help ensure consistency and reduce uncertainty in the development process.

- 143) **Do you agree with local planning authorities testing viability at the plan-making stage using a standardised Benchmark Land Values scenario of 10 times Existing Use Value for greenfield, Green Belt land? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Disagree. Land values vary significantly across the country, and a single national approach would fail to reflect these differences. Any policy must allow for local variation to ensure it remains realistic and deliverable in different market conditions.

- 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?**

We do not have any further comments on the use of nationally standardised Benchmark Land Values for local planning authorities to test viability at the plan-making stage.

- 145) **Do you agree that proposed changes to the grey belt definition will improve the operability of the grey belt definition, without undermining the general protections given to other footnote 7 areas? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. The removal of footnote 7 does not undermine the general protection to given to those areas.

It should be noted that North Hertfordshire Council carried a Motion on 29 January 2026 that set out its position in relation to concerns over how villages are treated in relation to grey belt and the potential for the merging of villages together and /or with neighbouring towns.

This motion can be found here: [Agenda item - NOTICE OF MOTIONS | North Herts Council](#)

Chapter 14: Achieving well-designed places

Plan-making policies

- 146) **Do you agree that policy DP1 provides sufficient clarity on how development plans should deliver high quality design and placemaking outcomes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Strongly agree. DP1 provides sufficient clarity on how development plans should deliver high-quality design and placemaking outcomes. The policy sets out clear expectations and gives local planning authorities a robust framework to secure well-designed, context-responsive development.

- 147) **Do you agree with the approach to design tools set out in policy DP2? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly agree. The emphasis on using appropriate tools to support high-quality design is welcome, but the policy would benefit from greater clarity on how these tools should be applied in different contexts. Flexibility is important to ensure that local character, constraints and opportunities can be properly reflected, rather than relying on a uniform set of tools in all circumstances.

With the phasing out of SPDs, it is unclear what “Design Guides” in this policy is intended to refer to. It appears that the appropriate mechanisms for securing design quality at a local scale would instead be masterplans or design codes. Further explanation is needed on what constitutes a Design Guide, how it should be used, and the weight it would carry in decision-making. Without this clarity, the policy risks inconsistency in interpretation and application.

National decision-making policies

- 148) **Do you agree policy DP3 clearly set out principles for development proposals to respond to their context and create well-designed places? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Strongly agree. Policy DP3 clearly sets out the principles for development proposals to respond to their context and create well-designed places. The policy provides a robust and coherent framework that supports context-sensitive, high-quality design and ensures that proposals contribute positively to their surroundings.

Policy 1(a) particularly the final sentence: “This should not preclude innovation and change where appropriate, especially where an increased scale or density of development is justified in accordance with policies L2 and L3.” It remains essential that any assessment of proposals gives full weight to the significance of Conservation Areas,

including its established character and appearance. This principle should not be diluted by an overly broad interpretation of “innovation and change”.

This issue is also relevant to the wording of Policy L2 1(d) and the latter part of L3 (2), which states: “The existing character of an area should be taken into account, in accordance with policy DP3, but should not preclude development which makes the most of an area's potential.” While the aspiration to unlock potential is understood, it must be balanced with a robust and context-led understanding of heritage significance, particularly in areas where character is a defining asset.

Where design guides, design codes and masterplans are required, they should be firmly grounded in an appreciation of both local and wider context. These tools should identify opportunities to reinforce and enhance existing character, especially within regeneration areas, rather than inadvertently eroding it. Ensuring that such documents are informed by economic, social and environmental considerations, as well as meaningful local engagement, will be critical to their effectiveness.

A clear commitment to context-sensitive design guidance will help ensure that planning conditions are implemented consistently, that expectations for applicants are transparent, and that resulting schemes remain both deliverable and aligned with community aspirations. This approach will build confidence in the planning process and help ensure that future development strengthens, rather than compromises, the qualities that make places distinctive.

DP3 1(d) currently refers to NE3, but this appears to be an error and should instead reference N3. Correcting this would ensure internal consistency and avoid confusion in policy interpretation.

In addition, it would be beneficial for the policy to make explicit reference to integrated habitat features such as swift bricks, bat and bee bricks, and hedgehog highways in fences. These features are low-cost, high-value interventions that can be incorporated into most developments with minimal design implications, yet they deliver meaningful biodiversity benefits. Including them within the policy framework would help normalise their use and support wider ecological enhancement in line with national and local nature recovery objectives.

149) **Do you agree with the proposed approach to using design review and other design processes in policy DP4? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree with proposed approach in relation design review panels, appropriate conditions and ensuring quality is maintained through the process.

In addition, we wanted to highlight the following omissions in national policy.

