



Ministry of Housing,
Communities &
Local Government

Consultation outcome

Government response to the proposed reforms to the National Planning Policy Framework and other changes to the planning system consultation

Updated 12 December 2024

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Introduction

1. This government has committed to rebuilding Britain, delivering 1.5m new homes along with the critical infrastructure that underpins economic growth. As we set out in our Plan for Change last week, we will deliver housing of every tenure in the right places, supporting our towns and cities to grow, and providing the homes people want near to businesses and employment opportunities. We will make it easier to build the vital infrastructure such as roads, railways, broadband connections and laboratories needed for a modern economy to thrive.

2. Delivering this scale of change means doing things differently, including reform of the planning system. A central part of this is creating a pro-growth National Planning Policy Framework. That is why, within 3 weeks of entering office, the government published a consultation inviting views on an ambitious set of reforms, covering policy relating to housing supply and provision of wider economic, energy and public services infrastructure. As part of this consultation, we included proposals outside the scope of the National Planning Policy Framework relating to plan intervention criteria, planning fees, and thresholds for inclusion in the Nationally Significant Infrastructure Project regime. This document sets out the government response to that consultation and has been published alongside an updated National Planning Policy Framework.

3. The final set of policy changes set out below reflect this government's commitment to radically boosting the supply of housing, while delivering homes and places that are high-quality and genuinely affordable. The planned approach is, and must remain, the cornerstone of the planning system. The imperative of rapidly driving up planning consents in the context of a system with inadequate local plan coverage will increase the number of permissions secured outside of plan allocations, but we are clear that there can be no trade-off between supply and quality – indeed, as we act to allocate more land for development, we expect it to be delivered quickly and to a higher quality.

Overview of consultation responses

4. The consultation was open for 8 weeks from 30 July 2024 to 24 September 2024. It was published on GOV.UK. Responses were accepted via online survey, via email and via written letter.

5. The consultation received 10,981 responses, including campaign responses. 'Campaign responses' refer to responses prepared by particular campaign groups on specific issues, to which respondents attach their names. For the purpose of the statistical summaries for each question,

campaign responses have only been counted once, regardless of how many individuals submitted campaign responses.

6. The tables below provide a breakdown of the general consultation responses by type of respondent (Table 1), and a breakdown of the campaign responses received (Table 2).

Table 1. Types of consultation respondent

Types of respondents	Number of responses
Private individuals	1,597
Local authorities	387
Neighbourhood planning groups/town or parish councils	424
Developers	237
Private sector organisations	299
Professional bodies	139
Interest groups/voluntary organisations	535
Other	999
Total	4,617

Table 2. Campaign responses

Campaigns	Number of responses
Acorn Union	36
Regulation 18/19 threshold	61
Billericay Action Group	95
Coal Action Network	1,867
Community Planning Alliance	175

Campaigns	Number of responses
Data Centres	1,427
Green Energy Transition	8
Housing crisis/affordable homes	100
Multi-factor, complex algorithm	83
Priced Out	49
Promotion of brownfield passports	8
Increased housing numbers in rural areas	8
SafeTech International	143
Shelter	1,480
Support 370k/1.5 million	104
Wildlife Trusts	681
Wirral residents	39
Total	6,364

7. This document provides a summary of the consultation responses received. It does not attempt to capture every point made, nor does it cover comments on aspects of policy that fall outside the scope of the consultation. This document sets out the changes the government has made in response to the main points raised in the consultation and where the government has not made changes, the reasons are explained.

8. We have provided a statistical summary of respondents for each question where relevant, however responses to some questions have been consolidated where there are significant similarities in responses to avoid repetition. We have indicated throughout this document where responses to questions have been grouped.

9. A number of respondents chose not to answer some questions. For the purposes of the statistical summary of responses to each question we have excluded those respondents that did not answer the question.

10. For some yes or no questions there was the option of adding an accompanying qualitative response. Qualitative responses have been

reviewed, regardless of respondents answering the yes/no question.

11. The government has had regard to its responsibilities under the Equality Act 2010 in considering the changes that it has made to the National Planning Policy Framework and planning policy for traveller sites in light of the consultation responses received.

3. Planning for the homes we need

Advisory starting point and alternative approaches

Question 1 – Do you agree that we should reverse the December 2023 changes made to paragraph 61?

Question 2 – Do you agree that we should remove reference to the use of alternative approaches to assessing housing need in paragraph 61 and the glossary of the National Planning Policy Framework?

Questions 1 and 2 – response

For Question 1, a total of 1,903 respondents answered yes/no. Of those, 881 (46%) agreed with the proposed changes, 1,022 (54%) did not agree. For Question 2, a total of 1,837 respondents answered yes/no. Of those, 772 (42%) agreed that the reference should be removed, 1,065 (58%) did not agree.

Key points:

- Respondents frequently commented that reversing the changes made to paragraph 61 in December 2023 – such as removing the word ‘advisory’ – would provide more certainty and clarity on national policy for stakeholders and remove some of the ambiguity the changes made on expectations on planning to meet housing needs.
- Some respondents called for greater local discretion on local planning matters with some concerned over the imposition of government ‘top-

down targets'. This was linked to calls for the retention of the ability for local authorities to assess their own housing need using a locally determined approach where exceptional circumstances could be demonstrated.

- However other respondents agreed that the standard method should be the only route to assessing housing needs to remove uncertainty and speed up plan-making. Going further some respondents considered that, to meet expectations on the levels of new housing, local housing need assessed through the standard method should be a mandatory minimum expectation, and that authorities should be encouraged to plan for higher housing numbers.
- A number of respondents called for further government guidance or clarity on the types of constraints that can be taken into account when determining how many homes should be planned for and how local authorities can deviate from local housing need when preparing their plans.

Government response for Questions 1 and 2

The intention of these proposals is to make very clear that local planning authorities should use the standard method as the basis for establishing housing requirements in local plans. The consultation demonstrated that there are divided views: those in support welcome the additional clarity and consistency, particularly following the uncertainty introduced by changes made in December 2023 to water down these expectations, while those opposed would prefer to retain greater local discretion.

Having considered the responses received, we intend to make the changes set out in the consultation, reversing the changes made in December 2023 to what was previously paragraph 61 and removing the reference to the exceptional circumstances in which the use of alternative approaches to assess housing need may be appropriate. It is essential that we have a planning system geared toward meeting housing need in full and having a mandatory standard method is the first step in achieving that. However, it is recognised that there are some specific circumstances in which an alternative approach to the standard method could be justified which we discuss further in the response to questions 16 and 17.

We note the comments that there should be further guidance on the circumstances in which local planning authorities can deviate from local housing need as assessed by the standard method. The standard method identifies the minimum number of homes needed and local planning authorities are expected to plan to meet their housing needs in full. However it is recognised that there may be local constraints on land and delivery that could justify a lower housing requirement figure.

We have published revised planning practice guidance on assessing housing needs to reflect changes made to the standard method (as explained later in the government response) and additional guidance on setting a housing requirement. We will keep under review the need for any additional planning practice guidance on matters related to assessing and planning for housing needs.

Urban uplift

Question 3 – Do you agree that we should reverse the December 2023 changes made on the urban uplift by deleting paragraph 62?

Question 3 – response

A total of 1,754 respondents answered this question. 879 (50%) of respondents said they agreed with the proposal to delete paragraph 62 and 875 (50%) said they did not agree.

Key points:

- Those in favour of removing the uplift cited its arbitrary basis and disconnect with delivery realities. It was seen as unrelated to the housing needs of the uplifted areas with the 35% figure lacking justification. There was widespread concern that the uplift failed to consider a range of factors, including boundaries and specific constraints such as Green Belt. This was exacerbated by the requirement to meet need within urban boundaries, which rules out cooperation with surrounding areas.
- Relatedly, respondents commented that deletion was necessary for effective strategic planning. Some respondents felt that neighbouring authorities should plan together for the delivery of housing and infrastructure, and removing the urban uplift should lead to a more coordinated approach to housing delivery.
- Those against removal were clear that urban areas should continue to be the focus of increased housing, due to the availability of infrastructure, transport opportunities and brownfield sites. Other views expressed were the harmful impact this could have on suburban and rural areas, potentially leading to villages being incorporated into nearby towns, and development on Green Belt and greenfield sites. This view was strongly expressed by local authorities, neighbourhood planning bodies and interest groups.

Government response

We note the range of comments made on the urban uplift. While acknowledging the view that urban cores should continue to do heavy lifting in housing delivery terms, government is clear that we must deliver growth across our city regions.

The government recognises that urban areas should be the focus for growth and has been clear that brownfield land must, wherever possible, be prioritised for new development. The government intends to introduce a revised standard method for assessing housing needs, as explained later in the government response, that supports a more strategic approach to housing growth, distributing growth across wider city regions, and not just to the largest urban authority within our largest cities. The new method also seeks to direct housing growth to a wider range of urban areas across England and not just the 20 largest urban authorities – this will help stimulate growth across our smaller cities and urban areas as well as those larger cities areas and continue to direct growth to make the best use of brownfield land.

For the reasons explained above, the revised standard method will not include an urban uplift and as a result what was previously paragraph 62 is now no longer relevant. In line with the proposals set out in the consultation, what was previously paragraph 62 will be deleted and removed from the National Planning Policy Framework. Corresponding amendments will be made to planning practice guidance to reflect this and the new standard method.

Character and density

Question 4 – Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130?

Question 4 – response

A total of 1,776 of respondents answered this question. Overall, 778 (44%) of respondents said they agreed with the proposal to delete paragraph 130 and 998 (56%) said they did not agree.

Key points:

- Developers, local authorities and private sector bodies suggested that paragraph 130 was an opt-out clause which would enable councils to refuse permission for housing – often on arbitrary grounds – and threaten housing delivery targets.
- Others proposed that paragraph 130 was unnecessary as issues of character and density are already covered in other sections of the National Planning Policy Framework, local plans and as material considerations in the planning process.
- A particularly strong theme from developers and other organisations was that removing restrictions on density uplifts was needed to maximise efficient use of land, especially in existing and high-demand urban areas. Removing paragraph 130 would encourage planning authorities to seek ambitious proposals for urban change, driving opportunities for higher density development.
- Those against the deletion of paragraph 130 commented that high-density development would adversely affect local character, potentially urbanising rural areas, and also threatening Conservation Areas or areas that are dependent on tourism. This view was strongly expressed by local authorities, individual respondents and interest groups.

Government response

We have carefully considered the responses received and we intend to proceed with the deletion of what was previously paragraph 130 as consulted on.