In line with the cross-government strategy to build a safer society for women and girls, there should be specific policies focused on designing places, spaces and buildings that are, and feel, safe for women and girls. This reflects a key action from the published strategy, which states:

“Women and girls must both feel safe and be safe in every aspect of public life, including shared and open spaces such as streets, parks, transport hubs, and public buildings. Safety is not just about reducing risk, it is about creating environments that foster confidence, dignity, and freedom of movement. Design and planning are critical tools in achieving this... By embedding considerations of VAWG into planning and transport guidance, we can ensure that safety is built into the fabric of our communities, making public spaces welcoming and secure for all.”

The recently published draft Design and Placemaking Planning Practice Guidance contains only three brief and generic references to designing places for women and girls. This is insufficient. National policy should include clear descriptions of the types of environments that women and girls, and many others, experience as safe or unsafe, inclusive or exclusive, welcoming or intimidating, and the design features that contribute to those perceptions. Relevant examples include outdoor play areas, bus stops, car parks, underpasses, stairwells, unlit paths, parks and connecting routes.

The NPPF should give planning weight to whether an application follows best-practice guidance on designing places for women and girls. In relevant cases, this should be capable of supporting either the granting or refusal of permission.

The organisation *Make Space for Girls* has published useful guidance and case studies on designing public spaces that better meet the needs of women and girls.

Chapter 15: Promoting sustainable transport

Plan-making policies

- 150) **Do you agree that policy TR1 will provide an effective basis for taking a vision-led approach and supporting sustainable transport through plan-making? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

TR1 and other policies refer to the “vision for the plan area” and the need for a “vision-led” approach. The commentary that accompanied the consultation on the current NPPF included a good explanation that has not carried through to the current or draft NPPF or updated guidance:

“At present, planning for travel too often follows a simplistic ‘predict and provide’ pattern, with insufficient regard for the quality of places being created or whether the transport infrastructure which is planned is fully justified. Challenging the default assumption of automatic traffic growth, where places are designed for a ‘worst case’ peak hour scenario, can drive better outcomes for residents and the environment. It means working with residents, local planning authorities and developers to set a vision for how we want places to be and designing the transport and behavioural interventions to help us achieve this vision. This approach is known as ‘vision-led’ transport planning and, unlike the traditional ‘predict and provide’ approach, it focuses on the outcomes desired, and planning for achieving them.”

TR1 (1a) should say “connectivity” rather than “accessibility”. This distinction is fundamental to the DfT Connectivity Tool, which measures access to amenities rather than access to transport. It should also reference Bus Service Improvement Plans.

To clarify the intent, TR1 (1e) should replace “Providing for ...” with “Allocating or safeguarding land for ...”.

TR1 needs to address the problem of uncertainty of transport impacts. CIL Regulation 122 treats mitigation as binary, based on forecasts. But forecasts are inherently uncertain and are almost entirely based on historical data (e.g. TRICS) and extrapolation from historical data (e.g. NTEM). The NPPF and many other government and local policies seek to “bend the curve” and create a future that is significantly different from business as usual. The policies, strategies, plans and mitigations that have achieved this in the UK and elsewhere in the world are localised; their effectiveness in other contexts is unproven.

It is therefore essential that planners can deal with significant uncertainty in transport outcomes in a robust, proportionate and fair way. That means requiring site promoters and planning applicants to explore mitigations that go beyond what can be demonstrated to be compliant with CIL Regulation 122 (based on precedent case law and appeal decisions). This is where monitor-and-manage comes in: to secure funding for mitigations that will be implemented only if monitoring demonstrates that further mitigation is needed.

Monitor-and-manage needs to be an explicitly permitted planning policy, for which funding can be secured without needing to satisfy a strict interpretation of CIL Regulation 122. The NPPF may wish to set a time limit on the holding of unused monitor-and-manage funds of, say, five years following notification of completion.

- 151) **Do you agree that policy TR2 strikes an appropriate balance between supporting maximum parking standards where they can deliver planning benefits, and requiring a degree of flexibility and consideration of business requirements in setting those standards? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly Agree. It would be helpful if the policy referred to Controlled Parking Zones (CPZs). Most local authorities require local support for the introduction of CPZs, which means they cannot be introduced as a planning requirement. Support for CPZs in the NPPF would nudge Parking Authorities to update their policies to include a strategic planning route to introducing CPZs.

National decision-making policies

- 152) **Do you agree with the changes proposed in policy TR3(1a), including the reference to proposals which could generate a significant amount of movement, and the proposed use of the Connectivity Tool? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly Agree. TR3 (1) introduction should refer to “connectivity” rather than “accessibility” for the reason given in response to Q150.

Agree with TR3 (1a).

Though TR3 (1d) is welcome, it potentially conflicts with CIL Regulation 122, which requires any mitigation paid for by a development to be “directly related to the development”. Disagree with TR3 (2) because it unjustifiably privileges one tool above all others.