Whilst we recognise the concerns expressed by some respondents about the impact of increased densities on local character arising from the removal of what was previously paragraph 130, provisions exist elsewhere in national planning policy to ensure that density and local character can be considered through the planning process. In particular, new paragraph 130 of the National Planning Policy Framework expects planning policies and decisions to take account of the desirability of maintaining an area's prevailing character and setting when assessing the efficient use of land, and new paragraph 131 provides policy on the use of density standards and area-based character assessments to ensure land is used efficiently and sustainably. Such matters are also capable of being considered through plan-making, locally determined policies and as material considerations when determining planning applications.

We also consider that what was previously paragraph 130 could bolster reasons to refuse development that would otherwise be considered sustainable, and restricting density is likely to have longer term negative impacts on achieving sustainable patterns of development – running

counter to the government's objectives of maximising the efficient and effective use of land and increasing the supply of new housing.

Question 5 – Do you agree that the focus of design codes should move towards supporting spatial visions in local plans and areas that provide the greatest opportunities for change such as greater density, in particular the development of large new communities?

Question 5 – response

A total of 1,701 respondents answered yes/no to this question. Of those, 1,073 (63%) agreed with the proposal, 628 (37%) did not agree.

Key points:

- Many respondents were supportive of localised design codes supporting the implementation of spatial visions within local plans, in particular for those areas where growth will be focused.
- Respondents who signalled support for the approach said it would allow local planning authorities to facilitate sustainable and appropriate development that fits in and is connected with surrounding areas, as well as provide clarity to applicants and communities on requirements for the design of development in these areas, potentially speeding up decisions on design and the delivery of houses.
- It was also raised that local authorities need appropriate skills and resources to prepare design codes and should have flexibility to identify where, when and how to bring forward design codes to meet their local circumstances. Some noted that the term spatial visions is vague and needs to be defined.
- There was also support for the use of design codes in general at all spatial scales, and the use of masterplans to support the delivery of new and existing development of all scales and types. Respondents noted that design codes should not stifle design innovation, nor block delivery of housing, and that further national policy and guidance is needed for codes to be implemented effectively by local planning authorities in the planning system.
- Some respondents, while supportive of the approach set out in this question, felt that the preparation of authority wide design codes should still be encouraged as an option alongside localised design codes, masterplans, design guides and other design tools. There were differing views amongst respondents on the merits of mandating design codes.

- Some respondents made additional points raising concerns on the social and environmental impacts that the development of large new communities and greater density may have, and that it will be important to update national policy and guidance to provide clarity on how spatial visions within plans and supporting design tools can ensure development is well-designed and sustainable.

Government response

The government welcomes the feedback received. We will keep under review the provisions contained in the Levelling Up and Regeneration Act 2023 on authority wide design codes and national policy and guidance on design in relation to how the use of localised design codes and other design tools, including masterplans and design guides, can be embedded as part of the plan-making process. We will use the feedback from this consultation to inform future decisions.

Strengthening and reforming the presumption in favour of sustainable development ('the presumption')

Question 6 – Do you agree that the presumption in favour of sustainable development should be amended as proposed?

Question 6 – response

A total of 1,815 respondents answered yes/no to this question. Of those, 970 (53%) said they did agree with the above proposal, 845 (47%) said they did not.

Key points:

- Respondents highlighted the additional clarity on the scope of the policy application as a key positive in the proposed changes, although concerns were also raised that the proposed focus on 'policies for the supply of land' could narrow the circumstances in which the presumption is triggered, and therefore weaken its effect in bringing land forward when plan policies are out of date.

- Respondents often cited wider concerns about the operation of the presumption in favour of sustainable development (including its link to 5-year housing land supply and housing delivery test policies) as opposed to commenting specifically on the proposed amended wording of the policy.
- Many respondents highlighted the additional emphasis on design, location of development and affordable housing provision as positive. Conversely some questioned the necessity for referencing design, location and affordable housing policies given references already contained in the National Planning Policy Framework. These respondents often argued that this could become an area that will be disputed during applications and appeals.
- Various respondents made suggestions for further changes to the presumption. These included general calls for strengthening its effect and more specific suggestions, including that commercial/renewable energy development should be specifically referenced and further definition provided as to what sustainable development constitutes.

Government response

Having considered these responses carefully, the government has decided not to take forward the proposed change to the ‘trigger’ for the presumption relating to policies for the supply of land, and instead to retain the existing wording which refers to the policies which are most important for determining the application being out of date. This will avoid fettering the range of ‘most important’ policies that could trigger the presumption.

We have however decided to retain references to the location and design of development and securing affordable homes, to signal the particular importance of these matters in assessing the potential impact of development proposals when the presumption is applied. To make this as specific as possible, the text has been amended to refer to particular policies contained elsewhere in the National Planning Policy Framework which are most relevant for this purpose, while an additional reference has been made to the importance of making effective use of land.

A change has also been made to be clear that when assessing whether areas or assets of particular importance provide a reason for refusal, there should be a ‘strong’ basis for doing so when assessed against the policies in the National Planning Policy Framework (replacing the existing ‘clear’ reason). This reflects views that we heard about opportunities to strengthen the presumption’s wording, in the context of the government’s commitment to increasing the supply of homes, but still enables these key protections to be fully considered and enforced where it is appropriate to do so.

Restoring the 5-Year Housing Land Supply (5YHLS)

Question 7 - Do you agree that all local planning authorities should be required to continually demonstrate 5 years of specific, deliverable sites for decision making purposes, regardless of plan status?

Question 7 – response

A total of 1,848 respondents answered yes/no to this question. Of those, 820 (44%) agreed with the proposal, 1,028 (56%) said they did not agree.

Key points:

- For those respondents who supported the change, the main view was that the change would help bring forward more homes, by building in clear incentives for authorities to maintain a clear pipeline of deliverable sites.
- A concern amongst respondents was the potential harm to the plan-led system. Other major issues included concerns about impacts on local authority resources, that councils are not responsible for site delivery and have limited tools available to encourage faster delivery or require developers to build out sites at a sufficient rate.

Government response

The government has been clear on our commitment to a plan-led system and that reversing the December 2023 changes and reintroducing the requirement to demonstrate a 5-year housing land supply is consistent with that. To be found sound by the Planning Inspectorate plans must have a robust 5-year pipeline of sites. In re-introducing the requirement to maintain a rolling 5-year housing land supply, we are making clear that we expect authorities to take the action necessary to maintain that pipeline.

In addition, there are many authorities whose local housing need figures will be substantially larger than their adopted or emerging local plan housing requirement figures, indicating a significant unmet demand for new homes in these areas. To help close the gap, we are introducing a new requirement that authorities with plans adopted under the old standard method must provide an extra year's worth of homes in their 5-year housing pipeline.

As such, those authorities whose adopted plan annual housing requirement figure is 80% or less of their annual local housing need figure will be required to add a 20% buffer to their 5-year housing land supply from 1 July 2026. This window will give these authorities time to make provision for the new policy. As with other housing supply buffers, this will not be cumulative, so those authorities who are already required to add a 20% buffer due to scoring below 85% in the most recent housing delivery test will not be required to add an additional buffer should they meet these criteria.

Question 8 – Do you agree with our proposal to remove wording on national planning guidance in paragraph 77 of the current National Planning Policy Framework?

Question 8 – response

- A total of 1,661 respondents answered yes/no to this question. Of those, 674 (41%) agreed with the proposed changes and 987 (59%) did not.

Key points:

- There was some confusion over the policy intention for this question, with some respondents uncertain whether the proposal was to simply remove the wording in the National Planning Policy Framework but retain the ability for local planning authorities to account for past oversupply, or remove the ability to account for past oversupply entirely.
- Those in support commented that factoring in over-supply to 5-year housing land supply calculations was counter to wider housing supply ambitions, since it would allow local authorities to reduce future delivery requirements by taking account of past delivery, despite ongoing housing shortfalls. Many suggested that removing this wording would remove complexity and ambiguity from the National Planning Policy Framework.
- Those with concerns suggested there could be unintended consequences by disincentivising or even penalising local authorities for delivering housing beyond their targets and encouraging local authorities to slow down or reduce the amount of housing they are delivering. Several respondents noted that housing delivery fluctuates and suggested that rates of housing delivery are often out of direct control of the local authority (being more dependent on market conditions).
- Several respondents requested additional clarity in guidance, with some suggesting that housing needs of different groups should be considered.

Government response

The government has considered the range of responses to this question and has concluded that the wording should be removed. This change is intended to simplify the wording of the National Planning Policy Framework and has no bearing on local authorities' ability to account for over-supply – this can continue to be taken into account as it is currently. The government will continue to keep the matter of over-supply under review.

Restoring the 5% buffer

Question 9 – Do you agree that all local planning authorities should be required to add a 5% buffer to their 5-year housing land supply calculations?

Question 10 – If yes, do you agree that 5% is an appropriate buffer, or should it be a different figure?

Questions 9 and 10– response

- A total of 1,736 respondents answered yes/no to Question 9. Of those, 767 (44%) agreed with the above proposal, and 969 (56%) did not.
- A total of 1,171 respondents answered yes/no to Question 10. Of those, 587 (50%) answered yes (5% in an appropriate buffer), and 584 (50%) answered no (it should be a different figure).

Key points:

- Respondents noted that a buffer can help to account for fluctuations or delays in housing delivery and offers some contingency against undersupply. Buffers were also frequently cited as offering flexibility, choice, and competition in the market. Others stated that housing requirements should be seen as the minimum targets for local authorities, and a buffer is a pro-supply measure.
- The most frequently cited concern was that the inclusion of a buffer undermines the plan-led system by requiring a pipeline greater than 5 years, so pushing more local authorities into the presumption. This was often raised in conjunction with other concerns associated with the

challenges of meeting the higher housing targets proposed in the wider reform package, and concerns about developer behaviour, including land banking.

- Views on the size of the buffer varied. Those who oppose buffers in general, made the case for 0%, those in favour of 5% said it was well-established, proportionate, sufficiently ambitious, or reasonable, whilst a significant share of developers proposed going higher, for example to 10%.

Government response for Questions 9 and 10

The government has considered the range of responses to the proposals and has concluded that the requirement to apply a 5% buffer should be reintroduced, reinstating the position that existed prior to December 2023. This 5% strikes the appropriate balance between ensuring housing land supply positions are responsive to market conditions, while avoiding significant extra burdens on local authorities.

The 10% buffer to be applied when confirming land supply positions through an Annual Position Statement or the adoption of a new plan is being removed, as we are removing the wording regarding confirming housing land supply through these means.

Question 11 – Do you agree with the removal of policy on Annual Position Statements?

Question 11 – response

A total of 1,353 respondents answered yes/ no to this question. Of those, 873 (65%) agreed with the government's proposal and 480 (35%) disagreed.

Key points:

- Those in support commented that that the policy is not used enough on Annual Position Statements to warrant keeping, with several responses suggesting that the workload and resource associated with preparing Annual Position Statements contributed to their low uptake. Other respondents said removing this policy would streamline and simplify policy.