The Connectivity Tool, though important and useful, does not provide a definitive assessment of the connectivity of a proposed development. In particular, it is very weak on its assessment for active travel, where the quality of available routes is critically important to whether people will in fact use them. The tool assumes that all roads are safe to cycle along even though most are not (for all but the most confident and experienced) because of traffic speeds or volumes, narrow lanes, steep hills, lack of lighting, etc. Similarly, most rural roads lack footways but are treated as walkable. Public transport connectivity is highly dependent on bus services and timetables that change frequently. The tool uses a historical snapshot of those, which will become increasingly unrepresentative of current reality. Finally, there is no obvious justification for privileging

the DfT-developed tool over commercially available tools, which are improving continuously, and may be more accurate or up to date for a particular site location.

Suggested alternative phrasing: “Relevant evidence and appropriate evaluative, propositional and modelling tools, such as the Connectivity Tool (Connectivity Tool - GOV.UK), should be used to assess the actual and potential connectivity of locations proposed for development.”

- 153) **Do you agree that proposed policy TR4 provides a sufficient basis for the effective integration of transport considerations in creating well-designed places? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Strongly agree. TR4 (1a) should say “... bus **and** other public transport services ...”. There will be almost no places where only train or tram provide sufficient connectivity.

- 154) **Do you agree with policy TR5 as a basis for supporting the provision and retention of roadside facilities where there is an identified need? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Strongly agree. It would be helpful to define what is covered by “roadside facilities”. It should include public toilets for professional drivers (delivery, coach, bus and taxi).

The restriction to “located outside settlements” means the policy applies almost exclusively to service stations and trunk roads. Such facilities (mainly petrol and charging stations, but some lorry parking) already exist within settlements and there will always be a need for them.

There should also be a complementary plan-making policy to ensure that land is allocated or safeguarded in accordance with strategic transport plans.

- 155) **Do you agree that the amended wording proposed in policy TR6 provides a clearer basis for considering when transport assessments and travel plans will be required, and for considering impacts on the transport network? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly disagree. It is difficult to imagine how, using existing data and tools, especially strategic transport models (which are complex and costly to program and run), it is reasonable and proportionate for an applicant to model multiple future scenarios, in accordance with TR6 (4).

- 156) **Do you agree the proposed text in policy TR7 provide an effective basis for assessing proposals for marine ports, airports and general aviation facilities? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly agree. TR7 (1d) provides no indication of what is “acceptable”. Is this to be left entirely to local officers’ judgement? In which case the clause is redundant. Or is this going to expanded up in new PPG?.

There should also be a complementary plan-making policy to ensure that land is allocated or safeguarded in accordance with strategic transport plans.

- 157) **Do you agree with the additional policy on maintaining and improving rights of way proposed in policy TR8? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Strongly agree. Currently, local authorities responsible for public rights of way are severely under-resourced to manage the existing network yet alone expand and improve it. Additional funding is needed, at least some of which will need to be secured through S106 agreements. TR8 should therefore provide justifications that support local authorities in securing planning obligations (to demonstrate compliance with CIL regulation 122) and to exercise CPO powers. These may include public health and wellbeing benefits and reducing ecological stress on the most accessible open green spaces and countryside.

Chapter 16: Promoting healthy communities

Plan-making policies

- 158) **Do you agree with the approach to planning for healthy communities in policy HC1, including the expectation that the development plan set local standards for different types of recreational land, drawing upon relevant national standards? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree.

- 159) **Do you agree that Local Green Space should be ‘close’ to the community it serves? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Strongly agree. A Local Green Space cannot meaningfully serve its purpose if it is not genuinely close to the community it is intended to benefit. Proximity is fundamental to the designation: it underpins accessibility, everyday use, and the social and wellbeing value that LGS status is designed to protect. Ensuring that “local” remains a defining criterion is therefore essential to maintaining the integrity and effectiveness of the designation.

Decision-making policies

- 160) **Do you agree that the proposed policies at HC3 and HC4 will support the provision of community facilities and public service infrastructure serving new development? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. Although it can often be difficult for local communities to propose projects for developers to support. These groups often lack the technical knowledge, resources and confidence to prepare proposals, and they rely heavily on planning officers for assistance. This places significant demands on already stretched local authority teams. More support and clearer national guidance are needed to help communities understand what types of projects are appropriate, how to develop them, and how they can meaningfully engage in the process.

- 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?**

We support the principle, as this is often implemented at a local level already. However, there are practical challenges that need further clarification. For example, what constitutes a reasonable walking distance for a teenager varies significantly and should be defined more clearly in policy or guidance. In addition, assessing walking distances for schools located in town centres is particularly complex due to higher densities, traffic patterns and competing land uses. Clearer national guidance would help ensure consistent and realistic assessments.

- 162) **Do you agree with the proposed approach to retaining key community facilities and public service infrastructure in policy HC6? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree.

- 163) **Do you agree with the approach taken to recreational facilities in policy HC7, including the addition of ‘and/or’ with reference to quantity and quality of replacement provision? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Strongly disagree. Allowing “quantity *and/or* quality” weakens the protection and risks reducing overall provision—not only of playing fields but also wider sports facilities, open space, play areas and allotments. This approach means that even where replacement is proposed, there would be no requirement to match the quality of the existing provision, creating a clear risk of net decline.

Criteria **a** and **c** should be amalgamated to provide a clearer and more robust safeguard. Once open space is lost, it is lost permanently. Alternative uses—including opportunities to deliver space for nature in line with LNRS priorities—must therefore be fully explored

and prioritised before any loss is considered acceptable. A framework based on “and” rather than “or” would better reflect the importance of safeguarding these assets and prevent decision-making from defaulting to the least protective option.

- 164) **Do you agree with the clarification that Local Green Space should not fall into areas regarded as grey belt or where Green Belt policy on previously developed land apply? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Strongly agree. If Local Green Space (LGS) designation is to carry meaningful weight, it must be accompanied by robust protection from development pressures. Recognition alone is insufficient; without clear safeguards, the purpose of LGS designation risks being undermined. Ensuring that these areas are genuinely protected is essential to maintaining their local value and delivering long-term community and environmental benefits.

Chapter 17: Pollution, Public Protection and Security

Plan-making policy

- 165) **Do you agree with policy P1 as a basis for identifying and addressing relevant risks when preparing plans? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. The policy provides a clear and proportionate framework for ensuring that risk is properly considered at the plan-making stage.

Decision-making policies

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

We are not aware of any additional tools or guidance required to support better decision-making on contaminated land. The existing framework appears sufficient for assessing and managing contamination risks as part of the planning process.

- 167) **Do you agree with the criteria set out in proposed policy P3 as a basis for securing acceptable living conditions and managing pollution? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree.

The impacts of artificial lighting on nature are well-documented, and it is essential that policy strikes an appropriate balance between perceived requirements for public safety and the significant detrimental effects that lighting can have on nocturnal wildlife.

The increasing availability of new technologies, such as adaptive lighting, dimming regimes, and directional or spectrum-controlled luminaires, offers practical ways to reduce ecological harm without compromising safety. Alongside this, greater public awareness of the potential impacts of lighting on nature could help shift expectations and support more sensitive lighting design.

Recognising these issues within policy is therefore an important step toward reducing avoidable pressures on wildlife and supporting healthier, more resilient ecosystems.

- 168) **Do you agree policy P4 makes sufficiently clear how decision-makers should apply the agent of change principle? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. The policy sets out a clear and workable framework for ensuring that new development appropriately mitigates its impacts on existing uses.

- 169) **Do you agree policy P5 provides sufficient basis for addressing possible malicious threats and other hazards when considering development proposals? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. To ensure consistency across the document, the policy should also refer back to the Well Designed Places chapter, reinforcing the need for integrated, design-led approaches to safety and resilience.

- 170) **Do you agree that substantial weight should be given to the benefits of development for defence and public protection purposes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Neither agree nor disagree. We have no comment to make on this policy.

Chapter 18: Managing Flood Risk and Coastal Change

Plan-making policies

- 171) **Do you agree with the proposed changes set out in policy F3 to improve how Coastal Change Management Areas are identified and taken into account in development plans? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

We have no comment to make on this policy.

National decision-making policies

- 172) **Do you agree with the proposed clarifications to the sequential test set out in policy F5? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. The amendments provide greater certainty for decision-makers and support a more consistent application of the test in practice.

- 173) **Do you agree with the proposed approach to the exception test set out in policy F6? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. The clarification provides a clear and proportionate framework for applying the test and supports consistent decision-making in areas at risk of flooding.

- 174) **Do you agree with the proposed requirement in policy F8 for sustainable drainage systems to be designed in accordance with the National Standards? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly agree. Regard should also be given to the wider benefits that SuDS can provide, including opportunities for amenity space, biodiversity enhancement, and improved visual quality. In many cases, SuDS features, particularly attenuation basins, are designed as large, land-hungry voids that offer little or no additional value to residents or development users.

SuDS should be integrated into the design of developments from the outset, ensuring they deliver multiple social, ecological, and aesthetic benefits alongside their primary function of managing surface water during flood events. A more holistic, multifunctional approach would strengthen the contribution of SuDS to placemaking and environmental resilience.

- 175) **Do you agree with the proposed new policy to avoid the enclosure of watercourses, and encourage the de-culverting and re-naturalisation of river channels? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly agree. We welcome the inclusion of policy F8 3, but further clarification is needed on how “compelling reasons” will be defined and applied in practice. Without a clear definition, there is a risk of inconsistent interpretation across planning authorities, which could undermine the intended strength of the policy.