- Those against said that being able to fix 5-year supply through Annual Position Statements can help save time in the long run by preventing local authorities from having to deal with speculative applications. Others suggested that the policy should be updated, rather than scrapped entirely, to encourage uptake from local authorities.

Government response

The government has carefully considered responses and concluded that we should remove Annual Position Statements as proposed – any local planning authorities with sufficient evidence to confirm its forward supply through the Annual Position Statements process should in any case be able to demonstrate a 5-year housing land supply. We have included a transitional arrangement in the National Planning Policy Framework to ensure the one extant Annual Position Statements can continue to be used in decision-making until it expires.

Maintaining effective co-operation and the move to strategic planning

Question 12 – Do you agree that the National Planning Policy Framework should be amended to further support effective co-operation on cross boundary and strategic planning matters?

Question 12 – response

A total of 1,747 respondents answered yes/no to this question. Of those, 1,333 (76%) supported the changes, 414 (24%) said they did not agree.

Key points:

- Many respondents felt that the Duty to Co-operate did not work at present, although some respondents commented that the Duty to Co-operate was working effectively.
- There was also broad and clear support for the re-introduction of strategic planning. In the interim, the strengthening of the National Planning Policy

Framework with regard to effective co-operation was seen as a useful step.

- Concerns were raised by some respondents that strengthening this section of the National Planning Policy Framework would lead to a loss of local control and in particular that this would mean housing numbers being forced on areas from other areas that cannot meet their need. These respondents were also not supportive of the proposals on local housing need and the Standard Method and stated that they would likely threaten green field or Green Belt sites.

Government response

There was broad and clear support for the changes being proposed to the National Planning Policy Framework. Respondents recognised that co-operation across boundaries was essential for good planning and to provide the homes, other development and infrastructure that is required. The government will implement the text changes proposed in the consultation, with some minor text changes to improve clarity and readability.

Question 13 – Should the tests of soundness be amended to better assess the soundness of strategic scale plans or proposals?

Question 13 – response

A total of 1,323 respondents answered this question, 940 (71%) agreed that changes, 383 (29%) said they did not agree.

Key points:

- Most respondents supported changes which would relax tests of soundness or introduce greater flexibilities for strategic plans, particularly around viability and deliverability. However, a small proportion thought that longer term, bigger scale plans, which would guide local plans should be subject to stricter tests.
- Respondents reflected that there needs to be a way to ensure infrastructure is provided ahead of, or alongside major development proposals and tie in commitment from infrastructure providers.
- Some respondents requested guidance on what a proportionate evidence base means.

Government response

Given that government has committed to introduce a universal system of strategic planning, specific wording to address how strategic plans are tested will be considered in a future revision to the National Planning Policy Framework. No changes to the National Planning Policy Framework will be made at this point.

Question 14 – Do you have any other suggestions relating to the proposals in this chapter?

Question 14 – response

A total of 1,517 respondents answered to this question.

Key points:

- The importance of infrastructure plans aligning with local and strategic plans was highlighted by respondents. Comments also related to use of evidence and need for further clearer guidance relating to Spatial Development Strategies and the test of soundness.
- Some respondents cited the resource and capacity limitations in the current planning system as a barrier as well as developer land banking. Respondents who answered this question also reiterated or repeated answers to other questions in this chapter, frequently those in response to Questions 4 and 5 on design codes, character and density.

Government response

The government has reviewed the range of responses received to this question and has identified the above key points. These points have been considered throughout the response document, and there are no further proposed changes beyond those set out.

4. A new Standard Method for assessing housing needs

Setting a new headline target

Step 1 – Setting the baseline – providing stability and certainty through housing stock

Question 15 – Do you agree that Planning Practice Guidance should be amended to specify that the appropriate baseline for the standard method is housing stock rather than the latest household projections?

Question 15 – response

A total of 1,702 respondents answered yes/no to this question. Of those, 734 (43%) said they did agree with the above proposal, 968 (57%) said they did not.

Key points:

- Respondents noted the use of housing stock as a baseline provides greater certainty and transparency over household projections. Respondents commented that stock levels are predictable and so should provide longer term stability in housing need. Allied to this were the concerns over the use of fluctuating household projections and the unsatisfactory nature of the existing method relying on 2014-based household projections.
- Conversely many respondents commented that housing stock is not a strong indicator of future housing need. Alongside this were concerns that using stock would mean future housing needs were not linked to demographic change in the way they are through using household projections.
- Respondents considered the new method sets figures for local authorities that are too high and questioned deliverability. Suggestions included reducing the baseline percentage from the 0.8% of stock set out in the consultation to a lower figure (with 0.5% or a locally determined approach suggested by a number of respondents). Respondents also questioned how constraints on land are factored into the outcomes of the standard method.
- There were specific comments on the housing stock data used – if alternative data such as council tax records would be more appropriate,

and if stock baselines should be adjusted to account for vacant and second homes.

- A number of respondents also highlighted issues with the data used in the method, in particular, where local planning authority and local authority boundaries do not align. This is primarily an issue for National Parks and Broads Authorities and areas which have areas of national park within their local authority area. Respondents noted the need for further clarity and guidance on how housing needs should be calculated for those areas.

Government response

Having carefully considered the responses received, we intend to introduce a new standard method that uses housing stock to set a baseline figure. The method will use 0.8% of existing stock as the baseline, in line with the proposals as consulted on. As noted in the consultation, over the last 10 years housing stock has grown nationally by around 0.89%. Setting a baseline of 0.8% provides a consistent base for growth, which is then increased to reflect housing affordability pressures, setting ambitious expectations across the country while directing housing to where it is most needed.

We are satisfied that stock data, based on the Census and updated annually through new housing supply data collected by local authorities remains the most appropriate source for the purposes of the standard method. We are also satisfied that the stock baseline should not be adjusted to account for vacant and second homes, with local authorities having powers available to respond to locally specific concerns related to vacant and second homes.

We recognise that a stock baseline does not tell us where future housing demand is likely to be strongest which is why we then think it is appropriate to apply an uplifted adjustment to the baseline to account for housing affordability. The following response to Questions 16 and 17 provides further detail on the role of affordability in the standard method.

We note the comments raised by some respondents regarding the issues faced by some local planning authorities where the standard method cannot provide a local housing need figure because strategic policy-making authority boundaries do not align with local authority boundaries, or because data used in the method is not available. We recognise this has been a continuing issue since the standard method was first introduced. For those areas the use of locally derived alternative approaches may continue to remain the most appropriate route to assess housing needs. Alongside the revised National Planning Policy Framework we have published revised

planning practice guidance on assessing housing needs to reflect changes made to the standard method. We have set out additional guidance on this specific matter and we will keep under review the need for additional planning practice guidance.

Step 2 – Adjusting for affordability

Question 16 – Do you agree that using the workplace-based median house price to median earnings ratio, averaged over the most recent 3 year period for which data is available to adjust the standard method's baseline, is appropriate?

Question 17 – Do you agree that affordability is given an appropriate weighting within the proposed standard method?

Questions 16 and 17 – response

- For Question 16, a total of 1,472 respondents answered yes/no to this question. Of those, 705 (48%) said they did agree with the above proposal, 767 (52%) did not agree.
- For Question 17, a total of 1,462 respondents answered yes/no to this question. Of those, 638 (44%) agreed that affordability is given an appropriate weighting within the proposed standard method, 824 (56%) did not agree.

Key points:

- Respondents stated that building more homes will not necessarily reduce prices and argued that developers, driven by profit motives, are unlikely to build homes that lower the price of housing.
- Other respondents pitched for enhanced affordability targeting: to direct housing to areas with the most severe affordability issues, supporting the goal of improving accessibility to the housing market.
- There was support for smoothing affordability data, through the use of a 3-year average for affordability ratios, as it provides a more stable reflection of housing affordability and reduces the impact of short-term market fluctuations.

- Some respondents expressed concerns over the use of a “workplace-based ” median house price-to-earnings ratio, especially in rural or commuter areas where the local job market does not accurately reflect the true earning potential of residents. Housing affordability should reflect local economic conditions, including where people work and how far they are willing to commute.
- There was also a focus on rental affordability, many stakeholders emphasised that rental affordability should be included in housing need assessments, as renting has become the primary option for many households, especially in urban areas where high property prices push people out of homeownership.

Government response for Questions 16 and 17

Government has considered the range of responses and will be making changes to the affordability multiplier consulted on, to make the method more responsive to affordability pressures.

First, we will increase the threshold from which the adjustment applies from where affordability is 4 (so where median house prices are 4 times median earnings) to 5. The threshold has been set at 4 since the standard method was first introduced in 2018, and at the time represented the maximum amount that could typically be borrowed for a mortgage. So that where house prices were above 4 times earnings was a proxy for where supply should be increased as homes were considered unaffordable. We consider that a ratio of 4 is now less appropriate than it was in 2018 – the housing market, and access to mortgages, has changed in recent years, and currently no local authorities in England have an affordability ratio below 4. The Office for National Statistics (ONS) also use a ratio of 5 as a broad indicator of affordability when they consider housing affordability issues^[footnote 1].

Changing the threshold from which the affordability adjustment applies from 4 to 5 means some of the most affordable local authorities will no longer be subject to the affordability adjustment, and that the overall impact of the adjustment is reduced meaning overall numbers would fall. To ensure housing need remains at the level we consider appropriate, the second change we are making is to increase the scale of the affordability adjustment – instead of a multiplier of 0.6, we will set this at 0.95. The overall effect of these two changes is that housing need is reduced in more affordable areas and increased in areas where affordability issues are most acute, but overall remains around 370,000 nationally. We think this better reflects an approach that is based on directing housing to where it is most needed.

Third, we noted that the majority of respondents who commented on this matter agreed that using affordability averaged over 3 years would be preferable to using just the most recent years data point, with some respondents suggesting this could be extended over a longer time frame. We welcome the support for this proposal and we intend to go further and extend this to a period of 5 years rather than 3. This will mean affordability is averaged over a longer time frame and so will a) consider slightly longer-term trends in affordability and market conditions and b) further smooth out outlying changes to affordability over time which will add additional stability to the standard method.

The revised standard method incorporating the changes set out above sets a marginally lower local housing need for England of 370,408 compared to 371,541 under the method consulted on. It results in increases in assessed housing need in London, South East and East of England. For all other regions, housing need falls when compared to the method consulted on. Alongside the government response, we have published indicative assessed local housing need figures for local authorities in England using the new standard method.