Providing explicit criteria or guidance on what constitutes a “compelling reason” would help ensure that decisions are transparent, robust, and aligned with the overarching objectives of nature recovery and environmental protection.

- 176) **Do you agree with the proposed changes to policy for managing development in areas affected by coastal change? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

We have no comment to make on this policy.

- 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?**

We have no comment to make on this policy.

- 178) **Do you agree with the proposed new additions to Table 2: Flood Risk Vulnerability Classifications? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. The updates provide helpful clarification and support a more consistent application of the vulnerability categories in plan-making and decision-taking.

Chapter 19: Conserving and enhancing the natural environment

Plan-making policies

- 179) **Do you agree that the proposed approach to planning for the natural environment in policy N1, including the proposed approach to biodiversity net gain, strikes the right balance between consistency, viability, deliverability, and supporting nature recovery? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Strongly agree. The explicit recognition of the national significance of chalk streams is particularly welcome. Retaining the protection of Best and Most Versatile (BMV) land through the avoidance of site allocations is also a positive and necessary approach. Likewise, the reflection of LNRS ACIBs within the policy framework for new development represents a constructive step toward aligning planning decisions with strategic nature recovery priorities.

However, the wording in criterion 1c introduces ambiguity. The phrase “avoiding and minimising” creates uncertainty about the expected standard of protection. These terms imply different levels of intervention and appear to echo the mitigation hierarchy, which can inadvertently weaken policy intent by suggesting that harm may be acceptable if minimised.

For clarity and stronger ecological protection, the policy would be more effective if it simply required “avoiding harm.” This would provide a clearer expectation for decision-makers and ensure consistency with the overarching aim of safeguarding sensitive and irreplaceable natural assets.

- 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?**

Where an LNRS has identified an area as an ACIB or as a focus area for specific habitat or species enhancement measures, opportunities for delivery should be actively supported on allocated development sites. In many cases, this may appropriately result in biodiversity gains exceeding the minimum 10% BNG requirement.

Allowing and encouraging higher levels of BNG in these priority areas would help ensure that development contributes meaningfully to the strategic objectives of the LNRS, supports coherent nature recovery, and maximises ecological outcomes where they are most needed.

National decision-making policies

- 181) **Do you agree policy N2 sets sufficiently clear expectations for how development proposals should consider and enhance the existing natural characteristics of sites proposed for development? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Strongly agree. We particularly welcome the inclusion of criterion 1(g). The explicit acknowledgement of risks arising from potential future failure is an important and often overlooked aspect of safeguarding nature sites. Our understanding is that this is intended to relate primarily to climate-related resilience and the increasing likelihood of assets or habitats becoming vulnerable under future conditions.

If this interpretation is correct, it is a valuable addition. However, it would be helpful for the policy to clarify whether 1(g) is solely concerned with climate-driven resilience issues, or whether it is also intended to encompass risks associated with management company or adoption failures. Clearer guidance on the intended scope would support consistent application across local planning authorities.

- 182) **Do you agree the policy in Policy N4 provides a sufficiently clear basis for considering development proposals affecting protected landscapes and reflecting the statutory duties which apply to them? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. Policy N4 provides a sufficiently clear basis for considering development proposals affecting protected landscapes and appropriately reflects the statutory duties that apply to them. The policy offers a clear framework for decision-making and ensures that the significance and sensitivity of protected landscapes are properly considered.

- 183) **Do you agree policy N6 provides clarity on the treatment of internationally, nationally and locally recognised site within the planning system? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly disagree. Local Wildlife Sites should also be given status and protection. These areas often contain habitats and species of significant local importance, and without explicit recognition in policy they risk being overlooked in decision-making. Strengthening their status would help ensure that biodiversity is properly safeguarded across all parts of the local environment, not only within nationally designated sites.

We strongly agree with the inclusion of APIBS within N6, as this provides welcome alignment with the definition used in LNRs and ensures consistency across the policy framework. The reference to criterion 1c is particularly valuable in a local context, especially for areas that do not contain international designations but nevertheless experience significant development pressures.

Local sites form an essential component of the wider nature network, often providing the only remaining high-value habitats in heavily developed landscapes. National policy that explicitly recognises their vulnerability — and the need to safeguard them — is therefore both timely and necessary. We welcome the acknowledgement of these potential threats and the strengthened policy support that N6 offers.

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

We understand that Environmental Delivery Plans (EDPs) are intended to identify and deliver strategic conservation measures that address specific environmental impacts of development on protected sites or species. Their purpose is to streamline existing environmental obligations and to move beyond the current mitigation-focused approach, improving environmental outcomes while supporting the timely delivery of housing and infrastructure.

Where a developer opts to use an EDP, they will not be required to undertake their own assessments or deliver site-specific mitigation for the issues covered by that EDP.