With regard to the affordability data used in the model, we note that there were a range of arguments put forward supporting a residence-based rather than a workplace-based measure of housing affordability. Respondents noted for example that there have been recent changes to working patterns such as increased levels of working from home, and that for some areas high earning commuters can skew affordability data. We have considered this matter further and have decided that a workplace-based approach continues to remain most appropriate. This is because we continue to consider that people generally seek to live close to their work and that a person's earnings influence where they choose to live. We also know that a residence-based affordability adjustment would result in a lower level of assessed housing needs across England and so a method incorporating this data would fall short of meeting the housing ambitions of the government.

Question 18 – Do you consider the standard method should factor in evidence on rental affordability? If so, do you have any suggestions for how this could be incorporated into the model?

Question 18 – response

A total of 1,215 respondents answered yes/no to this question. Of those, 681 (56%) said they did agree with the above proposal, 534 (44%) said they did not.

Key points:

- Many respondents recognised the increasing significance of rental affordability as housing prices rise. Respondents noted that a substantial portion of the population, especially low and middle-income families, rely on rental markets, making it crucial to address this issue in housing policy.
- A recurring theme was that incorporating rental affordability could complicate the current methodology, and could hinder effective housing delivery. Additionally, many highlighted issues regarding the reliability of data on rental prices, emphasising that without timely and accurate information, effectively integrating rental affordability into assessments would be challenging.
- Respondents noted significant regional disparities in rental affordability issues, advocating for localised assessments that reflect specific market conditions. Many emphasised that housing strategies should be tailored to local economic circumstances.
- There was a strong consensus among respondents for thorough research to effectively incorporate rental affordability into the standard methodology. Respondents highlighted the importance of utilising detailed local data to inform policy decisions, suggesting that insights from local authorities and organisations could enhance the accuracy of housing needs assessments.

Government response

Having carefully weighed the arguments, government will not add a rent-related adjustment to the standard method. A key challenge is the availability and reliability of robust data on rental affordability. Following the end of the consultation, the Office for National Statistics (ONS) published new data on local level private rental affordability^[footnote 2]. Prior to this, ONS data on rental affordability was only available at a regional level. However, as the ONS publication explains, the new local authority level data is 'official statistics in development' which means these are statistics going through a process of development and if used, should be used with caution.

Result of the revised standard method

Question 19 – Do you have any additional comments on the proposed method for assessing housing needs?

Question 19 – response

A total of 1,788 respondents answered to this question.

Key points:

- A wide range of comments were made to this question including on the data used in the method and the balance of stock and affordability. Comments were made on the deliverability of new housing and how constraints on meeting needs could be considered, prioritising sustainable development in urban areas/brownfield land, and the need to plan for more affordable homes.
- There were also comments on the importance of decisions being made at a local level, and that further guidance on planning for new homes is desirable especially related to issues around deliverability and constraints on delivery.

Government response

The majority of the main issues and themes that were raised through this question were also captured through the consultation responses to the other questions on specific aspects of the proposed new method and other changes to planning policy for housing.

We have therefore responded to those key issues and themes elsewhere in the government response where they were raised in relation to other questions – in particular Questions 1, 2, 15,16 and 17.

5. Brownfield, grey belt and the Green Belt

Being clear that brownfield development is acceptable in principle

Question 20 – Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?

Question 20 – response

A total of 1,733 respondents answered yes/no to this question. Of those, 1,236 (71%) said they agreed with the above proposal, 497 (29%) said they did not.

Key points:

- There was significant support for the prioritisation of brownfield development, especially over Green Belt developments. Many respondents agreed with the strengthening of policy requirements to further support the redevelopment of brownfield sites.
- Some respondents felt the proposed wording would be unlikely to have much impact as brownfield sites are already largely seen as being acceptable for development in principle in national policy and local plans. There were also suggestions that the precise wording needed to be clearer in terms of the expectations on decision-makers.
- Some respondents suggested the change would undermine local plans and the local democratic process and a small number of local planning authorities considered that the phrase ‘acceptable in principle’ could undermine the status of the local planning authority as the decision maker.
- Other respondents highlighted that there are other factors that should be considered beyond the principle of development such as impact on heritage, design and noise pollution; and also that the proposal could lead to the loss of other land uses such as employment and commercial land to housing redevelopment.
- Several respondents stressed that while the redevelopment of brownfield land is supported, development on greenfield land will still be required, particularly to ensure that the diverse range of housing needs of the population is met.
- Some respondents stated the need for biodiversity to still be enhanced as part of any redevelopment of brownfield land, and that brownfield land can play a vital role in providing biodiversity and green infrastructure opportunities within urban areas.

Government response

Having carefully considered the responses received, we propose to implement a change to place even stronger emphasis on the value of brownfield redevelopment, but with amended wording to clarify the intent – that proposals for development on brownfield land should be approved unless substantial harm would be caused.

Following the launch of the consultation, the government published a paper on 'Brownfield Passports – Making the Most of Urban Land'. The purpose of the paper is to consider whether there are opportunities to go further in terms of providing faster and more certain routes to permission for urban brownfield land. Although not a formal consultation, the paper is intended to inform further discussions on this issue. The government will take into account the views received in deciding what further action could be taken, with the intention that any changes to policy would be incorporated as part of future planning changes to deliver a set of national policies for decision making.

Making it easier to develop Previously Developed Land

Question 21 – Do you agree with the proposed change to paragraph 154g of the current National Planning Policy Framework to better support the development of PDL in the Green Belt?

Question 21 – response

A total of 1,620 answered yes/no to this question. Of those, 899 (55%) agreed with the proposed change to National Planning Policy Framework paragraph 154g, and 721 (45%) did not.

Key points:

- Respondents agreed with the principle of making it easier to redevelop Previously Developed Land, simplifying the existing routes to development, and maintaining the requirement that redevelopment would not cause substantial harm to the Green Belt.
- Some respondents were concerned about the risk that the proposed changes would encourage the development of Previously Developed Land in unsustainable or isolated locations, or that the proposals would lead to a reduction in the provision of affordable homes.
- Other respondents asked for further guidance on what would consist of substantial harm to the Green Belt. However, others pointed out that this language already forms part of the existing requirements on Previously Developed Land in the Green Belt and so is already a well understood test.
- Respondents also expressed concern about the potential loss of biodiversity, agricultural land, or a loss of protection for environmental

designations such as Sites of Special Scientific Interest.

Government response

After carefully considering the consultation responses, the government will implement the proposed changes to what was previously paragraph 154g. The proposals will provide a clearer route to the redevelopment of Previously Developed Land in the Green Belt by making it clearer in what circumstances this development is not inappropriate. However, it will remain a matter for local authorities to make decisions on proposed development that may come forward on Previously Developed Land.

In order to ensure the proposals will not lessen the provision of affordable homes, we are making clear that the Golden Rules, such as the target to provide 15 percentage point premium over the relevant development plan affordable housing target, will apply to development of Previously Developed Land in the Green Belt. The Government intends to review the Viability Guidance and will be considering whether there are circumstances in which site-specific viability assessment may be taken into account, for example, on Previously Developed Land.

As some respondents pointed out, the requirement that development of Previously Developed Land in Green Belt does not cause substantial harm to the openness of the Green Belt is an existing feature of the National Planning Policy Framework, so we do not consider additional guidance on this point to be necessary.

Our proposals will not lessen existing requirements, such as the protection for designated areas, or the requirements to minimise impacts on biodiversity and recognise the value of the best and most versatile agricultural land. It will remain a matter for local authorities to make decisions on proposed development that may come forward on Previously Developed Land. This decision should take place in the context of an overall sustainability judgement, and the National Planning Policy Framework is clear that this should avoid the development of isolated homes in the countryside except in certain narrow circumstances, as set out in paragraph 85.

Question 22 – Do you have any views on expanding the definition of PDL, while ensuring that the development and maintenance of glasshouses for horticultural production is maintained?

Questions 22

- A total of 1,312 respondents provided substantive comments to this question.

Key points:

- The principle of making clear that areas of hardstanding are Previously Developed Land was seen as being in keeping with a brownfield first approach to development. However, some concerns were raised about the possibility for this to lead to unsustainable development, or encourage unlawful development.
- There was also some support for the principle of making clear that glasshouses are Previously Developed Land, with respondents pointing out the existing impact on the openness of the Green Belt caused by these developments.
- A number of respondents were concerned that including glasshouses within the definition could lead to unintended consequences. For example, there was concern it could accelerate a loss of horticultural facilities for food production. There were also concerns it could lead to intentional degradation of land on the Green Belt, with the construction of glasshouses on the Green Belt for the purpose of creating Previously Developed Land.
- Respondents also expressed wider concerns about the potential for these changes to lead to the development of Previously Developed Land in unsustainable or isolated locations, or for the development of land with high environmental value.

Government response

After carefully considering the consultation responses, the government is making changes to clarify that areas of hardstanding should be treated as Previously Developed Land. In response to the issues raised regarding unsustainable or unlawful development, we will be clear that this refers only to large areas of hardstanding, where this is a lawful structure. However, we are not proposing to include glasshouses in the Previously Developed Land definition at present. We recognise that including land occupied by disused or derelict glasshouses within the definition of Previously Developed Land, whilst protecting against unintended consequences, will require more thought.

Whilst our changes will make clear that large areas of hardstanding at ground level (whether or not part of the curtilage of a building) may be regarded as Previously Developed Land, development of which would not

be inappropriate in Green Belt provided it does not cause substantial harm, it will remain a matter for local authorities to make decisions on development proposed for Previously Developed Land. Such decisions should take place in the context of an overall sustainability judgement, and the National Planning Policy Framework is clear that this should avoid the development of isolated homes in the countryside except in certain narrow circumstances. Our changes will not lessen existing policy obligations to protect designated areas, to minimise impacts on biodiversity, and to recognise the value of the best and most versatile agricultural land.

Defining the grey belt

Question 23 – Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend?

Question 23 – response

- A total of 1,731 respondents answered yes/no to this question. Of those, 640 (37%) said they did agree with the above proposal, 1,091 (63%) said they did not.

Key points:

- The most common theme across all respondents was a concern that our proposed definition did not provide sufficient clarity and that further guidance would be needed in order to assist in the identification of grey belt land. There were concerns that, without a more precise definition or associated guidance, the identification of grey belt would be open to significant levels of interpretation and difference of opinion. Issues raised included that the language of “limited contribution” was not sufficiently clear as to whether this referred to all or some of the Green Belt purposes.
- Within this, there were a diversity of views expressed on how our definition could be improved. Some respondents argued our definition and guidance should take a narrower approach or include additional exclusions – such as being limited to only allowing the redevelopment of Previously Developed Land, giving weight to Local Nature Recovery Strategies or explicit protections for agricultural land. Others argued that our definition as drafted was too restrictive – for example, expressing the view that we should prioritise or exclude certain Green Belt purposes

from assessment. In particular, concerns were raised that we should not require assessment against Purpose C – (assisting in safeguarding the countryside from encroachment) – and E – (assisting in urban regeneration) – as these would introduce significant ambiguity in assessment.