Greater clarity on the level at which EDPs are expected to be produced would be helpful. In particular, it would be useful to understand whether EDPs are intended to operate at a strategic (SDS) level, at a local planning authority level, or potentially at both. Clear guidance on this point would support effective implementation and ensure consistency in how EDPs are prepared and applied.

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

Strongly agree. This is a more consistent approach in planning decisions, requiring special regard to the desirability of preserving or enhancing heritage assets. We welcome the explicit inclusion of scheduled monuments, registered parks and gardens, protected wrecks and World Heritage Sites within this framework. This clarity will help ensure that all designated heritage assets are considered appropriately and consistently in the decision-making process.

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

We have no evidence as to the impact of implementing the additional duties for development. Further monitoring and evaluation would be required to understand how these duties influence decision-making and outcomes in practice.

Plan-making policies

- 187) **Do you agree with the approach to plan-making for the historic environment, including the specific requirements for World Heritage Sites and Conservation Areas, set out in policies H1 – H3? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

We assume this question is in relation to HE1 – HE3 rather than H1 – H3. We agree the approach to conservation and environment of the historic environment for Local Plan's to take forward.

National decision-making policies

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

Strongly agree. We support the requirements for applicants to submit proportionate assessments, employing appropriate expertise where necessary, to evaluate the significance of affected heritage assets and the potential effects of development proposals on that significance. We also support the guidance on categorising levels of potential impact that development may have on heritage assets and their settings.

This structured approach provides clarity for applicants, decision-makers and consultees, and supports consistent, robust heritage assessments.

- 189) **Do you agree with the approach to considering impacts on designated heritage assets in policy HE6, including the change from "great weight" to "substantial weight", and in particular the interactions between this and the statutory duties? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly agree. We welcome the use of consistent wording. To further improve clarity and ensure consistent interpretation, it may be helpful to introduce a table setting out the order or scale of weight that could be given to different areas. A visual hierarchy would make the policy easier to understand and apply, particularly for decision-makers and communities.

It is particularly helpful that the substantial-weight test is to be applied “irrespective of whether any potential effect amounts to a positive effect, harm, substantial harm, or total loss of its significance.” In simple terms, we generally apply the broad principle that the greater the significance of a heritage asset, the greater the potential harm.

However, questions arise in relation to HE6:2, which states that “development proposals which would have a positive effect on designated heritage assets should be approved.” In practice, planning decisions, especially at appeal, often involve multiple heritage assets with conflicting impacts. It is common for a proposal to deliver benefits to one asset (for example, restoration or securing a viable new use) while causing harm to another (such as through impacts on setting or loss of historic fabric). Inspectors must weigh these competing effects alongside public benefits in a balanced judgment.

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

Agree.

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

We have no further comments in relation to this chapter.

Further questions

Transitional arrangements

- 192) **Do you agree with the transitional arrangements approach to decision-making? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Further clarity is needed on whether new Local Plan policies will have any real scope to diverge from NDMPs where robust local evidence supports doing so. The draft NPPF appears to rule out such flexibility, yet the consultation text on transitional arrangements implies that newly examined Local Plan policies may retain greater weight even if they differ from national policy.

The consultation notes that development plan policies would carry *very little weight* where they are inconsistent with the Framework, except where they have been examined and adopted against the new Framework.

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

We have made a number of suggestions to the terms in the glossary. These comments have been set out under the related policy question.

As set out previously, it is important that the NDMPs are given statutory weight to ensure they are part of the Development Plan and in line with Section 38(6) of the Planning and Compulsory Purchase Act 2004, to reduce the

Written Ministerial Statements and other documents

- 194) **Do you agree with the list of Written Ministerial Statements set out in Annex A to the draft Framework whose planning content would be superseded by the policies proposed in this consultation? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. We support the list of Written Ministerial Statements set out in Annex A of the draft Framework and agree that their planning-related content should be superseded by the policies proposed in this consultation. Providing clarity on which statements will no longer carry weight is helpful for ensuring consistency in decision-making and reducing ambiguity for applicants, local authorities and communities.

Annex A - Data Centres and onsite energy 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? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree. Providing greater clarity on the size thresholds that define a nationally significant data centre would be beneficial. At present, leaving this determination to be made on a case-by-case basis introduces uncertainty for both applicants and decision-makers. Establishing clear, nationally consistent thresholds would support a more predictable planning process, reduce the risk of inconsistent interpretations, and give developers earlier certainty about the appropriate consenting route. This would also help local planning authorities understand when proposals fall within their remit and when they should be escalated, ultimately improving efficiency and transparency across the system.

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

Yes. We agree that the proposed approach has the potential to improve the speed and consistency of decision-making. However, it is important to recognise that this shift will place additional demands on already overstretched local planning authorities. Without parallel measures to increase capacity, skills, and resourcing within LPAs, there is a risk that the intended efficiencies could be undermined in practice. Any reform aimed at accelerating decisions should therefore be accompanied by a realistic assessment of the operational pressures facing LPAs and a commitment to supporting them to meet these new expectations.

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

We have no comment to make on this matter.

198) Do you think the renewable energy generation thresholds under Section 15 of the Planning Act 2008 for other use types of projects should be increased, or should this be limited to projects co-located with data centres? Yes/No

Yes, we consider there to be a strong case for increasing the renewable energy generation thresholds under Section 15 of the Planning Act 2008 for project types beyond data centres. The current thresholds can capture relatively modest schemes, which may be more appropriately determined at a local level. Raising these limits would help ensure that the Nationally Significant Infrastructure Project (NSIP) regime is reserved for genuinely strategic proposals.

However, there is an important question about whether any uplift should apply universally or be limited to renewable energy projects that are co-located with data centres. Co-location can deliver clear system benefits, such as improved grid efficiency, reduced curtailment, and more predictable demand profiles, and there may be a rationale for providing a more streamlined consenting route for such integrated schemes.

If thresholds are increased only for co-located projects, this could incentivise innovation and encourage closer alignment between energy generation and digital infrastructure. Conversely, applying higher thresholds more broadly could reduce pressure on the NSIP system and support a wider range of renewable energy developments.

A clear policy position on this point would provide much-needed certainty for developers, investors, and local planning authorities, and would help ensure that the consenting framework aligns with the government's wider energy and digital infrastructure objectives

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

See above.

Annex B - Viability: Standardised inputs in viability assessment

200) **Would you support the use of growth testing for strategic, multi-phase schemes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Strongly Agree. We support the use of growth testing for strategic, multi-phase schemes. Larger developments are typically delivered over long timeframes, during which market conditions, costs and values can change significantly. A structured growth-testing approach would help ensure that viability assessments remain realistic and transparent throughout the life of a scheme.

It would be helpful for Government to set clear, nationally consistent growth assumptions for a 15–20 year period, which is updated annually. This would reduce the time local authorities spend negotiating bespoke assumptions with developers and would provide greater certainty for all parties. National assumptions would also help avoid inconsistent approaches between authorities and reduce the scope for dispute.

It will be important, however, that guidance clearly defines the circumstances in which developers may resubmit viability evidence. This should be limited to situations where there is a material and demonstrable divergence from the agreed growth assumptions, rather than allowing repeated or opportunistic reassessments. Clear thresholds or triggers would help maintain confidence in the system and prevent unnecessary delays to delivery.

- 201) **Would you support the optional use of growth testing for regeneration schemes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Strongly agree. For the reasons as above.

- 202) **Do you agree greater specificity, including single figures, which local planning authorities could choose to diverge from where there is evidence for doing so, would improve speed and certainty? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. Greater specificity — including the use of single, nationally set figures — would help improve both speed and certainty in viability discussions. A clear national benchmark would reduce the time currently spent negotiating assumptions on a case-by-case basis and would help ensure a more level playing field across different local authority areas.

It may, however, be appropriate for national policy to set different profit levels for different types of development, reflecting the varying levels of risk associated with bringing forward, for example, brownfield regeneration, strategic greenfield sites, or specialist forms of housing. Even so, these should still be expressed as specific figures to maintain clarity and consistency.

We recognise that there may be exceptional circumstances where a particular site faces significantly higher risk than is typical. In such cases, it should be for the developer to demonstrate why a departure from the nationally set figure is justified. These situations should be the exception rather than the norm, and national policy should set out clear criteria for when such exceptions may be considered.

We also agree that where a local authority has robust, locally specific evidence supporting divergence from the national figures, they should be able to adopt alternative assumptions. This should be tested and agreed through the Local Plan examination process.

Given that Supplementary Planning Documents will no longer exist, there will need to be a clear mechanism for updating locally set figures if circumstances change significantly between Local Plan reviews. It is not yet clear whether Supplementary Plans would provide an appropriate vehicle for this.

- 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?**

We have no comment to make on this matter.

- 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?**

We have no comment to make on this matter.

- 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?**

We have no comment to make on this matter.

- 206) **Do you agree there are circumstances in which metrics other than profit on gross development value would support more or faster housing delivery, or help to maximise compliance with plan policy? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

We have no comment to make on this matter.

- 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?**

We have no comment to make on this matter.

- 208) **Do you agree that guidance should be updated to reflect the fact a premium may not be required in all circumstances? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Partly agree. There are circumstances where a premium is not required, for example where public sector land is being disposed of in partnership with a development partner or where wider public value is being prioritised. In such cases, applying a landowner premium could undermine viability and prevent schemes with significant social, economic or regeneration benefits from coming forward.

However, guidance will need to be clear about when a premium is not appropriate, and the evidence required to justify this.