- Other points expressed included a request for further clarity on the relationship between Previously Developed Land and grey belt, with concerns that our proposals made it unclear how these two routes were to be differentiated. A number of respondents also expressed concerns that development on grey belt came with a risk of allowing unsustainable development, and requested further clarity on how our request for development on the grey belt to only be brought forward in sustainable locations should be understood.
- Some respondents raised concerns with the exclusion of any areas within footnote 7 from our definition of grey belt. They argued that we should take an approach more consistent with other areas of the National Planning Policy Framework on issues such as flood risk.

Government response

After carefully considering the consultation responses, the government has provided a new definition of grey belt, that seeks to clarify the relationship between Previously Developed Land and other grey belt land to ensure that both routes to development provide clear and separate tests.

We have also clarified that grey belt land is Green Belt land which does not strongly contribute to Green Belt Purposes (a), (b), and (d).

We have included a clear statement that development brought forward on Green Belt land, or on land released from the Green Belt, should be sustainable, and in line with the requirements to promote sustainable transport as set out in Chapter 9 of the National Planning Policy Framework.

We have made changes to ensure that the protections given to other protected areas, as listed in footnote 7 of the National Planning Policy Framework, are not weakened by our changes to Green Belt policy, by being clear that development or release of Green Belt land should not proceed where these policies give a strong reason for refusal

We also recognise the need for further guidance to ensure a more consistent approach to assessing Green Belt land. We will be providing further guidance in January 2025. To ensure that local authorities are supported to implement the changes in the National Planning Policy Framework, we will also provide a funding contribution to local authorities that will need to undertake Green Belt reviews as a result of our policy

changes. Local authorities that meet our eligibility criteria will be able to submit an Expression of Interest (EoI) to receive a share of this funding.

Our revised grey belt definition will allow for development on land that is not already previously developed as we believe it is important that we also consider the development potential of land which, though it may be formally designated as Green Belt, no longer adequately serves the Green Belt purposes. However, our definition of grey belt will still make it clear that high performing Green Belt land should be protected, and that Previously Developed Land should be prioritised for development.

We do not consider that additional protections are needed to protect agricultural land, or that a formal exclusion is needed from the grey belt to protect agricultural land. The National Planning Policy Framework is already clear that the value of the best and most versatile agricultural land should be recognised in both plan-making and decisions. However, we have concluded that the Local Nature Recovery Strategies will benefit from new guidance and updates to the existing planning practice guidance to clarify the role of Local Nature Recovery Strategies when it comes to enhancing the Green Belt.

Question 24 – Are any additional measures needed to ensure that high performing Green Belt land is not degraded to meet grey belt criteria?

Questions 24 – response

A total of 1,437 respondents answered this question. Of those, 1,114 (78%) answered yes and 323 (23%) answered no.

Key points:

- A substantial number of respondents were concerned about the potential for degrading of Green Belt land to meet grey belt criteria and wanted to see measures to prevent this.
- The suggested measures included clearer guidance on how to identify grey belt land, additional exclusions or protections to be required (such as explicit protection for agricultural land or areas of environmental value), or a requirement for assessments to be based on the condition of land at a certain point in time.
- However, a number of respondents did not believe that further measures were needed. These respondents argued that existing enforcement powers, exclusions, and Biodiversity Net Gain requirements provided sufficient protection, and that the nature of Green Belt as a spatial policy

rather than one based on environmental or visual quality made it difficult to see how high performing Green Belt land could be degraded.

Government response

The government recognises that greater clarity is needed to assist authorities in identifying grey belt land so as to ensure development does not come forward in inappropriate locations. We have revised and streamlined our proposed definition of grey belt to focus on the role that land plays in protecting against sprawl, preventing the merging of settlements, and preserving the setting of historic towns. These purposes focus on the spatial role played by Green Belt land, and so will prevent intentional degradation of Green Belt parcels in order to meet grey belt criteria.

We will also be publishing further guidance on Green Belt reviews in January 2025, to ensure a more consistent approach to the identification of grey belt land. This will assist in ensuring inappropriate or high performing land is not identified for release or development and will set out how the performance of Green Belt should be assessed. This guidance will also provide guidance on how to ensure that parcels of land identified for development do not fundamentally undermine the purpose of the wider Green Belt.

Question 25 – Do you agree that additional guidance to assist in identifying land which makes a limited contribution of Green Belt purposes would be helpful? If so, is this best contained in the National Planning Policy Framework itself or in planning practice guidance?

Question 26 – Do you have any views on whether our proposed guidance sets out appropriate considerations for determining whether land makes a limited contribution to Green Belt purposes?

Question 25 and 26 – response

- A total of 1,459 respondents answered yes/no to question 25. Of those, 708 (49%) agreed and thought further guidance should be in the National Planning Policy Framework, 438 (30%) agreed and thought further

guidance should be in planning practice guidance, and 313 (21%) did not agree.

- A total of 1,291 respondents answered yes/no to question 26. Of those, 839 (65%) had views on whether the proposed guidance was appropriate and 452 (35%) stated they did not.

Key points for Questions 25 and 26:

- Respondents tended to agree with the principle of providing additional guidance to assist in defining grey belt. However, a majority of respondents thought that our proposed supporting guidance (in the consultation document) did not go far enough in setting out appropriate considerations for identifying grey belt. Many respondents were concerned that it left room for substantial degrees of interpretation, that may lead to a lack of consistency. For example, they did not feel it was sufficiently clear how the approach to assessment against the purposes should be undertaken, and whether land needed to be assessed against all of the Green Belt purposes. Risks of this included the potential for inappropriate development, as well as a lack of certainty for developers.
- Respondents tended to agree that additional detail within the National Planning Policy Framework and supplementary planning practice guidance would be necessary to ensure a more consistent approach. The type of further guidance requested included more detailed methodology for undertaking Green Belt reviews, as well as more clarity on sustainable locations.
- A number of respondents reiterated their opposition to development on the Green Belt in principle.

Government response for Questions 25 and 26

The government recognises the need to provide further guidance, to ensure a consistent approach to Green Belt Reviews and the identification of grey belt land. We will be providing further guidance in January 2025 to assist in this.

We have also made changes to the grey belt definition, detailed above, to give additional clarity, and included additional detail within the National Planning Policy Framework to specify the importance of Chapter 9 in assessing the sustainability of locations for development.

Question 27 – Do you have any views on the role that Local Nature Recovery Strategies could play in identifying areas of Green Belt which

can be enhanced?

Question 27 – response

- A total of 1,263 respondents answered yes/ no to this question. Of those, 836 (66%) said they had a view on the role Local Nature Recovery Strategies could play and 427 (34%) did not.

Key points:

- The majority of respondents considered that Local Nature Recovery Strategies should identify new opportunities for enhancement in the Green Belt. This was closely followed by those who considered that Local Nature Recovery Strategies should be better integrated with local plans and other strategies, as well as considered as part of the Development Management process when determining planning applications. Likewise, many thought that Local Nature Recovery Strategies should help identify areas of grey belt land and land suitable for development through new evidence.
- Respondents thought that Local Nature Recovery Strategies should be reflected in the National Planning Policy Framework paragraph 190a and planning practice guidance with stronger protections and guidance in place. Others noted concerns regarding a lack of clarity and risk of duplication between Local Nature Recovery Strategies and Biodiversity Net Gain. Respondents thought that Local Nature Recovery Strategies need to reflect the views of local communities and stakeholders, when it came to identifying areas of Green Belt, which could be improved.
- Some respondents had concerns around the loss of biodiversity or habitat in the Green Belt through enabling development to take place. Moreover, there were concerns regarding food security and suggested that Local Nature Recovery Strategies should have a more prominent role in protecting Best and Most Versatile agricultural land from development.
- To a lesser extent, there were additional views from respondents that considered Local Nature Recovery Strategies as a barrier to development and Local Nature Recovery Strategies needing greater financial support, which reflected a low number of responses.

Government response

The government has considered the range of responses received to this question, and has amended the 'Golden Rules' which will apply to Green Belt release to make clear the role that Local Nature Recovery Strategies can play. In addition, we intend to publish planning practice guidance on Local Nature Recovery Strategies as soon as possible in January 2025. This will further clarify the role of Local Nature Recovery Strategies when it comes to enhancing the Green Belt and provide greater certainty for stakeholders when it comes to the role of Local Nature Recovery Strategies in the planning decision making process and the plan-making system.

In recognition of the ways that development can support nature recovery, we are adding a line at the start of the chapter on Conserving and Enhancing the Natural Environment to highlight the importance of 'incorporating features which support priority or threatened species such as swifts, bats and hedgehogs'. This additional text builds on current National Planning Policy Framework wording with regards to conserving and enhancing the natural environment, helping to protect, and indicate the importance of, our priority and threatened species.

Land release through plan-making

Question 28 – Do you agree that our proposals support the release of land in the right places, with previously developed and grey belt land identified first, while allowing local planning authorities to prioritise the most sustainable development locations?

Questions 28 – response

A total of 1,583 respondents answered yes/no to this question. Of those, 827 (52%) agreed with the above proposal, 756 (48%) did not agree.

Key points:

- Those in support thought that the proposed approach would support identification of sustainable locations and welcomed the focus on prioritising the release of Previously Developed Land and other low quality Green Belt ahead of more highly performing Green Belt sites.
- However, some respondents expressed concern that these two ambitions could lead to a conflict, as some previously developed sites may be in less sustainable locations. They argued that the focus on low performing

sites should not come at the expense of sustainable development, and that our proposals should not lead to lower performing sites having to be fully exhausted before consideration of higher performing sites. They suggested that it should be made clearer that a sites performance against Green Belt purposes should be taken into account as part of a balanced judgement.

- A number of respondents also expressed concern that proposals required greater clarity to ensure that unsustainable development is prevented. They asked for further information on how to assess Green Belt land and identify grey belt, as well as for further information on how sustainability should be understood in this context.

Government response

The government recognises the need to balance prioritising low quality Green Belt land with the requirement to bring forward sustainable development.

After careful consideration of the consultation responses, drafting changes have been made to the sequential test to make clear that, whilst priority should be given to Previously Developed Land and grey belt land, this is within the context of an overall sustainability judgement, including considerations of sustainable transport. This is to enable local planning authorities to continue to make sensible judgements (through the Plan-making process) about the most sustainable locations for development to meet needs. This means that more sustainable sites on higher performing Green Belt land (for example around train stations) can be brought forward without all Previously Developed Land and grey belt opportunities having to be exhausted first.

The government will also provide further guidance to assist authorities in conducting Green Belt reviews and identifying grey belt land.

We have included further clarity on sustainability, making explicit reference to the importance of provisions in Chapter 9 of the National Planning Policy Framework in assessing the sustainability of locations for development.