- 209) **Do you agree that extant consents should not be assumed to be sufficient proof of alternative use value, unless other provisions relating to set out in plans are met? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Strongly agree. Extant consents should not be treated as sufficient proof of alternative use value. Allowing this would create a clear risk that developers could submit applications for schemes they have no genuine intention of delivering, solely to establish an artificial fallback position for viability purposes. This could undermine viability assessments and incentivise speculative behaviour.

- 210) **If extant consents were not to be assumed as sufficient proof of alternative use value, should this be at the discretion of the decision-maker, or should another metric (e.g. period of time since consent granted) be used? *Decision maker discretion / Another metric / Neither***

Neither.

- 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?**

We have no comment to make on this matter.

- 212) **Do you agree that the residual land value of the development proposal should be cross-checked with the residual land values of comparable schemes; to help set the viability assessment in context. *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree. Residential land values should be crossed checked with genuinely comparable schemes help identify outliers, reduce the scope for unrealistic assumptions, and support more consistent decision-making.

There should be a clear time limit on how far back comparable schemes can be used, to ensure that assessments reflect broadly similar market conditions, policy requirements and cost environments. Without such a limit, there is a risk that outdated comparables could distort the assessment.

Annex C - Reforming Site Thresholds

Implementation of new medium category in the Framework

- 213) **Do you agree that a 2.5 hectare threshold is appropriate? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

We do not agree with the proposed approach. Defining medium development by reference to a 2.5ha site threshold creates a risk of unintended consequences, most notably the potential for applicants to manipulate site boundaries in order to fall below the threshold. This could undermine the purpose of the policy and reduce confidence in its application.

In our view, the number of homes proposed provides a more reliable and transparent basis for defining the scale of development. It is less open to manipulation and more closely aligned with the actual impacts that local authorities and communities must plan for, including infrastructure requirements, design considerations and cumulative effects.

An alternative approach could be to base the threshold on net developable area, excluding land required for essential infrastructure. This would help ensure that proposals are assessed on the true scale of development rather than on the extent of land needed for features such as SUDS basins, open space, or other site-specific requirements.

Using net developable area would reduce the incentive for applicants to adjust red lines or manipulate site boundaries and would provide a more consistent and transparent measure of development intensity. It would also ensure that schemes which do not require land-intensive infrastructure are not disproportionately affected by a gross site-area threshold.

- 214) **Do you agree that a unit threshold of between 10 and 49 units is appropriate? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Agree.

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

- 216) **If so, please explain you answer and provide views on potential mitigations.**

Yes. The principal operational issues that would arise from the mitigations proposed would be that the public would expect a greater level of information to be provided with such a submission and it would be down to the LPA to manage these expectations.

Implementation of new medium category in regulations

- 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?**

Yes, there should be conformity between planning and building regulations thresholds to avoid any confusion.

- 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?**

Yes. The proposed threshold of 120 purpose-built student accommodation bedspaces as an equivalent to 50 dwellings is a reasonable and proportionate basis for the levy exemption. It reflects typical occupancy levels for both forms of development and provides a clear, workable benchmark for applying the exemption consistently.

- 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.**

It is not considered that there would be any additional benefit in providing an area threshold as well as dwellings/bedspaces. It is more appropriate to base the exemption on population rather than site area as the levy relates to floorspace rather than site area.

- 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.**

We do not consider it would have any impact under Section 149 of the Equality Act 2010.

- 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.**

We do not consider that there would be any economic, competitive, or behavioural impacts from the changes to the levy exemption.

Uplifting the Permission in Principle threshold

- 222) **Do you agree with the proposal to extend the Permission in Principle application route to medium development? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.***

Strongly disagree. Permission in Principle (PiP) is not an appropriate mechanism for medium developments. For schemes of this scale, the fundamental question of acceptability typically hinges on matters considered at the Technical Details Consent stage — including design, layout, infrastructure requirements, environmental impacts, and mitigation. These issues are too substantial and too independent to be deferred. Using PiP for medium-scale proposals would therefore risk granting an initial consent without sufficient understanding of the key factors that determine whether a development is deliverable, sustainable, or acceptable in planning terms.

- 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?**

Agree. Requiring a short planning statement would be beneficial, particularly for sites affected by policy constraints such as the Green Belt. A concise statement would allow applicants to set out the key policy considerations, demonstrate how the proposal responds to those constraints, and provide decision-makers with essential context at an early stage. This would support greater transparency, help filter out unsuitable sites sooner, and ensure that both applicants and LPAs approach constrained locations with a clearer understanding of the issues at stake.

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?**

An equality impact assessment should accompany the draft NPPF to ensure that potential impacts are identified and addressed by Government as part of the policy-making process, rather than relying on consultation respondents to provide them. Publishing this assessment would also give respondents the opportunity to consider the findings, judge whether they are sufficiently robust, and highlight where further analysis or mitigation may be required.

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