Question 29 – Do you agree with our proposal to make clear that the release of land should not fundamentally undermine the function of the Green Belt across the area of the plan as a whole?

Question 29 – response

A total of 1,589 respondents answered yes/no to this question. Of those, 1,253 (79%) said they did agree with the above proposal, 336 (21%) said they did not.

Key points:

- A number of respondents expressed concern with how successful the proposed wording would be. Views on this varied, with some respondents concerned the proposal would not sufficiently protect Green Belt or take sufficient account of the cumulative impact of Green Belt release. Alternatively, some commented that the proposal was too restrictive, preventing the release of sites that would otherwise provide opportunities for sustainable development.
- Some respondents queried the appropriate scale at which to judge effect on the Green Belt. Some respondents were concerned that asking whether the release of Green Belt undermined the function of the Green Belt across the plan area was too broad, and did not take into account the more local functions of Green Belt. Others felt this was too narrow a scale, and that we should instead focus on the effect of release on the Green Belt as a whole.
- There was agreement that further guidance would be needed on how to understand whether the development of a site fundamentally undermined the function of the Green Belt and how this was to be differentiated from how well the land fulfilled the Green Belt purposes.

Government response

The government recognises that greater clarity is needed on how to assess whether development would fundamentally undermine the function of the Green Belt across the plan area, and how Green Belt reviews should consider this aspect alongside the performance of land against the Green Belt purposes. We have sought to clarify that this relates to impacts on the Green Belt purposes across either the remaining plan area or wider Green Belt. We will be providing further guidance in January 2025 to ensure a more consistent approach to Green Belt reviews, including how authorities should approach this assessment.

Allowing Development on the Green Belt through Decision Making

Question 30 – Do you agree with our approach to allowing development on Green Belt land through decision making? If not, what changes would you recommend?

Question 30 – response

A total of 1,610 respondents answered yes/no to this question. Of those, 630 (39%) said they agreed with the approach, 980 (61%) said they did not.

Key points:

- Many respondents were concerned about allowing development on suitable grey belt land through decision making, and believed that development on grey belt should only be allocated as part of local plan processes.
- However, some respondents were strongly supportive of the proposals, which were seen as necessary to respond to the urgent need for development, and argued that our proposals should be adapted to allow greater land (for example, more highly performing Green Belt) to come forward through decision making.
- Respondents suggested that there was a need for further clarity on how to define and identify grey belt land in order for it to be used in decision making. There were concerns that inappropriate development could come forward without a clear and consistent approach to the identification of grey belt land or further information on the methodology for making judgements. Some respondents pressed for supplementary guidance, or additional transitional arrangements to allow authorities time to identify grey belt land.
- Respondents sought extra clarity on how to ensure development occurs in sustainable locations, and how to assess need for commercial and other development.
- A number of respondents pointed out the need for consideration of how further development on grey belt sites may impact the availability of land for Gypsy and Traveller sites.

Government response

The government recognises that, for the purposes of decision making, further clarity is needed on how to identify grey belt. We have revised and

streamlined the definition of grey belt and have made clear that unsustainable development should not be brought forward on grey belt land. Within the updated National Planning Policy Framework, we have made explicit reference to Chapter 9, to illustrate the importance that issues around transport have for considerations of sustainability.

The government will also provide guidance on how to perform Green Belt reviews, to ensure a consistent approach is taken to the assessment of Green Belt land in January 2025. This makes it clear the methodology that should be followed and evidence to be considered in identifying grey belt.

We fully support a plan-led system. However, we believe that it is necessary to allow development on suitable grey belt land through decision making (in line with relevant triggers), in order to address the housing crisis and ensure other development needs are met.

Supporting release of Green Belt land for commercial and other development

Question 31 – Do you have any comments on our proposals to allow the release of grey belt land to meet commercial and other development needs through plan-making and decision-making, including the triggers for release?

Question 31 – response

A total of 1,263 respondents answered this question.

Key points:

- Respondents supported the principles of the proposals to allow the release of grey belt land to meet commercial and other development needs through plan-making and decision-making, with respondents citing the importance of non-residential development in creating economic growth and sustainable places.
- Respondents requested further guidance to ensure suitable and sustainable development came forward. A number of respondents raised concerns that our proposed drafting implied that ‘failure’ against housing-related triggers could open the door to commercial and other development under the ‘not inappropriate route’. They asked us to make

clear that commercial development could only be brought forward through this route where there is a shortfall in provision of land to meet commercial needs. Similarly, some also asked for further guidance on assessing commercial need.

- Other concerns included risks about the system being ‘gamed’, whereby planning permission would be granted for commercial use, which would turn into residential development through change of use.
- A small proportion of respondents reiterated concerns that any Green Belt release should steer away from the decision-making route and be front-loaded onto the plan-making stage, to avoid speculative development and allow for strategic release of land across an area. This was further supported by comments setting out the importance of appropriate infrastructure being required for commercial (and other types of specific development) when released from the grey belt. Some respondents also suggested specific types of development that should be allowed on grey belt land, including renewable energy projects and water infrastructure.
- Some respondents also suggested there should be a high bar for any type of development on the Green Belt, or a reduction in scope of what could feasibly be developed on Green Belt land.
- Finally, a small proportion of respondents raised that the ‘Golden Rules’ proposed on Green Belt land may make development unviable or undeliverable.

Government response

The government will ensure our changes allow for commercial and other development to come forward on grey belt land, where there are unmet needs. We have made changes to clarify that commercial and other development will only be ‘not inappropriate’ in the Green Belt where there is a relevant demonstrable need.

The evidence for need of commercial or other development may differ depending on the development being proposed, so we are not specifying a particular measure that must be used in assessments.

The government has revised and streamlined the definition of grey belt land, and will be providing further guidance in January 2025 on how identification of grey belt land should be undertaken.

We have made explicit reference to Chapter 9 of the National Planning Policy Framework, to ensure that considerations around sustainable transport are considered when making decisions over whether any proposed development is sustainable.

Planning Policy for Traveller Sites

Question 32 – Do you have views on whether the approach to the release of Green Belt through plan and decision-making should apply to traveller sites, including the sequential test for land release and the definition of PDL?

Question 33 – Do you have views on how the assessment of need for traveller sites should be approached, in order to determine whether a local planning authority should undertake a Green Belt review?

Question 32 and 33– response

- A total of 1,155 respondents answered question 32. Of those, 684 (59%) said they had views on the above approach, 471 (41%) said they did not.
- A total of 1,072 respondents answered question 33. 541 (50%) stated that they had views on how the assessment of need for traveller sites should be approached, 531 (50%) did not have views.

Key points for questions 32 and 33:

- There was broad support for ensuring that the approach to the release or development of Green Belt land applies to all unmet accommodation needs, including the need for traveller sites.
- Some respondents, particularly local authorities, noted the need for further clarity on the treatment of traveller sites in the Green Belt. For example, some respondents pointed out that changes to the Planning Policy for Traveller Sites may be necessary in order to ensure any proposed changes to the National Planning Policy Framework are adequately implemented for Traveller sites. Respondents broadly agreed that further clarity was needed on how the need for traveller sites should trigger release or development of the Green Belt.
- Many respondents pointed out that authorities are already required to assess need at a local level for the purposes of plan and decision making, and supported the continued use of these local assessments as the basis of judgements. However, a number of respondents asked for further guidance on how Gypsy and Traveller Accommodation Assessments should be undertaken, to better ensure equitable treatment. Wider issues were also raised, including complications arising from the

current definition of Gypsy and Travellers, which was argued to provide too much emphasis on the practice of nomadism, and other wider issues with Planning Policy for Traveller Sites.

Government response for Questions 32 and 33

Following the careful consideration of consultation responses, we have made clear that our changes will apply to unmet needs for traveller sites.

This includes changes to the Planning Policy for Traveller Sites and updates to the National Planning Policy Framework to ensure changes are implemented appropriately. We have also made clear that for applications for traveller sites, the consequences of a lack of 5-year supply of traveller sites engages the policy presumption contained in the National Planning Policy Framework.

In light of both domestic and European Court judgments, we have changed the definition of “gypsies and travellers” set out in the Planning Policy for Traveller Sites. The amendment seeks to ensure that the accommodation needs for those persons with a cultural tradition of nomadism or of living in a caravan are covered by the Planning Policy for Traveller Sites. In relation to emerging plans that would be affected by this change, we encourage a case-by-case approach to be taken when deciding if changes are needed, taking into account any existing evidence base that has been made relating to an assessment of housing and accommodation needs for Gypsies and Travellers and Travelling Showpeople under the National Planning Policy Framework and the Planning Policy for Traveller Sites.

In the context of our wider reforms to planning policy, we will review the Planning Policy for Traveller Sites next year.

Golden rules to ensure public benefit

Delivering affordable housing

Question 34 – Do you agree with our proposed approach to the affordable housing tenure mix?

Question 34 – response

- A total of 1,381 respondents answered yes/no to this question. Of those, 819 (59%) agreed with the proposed approach, 562 (41%) did not agree.

Key points:

- Many respondents argued that the definition of affordable housing needs to be changed as they feel that much of the current housing delivered as affordable is not truly affordable. Some other respondents requested that affordable housing be made available only to those acquiring their first home on the condition that the home will be their only and main residence.
- Respondents expressed concern that the 50% affordable housing requirement would make sites unviable.
- Issues were raised around the lack of infrastructure near Green Belt sites, which would result in residents of affordable homes finding it harder to access transport and employment.
- Some respondents were not happy for Green Belt land to be used for development in general.

Government response

The government believes local planning authorities are best placed to set tenure mix in relation to Golden Rules, and will implement this approach through the National Planning Policy Framework.

A majority of respondents agreed with the government's proposed approach to setting the affordable housing tenure mix, with strong support from developers and local authorities.

Question 35 – Should the 50 per cent target apply to all Green Belt areas (including Previously Developed Land in the Green Belt), or should the government or local planning authorities be able to set lower targets in low land value areas?

Question 35 – response

A total of 1,147 respondents answered this question. Of those, 544 (47%) agreed that 50 percent target should apply to all Green Belt areas, 603 (53%) agreed that the government or local planning authorities should be able to set lower targets in low land value areas.

Key points:

- Respondents across all sectors mentioned the need for more flexibility in the targets, to reflect viability concerns in lower value areas, and in relation to previously developed land. Respondents with these concerns tended to support local authority flexibility to set their own targets. A related approach was proposed to introduce additional flexibility prior to new local plans being developed, under which affordable housing targets for Green Belt release would be based on existing targets in local plans, subject to an uplift of 10 percentage points.
- Stakeholders made arguments both supporting and opposing the use of site specific viability targets. Those who supported the use of viability argued that it could support the delivery of less viable sites, including previously developed land. Those who opposed it argued that it would result in issues including delays to delivery as a result of negotiation, and could encourage overpayment for sites. Respondents who were concerned about the ability to negotiate suggested that the 50% target would not be delivered if developers are able to access viability assessment, and thus undermines the intent of the Golden Rules.
- Respondents often expressed the need to consider local factors, including local housing need, land values and site specifics (site size, type and infrastructure requirements) when setting targets. Within this theme, a number of respondents raised the question around site size thresholds and exemptions for small to medium sized (SME) housebuilders.

Government response

We note the concerns that setting a national 50% target could lack flexibility and fail to account properly for regional variation.

For this reason, the government will allow local planning authorities to set their own Golden Rules in relation to affordable housing through their new local plans. The government recognises that it will take time for new local plans to be brought forward in many instances, and that it is necessary to have a Golden Rule in place for planning applications that are brought forward on Green Belt land prior to this.

In order to balance the need for an ambitious affordable housing target with the viability challenges that may occur, particularly in low value areas, we will adopt a 'policy plus' approach, in which Green Belt development should deliver an amount of affordable housing that is 15 percentage points above the relevant local affordable housing target that would otherwise apply, subject to a cap of 50%. In the absence of a pre-existing target for affordable housing, a 50% affordable housing target should apply by default. If any existing targets are above 50%, for example, for rural exception sites, the existing target should be applied.

To make sure that the viability system works to optimise developer contributions, allowing negotiations only where genuinely necessary, the government intends to update viability planning practice guidance. Prior to new viability guidance being published, site specific viability assessment should not be used. As part of the review, government will consider the circumstances in which site specific viability assessment is allowed, with specific reference to large sites and Previously Developed Land.

Delivering improved public access to green space

Question 36 – Do you agree with the proposed approach to securing benefits for nature and public access to green space where Green Belt release occurs?

Question 36 – response

A total of 1,455 respondents answered yes/no to this question. Of those, 1,123 (77%) agreed with the above proposal and 332 (23%) did not agree.

Key points:

- Respondents frequently commented that this policy should apply to all developments. Some respondents said that this policy could go further through guidance, implementing Green Space Standards and Urban Greening Factors for new developments. Other respondents said that this is for local planning authorities to decide when determining planning applications and inclusion in local plans.
- Some respondents were concerned about loss of Green Belt in general. There were further comments that the interaction between Biodiversity Net Gain and Green Belt and grey belt release needed to be clearer, and

that a more holistic approach to the benefits of green space creation could be taken. Some respondents also said that access to nature and public access to green spaces needs to be quantified. Additional views were that the proposed approach should only be applicable to larger scale sites and communities should be involved.

Government response

The government has considered the range of responses and has concluded that setting specific expectations for access to green space where Green Belt release occurs is justified, given the limited circumstances in which Green Belt land may be developed.

However, the text has been bolstered to reflect the wider opportunities that green space provision can offer, in terms of nature recovery, the landscape setting of new development, as well as the scope for habitat creation to proposals in Local Nature Recovery Strategies.

Green Belt land and Benchmark Land Values

Question 37 – Do you agree that Government should set indicative benchmark land values for land released from or developed in the Green Belt, to inform local planning authority policy development?

Question 37 – response

A total of 1,212 respondents answered yes/no to this question. Of those, 608 (50%) agreed with the above proposal, 604 (50%) said they did not.

Key points:

- Those that agreed with the proposal that government should set an indicative benchmark land value most commonly stated that this would help streamline planning applications, making them more consistent. This included a number of local authorities. Some respondents anticipated that setting benchmark land values would lead to improved infrastructure delivery from developers.

- Respondents also stated that benchmark land values would act to reduce house values, speculation and excessive profiteering.
- There was a counter concern, also raised by a number of local authorities, as well as industry stakeholders, over the ability of benchmark land values to account for national variation in land values. It was also noted that benchmark land values, especially if set too low, could disincentivise landowners from bringing their sites forward.
- A number of respondents argued that benchmark land values should not be set nationally by central government, and that local authorities would be better placed to place regulations on Green Belt land release.
- Some respondents opposed benchmark land values on the basis that they disagreed with Green Belt release in principle.

Government response

The government notes both the support and concerns relating to this proposal, with opinion almost evenly divided. Overall, the government still believes there is merit in providing more guidance on benchmark land values. However more work is required to review and then implement the approach. The government is therefore considering the treatment of benchmark land values as part of a review into the viability planning practice guidance in 2025.

Question 38 – How and at what level should Government set benchmark land values?

Question 38 – response

A total of 1,192 respondents answered this question.

Key points:

- The most common responses either argued that government should not set benchmark land values, and should leave this to local planning authorities or the market, or that government should set indicative benchmark land values towards the lower end of the spectrum, close to agricultural value.
- Justifications for the former position included that benchmark land values are a “complex minefield” that would lead to significant bureaucratic

complication. Another justification of this viewpoint was that it should not be assumed the Green Belt designation will in practice significantly reduce hope value and therefore the likelihood is that landowners would not sell for lower than 'market value' for greenfield development land. Overall the risk was highlighted that diverting from existing market values for land may have a negative impact on overall development levels and may lead to landowners choosing not to bring their land forward for development.

- Other respondents supported the approach, and took the view that if government is going to set benchmark land values for Green Belt land, these should be set at the lower end of the spectrum posited in the consultation (e.g. 3x existing use value) or close to agricultural value. Of respondents who took this view, one of the key justifications was that landowners have been consistently making 'excess profits' at the expense of public benefit. Another key justification posited is that setting the benchmark land values at 3x existing use value would make it much more likely than golden rules policy could be delivered. Finally, some made the argument that due to the prior strong restrictions on development there should be minimal hope value associated with the site, justifying lower benchmark land values.
- Some respondents argued that benchmark land values should be set at around 10x existing use value. The justification for this was often that it is line with the recommendations of the 2018 Letwin Review, an independent review of build out.
- The point was made that benchmark land value is a complex subject and warrants either its own consultation or a study undertaken by a multi sector task force/expert group.
- Other respondents said that benchmark land values should not be set nationally and should instead be set at local authority level or by mayoral combined authorities. Usually these responses highlighted the extensive local variation of land values which typically reflect local house prices.

Government response

The government still believes there is merit in the proposal. However more work is required to review and then implement the approach. The government is therefore considering the treatment of benchmark land values as part of a review into the viability planning practice guidance in 2025.

Question 39 – To support the delivery of the golden rules, the government is exploring a reduction in the scope of viability negotiation by setting out that such negotiation should not occur when land will

transact above the benchmark land value. Do you have any views on this approach?

Question 39 – response

A total of 1,058 respondents set out views in answer to this question. Of those, 657 (62%) supported the principles of our proposals on the interaction between the use of viability assessments and benchmark land values, 401 respondents (38%) did not agree with a reduction in the scope of viability negotiation in such circumstances.

Key points:

- Many respondents saw viability assessments as an important backstop during the development process. Even where this was the case, many agreed that access to viability assessments could be reduced, to only be used in exceptional circumstances. Other respondents stated that there should be no viability negotiations at all.
- Respondents argued that restricting access to viability could make development unviable (by not accounting for abnormal costs or site specific circumstances) if set too low. This led to further suggestions that benchmark land values should be set locally or regionally, rather than nationally. Other respondents stated that, if benchmark land values were to be introduced, they should be credibly evidenced and tested, for example at the plan-making stage.
- Some respondents believed that the proposals around viability and benchmark land values would negatively impact housing delivery, particularly leading to less land coming forward and land strikes from landowners.

Government response

The government believes that it is important to restrict access to viability assessment, to ensure that the viability system is not used to subvert government policy intent. The government will update planning practice viability guidance. Prior to new viability guidance being published, site specific viability assessment should not be used. As part of the review, the government will consider the circumstances in which site specific viability assessment may be allowed, including potentially specific reference to large sites and Previously Developed Land.

As set out above, the government will not take forward now but is considering the treatment of benchmark land values as part of a review into the viability planning practice guidance in 2025.

Question 40 – It is proposed that where development is policy compliant, additional contributions for affordable housing should not be sought. Do you have any views on this approach?

Question 40 – response

A total of 1,246 respondents answered this question.

Key points:

- The most frequent response was agreement with the proposal, arguing that additional contributions for affordable housing should not be sought where development is policy compliant. Respondents highlighted that this approach provides certainty to developers and may speed up the planning process.
- Within this context, a number of respondents also argued that these proposals should not restrict developers from voluntarily providing additional affordable housing or other infrastructure contributions. Some respondents also commented that any voluntary additional affordable housing contributions should be given weight by planning officers.
- Some respondents stated that local authorities should have the ability to seek additional affordable housing contributions where development is policy compliant. Approaches suggested included that this should be on a case-by-case basis, related to local need and where developments are viable.
- There were also some support from respondents for the use of review mechanisms, including reference to the Greater London Authority “fast-track” system and late-stage reviews.

Government response

In line with the original proposal, the government remains of the view that local planning authorities should not seek to secure affordable housing above policy compliant levels through the use of developer contributions. The government also agrees that this should not restrict bodies such as

Registered Providers of affordable housing voluntarily delivering higher levels of affordable housing, should they wish too. This approach is set out across the revised National Planning Policy Framework and viability planning practice guidance.

Question 41 – Do you agree that where viability negotiations do occur, and contributions below the level set in policy are agreed, development should be subject to late-stage viability reviews, to assess whether further contributions are required? What support would local planning authorities require to use these effectively?

Question 41 – response

A total of 1,065 respondents answered yes/no to this question. Of those, 672 (63%) said they agreed with the proposal, 393 (37%) said they did not.

Key points:

- Respondents were open to the idea of having an end-stage review but were cautious that this can cause issues for local authorities with capability and capacity and also with the cost entailed in an end stage review. Respondents also pointed out that this could cause an issue for developers in being able to secure funding, as this adds an extra level of uncertainty over what their final figures would be. A number of respondents also suggested that early and mid-stage reviews could be useful, particularly on multi-phase developments.
- Respondents commented that reviews should be done by an independent person, to remove potential conflict of interests. There were concerns this could hinder delivery of additional affordable housing as it would be likely that the reviews would incur cost. Concerns were raised on the impact the approach might have on small and medium sized builders in particular.
- Some respondents suggested that there should never be any type of downward negotiation on policies that are set out by local authorities. Respondents commented that reviews at the end of development are currently happening and, in some areas, working extremely well, although they can cause complication at the end stage of development without a huge amount of benefit being gained by the local authority.
- Respondents pointed out that guidance would be needed preferably with some standardised wording for section 106 agreement.
- Respondents pointed out that one end-stage reviews helps account for the change in circumstances that happen over a lifetime of development.

Some suggested that they would also like to see that developers may be refunded for any money that they have paid out that potentially would not be viable.

Government response

The government notes the strong support for the use of reviews. We will consider how to take this forward as part of a wider review of viability guidance.

Question 42 – Do you have a view on how golden rules might apply to non-residential development, including commercial development, travellers sites and types of development already considered ‘not inappropriate’ in the Green Belt?

Question 42 – response

A total of 969 respondents answered on this question.

Key points:

- There was a split in opinion about whether ‘Golden Rules’ should be applied to non-residential developments. Some stated that only one or two of the proposed Golden Rules should apply to non-residential development – and that it should be made clear which apply in what circumstance.
- Respondents set out that alternative/amended/ additional Golden Rules would be required for different types of development (including commercial development, traveller sites etc) – setting out what specific contributions would be needed for each development type.
- Some respondents stated their view that no development should occur on the Green Belt at all.

Government response

The government proposes not to apply Golden Rules to non-residential development. An affordable housing target is not relevant for entirely non-

residential development (although it will be relevant in the case of mixed use development). We consider that for commercial development, the local planning authority is already able to secure infrastructure contributions to mitigate the impact of that development through section 106 planning obligations. Access to green space will not be appropriate in all cases of commercial development.

The government will not apply the Golden Rules to traveller sites. Although these sites are for residential development, they do not involve significant land value uplift, and existing policy requirements, including those set out in the PPTS relating to the sustainability of traveller sites, continue to apply.

Question 43 – Do you have a view on whether the Golden Rules should apply only to ‘new’ Green Belt release, which occurs following these changes to the National Planning Policy Framework ? Are there other transitional arrangements we should consider, including, for example, draft plans at the regulation 19 stage?

Question 43 – response

A total of 990 respondents answered this question.

Key points:

- Respondents noted that the interim period between local plans being updated and the National Planning Policy Framework amendments being published will create tensions and delays to permissions/ refusals for schemes in the Green Belt.
- Some respondents argued that Golden Rules should apply to all Green Belt land including land that is already allocated in local plans if it was previously Green Belt, and that it should be brought in as soon as the National Planning Policy Framework is published.
- Respondents were concerned that immediate introduction of the policy would mean local authorities would need to redraft plans, incurring considerable costs and, and will result in longer delays in local authorities having fully adopted local plans. There was concern that this would have a retrospective impacted on sites which have already been allocated at the regulation 18 or 19 stage and viability assessments are already being carried out in regard to the sites.

Government response

The Government notes the importance of effective transitional arrangements. The Government's position, reflected in the updated National Planning Policy Framework, is that if land has already been released for development from the Green Belt, or where development of Green Belt land has been permitted through the grant of planning permission before the policy is introduced, then the Golden Rules would not apply with respect to that land.

Question 44 – Do you have any comments on the proposed wording for the National Planning Policy Framework (Annex 4)?

Question 44 – response

A total of 968 answered this question.

Key points:

- Responses were mixed, with some agreeing with the proposed wording in Annex 4, and some disagreeing, and suggesting the text should be deleted.
- Of those who were in favour of strengthening National Planning Policy Framework wording, respondents suggested this would prevent loopholes or developers using viability negotiation to negotiate down contributions. Additionally, respondents felt that the reference to “other material considerations” was too vague and would be used to reduce contributions if this wording is not clarified or strengthened.
- There was a broadly equal split between views that a national benchmark land value is not feasible, and those in favour of government setting a benchmark land value or threshold mechanism for viability assessment access. Respondents also commented that if benchmark land value is set, it should factor in local circumstance.
- There were comments from respondents that the wording of Annex 4 needed more clarity, including reference to paragraphs 3 and 4. There were responses, mostly from local authorities, suggesting that additional guidance and support for viability and benchmark land value is required.

Government response

The government is considering the treatment of benchmark land values as part of a review into the viability planning practice guidance in 2025. Before this review is undertaken, site-specific viability assessment on Green Belt land should not be undertaken.

Question 45 – Do you have any comments on the proposed approach set out in paragraphs 31 and 32?

Question 45 – response

A total of 970 respondents answered this question.

Key points:

- Some respondents supported the principle of the use of compulsory purchase powers where Green Belt release land is not brought forward for development on a voluntary basis. Some explicitly set out they did not support the use of compulsory purchase powers.
- Respondents referenced the capacity and capability, resourcing, or financial issues of relevant stakeholders in relation to the use of compulsory purchase order powers. Respondents also directly stated the difficulty in implementing compulsory purchase order powers in practice, particularly their controversial nature and how litigious the process can be.
- Some respondents wanted more details on the process, with some stakeholders suggesting the best ways to do this being through further consultation, or more detailed guidance.
- A number of respondents stated that compulsory purchase order powers should be extended beyond Green Belt release land, whilst others set out that Compulsory Purchase Orders should only be used in exceptional or specific circumstances (e.g. for New Towns). Respondents also stated that the proposed use of compulsory purchase order powers will negatively impact the housing and land market.

Government response

The government considers that limited Green Belt release, prioritising grey belt, will provide an excellent opportunity for landowners to sell their land at a fair price, while supporting the development of affordable housing,

infrastructure and access to nature. Where such land is not brought forward for development on a voluntary basis, the government is considering how bodies such as local planning authorities, combined authorities, and Homes England could take a proactive role in the assembly of the land to help bring forward policy compliant schemes, supported where necessary by compulsory purchase powers.

The government recognises the importance of making effective use of land and is keen for authorities to make greater use of their compulsory purchase powers to deliver schemes in the public interest. The government is considering making reforms to the compulsory purchase process and compensation rules to improve land assembly, speed-up site delivery and lower costs of development delivered through compulsory purchase powers to ensure benefits are delivered for communities. Any government reforms to the compulsory purchase process and compensation rules will be considered as part of the changes to be made in the Planning and Infrastructure Bill and will be subject to the consultation process for that Bill.

Question 46 – Do you have any other suggestions relating to the proposals in this chapter?

Question 46 – response

A total of 1,197 respondents answered this question.

Key points:

- Respondents used this question as an opportunity to argue against any Green Belt release. Respondents typically referenced environmental, agricultural infrastructure or services concerns. Others raised concerns about how 'grey belt' has been defined/explained or questioned the need for such a term.
- Respondents pressed that more community/ local authority engagement and support was necessary. Typically, respondents emphasised that local authorities know what kinds of developments were needed and where, and that local residents should have the final say. Individuals and parish/ town councils were more likely to call for this than local authorities themselves.
- A smaller number of respondents suggested that the policies in the chapter were likely to speed up housing delivery. Others suggested changes to strengthen the proposed plans, or suggested expanding policies to non-Green Belt areas (e.g. brownfield or greenfield sites).

Government response

The government asked if there were any other suggestions relating to the Golden Rules section of Chapter 5 of the consultation. The government has reviewed the range of responses received to this question and has identified the above key points. These points have been considered throughout the response document, there are no further proposed changes beyond those already set out.

6. Delivering affordable, well-designed homes and places

Delivering affordable housing

Question 47 – Do you agree with setting the expectation that local planning authorities should consider the particular needs of those who require Social Rent when undertaking needs assessments and setting policies on affordable housing requirements?

Question 47 – response

A total of 1,543 respondents answered yes/no to this question. Of those, 1,393 (90%) said they did agree with the above proposal, 150 (10%) said they did not.

Key points:

- Overall, there was strong support for giving clearer consideration the needs of those requiring Social Rent and for giving local planning authorities control over determining affordable housing need. Respondents suggested that the government should make clear how Social Rent should be prioritised, including specific wording on how local planning authorities should be allowed flexibility to determine affordable housing tenure mixes on a site-by-site basis.
- Respondents raised associated financial issues, including concerns around financial viability for developers to bring forward schemes, and the

potential for additional grant funding/subsidy provided by government to incentivise delivery of Social Rented housing. Some set out that reform to Right-to-Buy policy would be required to incentivise affordable housing delivery more broadly.

- A small number of respondents suggested that the government should set affordable housing targets nationally. Respondents set out that tenure types other than Social Rent should be prioritised instead, and a number of respondents supported a balanced mix of products and tenure type.

Government response

Having considered the responses, government will make proposed changes to the National Planning Policy Framework to make clear that local planning authorities should consider the particular needs of those who require Social Rent when undertaking needs assessments and setting policies on affordable housing requirements.

Question 48 – Do you agree with removing the requirement to deliver 10% of housing on major sites as affordable home ownership?

Question 48 – response

A total of 1,486 respondents answered yes/no to this question. Of those, 1,016 (68%) agreed with the proposal and 470 (32%) did not agree.

Key points:

- Overall, there was considerable support for the proposal to remove the requirement to deliver 10% of housing on major sites as affordable home ownership.
- Respondents repeatedly cited the need to meet the needs of local people. Some suggested that local authorities should decide on the amount of affordable home ownership needed for their areas, while others felt the requirement should be greater than 10%.
- Respondents emphasised that social and affordable rent should be prioritised, as these are often the most needed tenures, and maintaining the 10% requirement could hinder their delivery.

Government response

See grouped response to questions 48, 49 and 50.

Question 49 – Do you agree with removing the minimum 25% First Homes requirement?

Question 49 – response

A total of 1,419 respondents answered yes/no to this question. Of those, 1,094 (77%) agreed with the above proposal and 325 (23%) did not agree.

Key points:

- Respondents made clear that giving discretion to local authorities would mean that the mix of affordable housing could better meet local needs. In further support of the proposal, some respondents also indicated that it should be possible to prioritise other types of affordable housing over First Homes.
- Some responses cited the need to support young people into home ownership and that minimum requirements set in the National Planning Policy Framework are necessary to ensure delivery of First Homes. Minimal support was offered for increasing the First Homes delivery requirement above 25%.

Government response

See grouped response to questions 48, 49 and 50.

Question 50 – Do you have any other comments on retaining the option to deliver First Homes, including through exception sites?

Question 50 – response

A total of 731 respondents provided substantive comments for this question.

Key points:

- Respondents commented that the option to deliver First Homes should be retained – for example to support areas where young people are struggling to buy a home. It was also suggested that decision making around the delivery of First Homes should be left to local planning authorities, or otherwise be based on local need.
- Some respondents expressed that the merits of First Homes are limited – for example not being affordable in some areas – or indicated that priority should be given to other types of affordable housing. Some respondents also felt that aspects of the First Homes scheme should be amended so that it can be better suited to local circumstances.
- A slight majority of those respondents who commented on First Homes exception sites agreed that the option to deliver them should be retained, noting that they can support certain rural communities. Some respondents felt that First Homes exception sites should not be used, because they would prefer to see flexibility in the types of affordable housing that can come forward on exception sites or because First Homes exception sites could inhibit the delivery of rural exception sites.

Government response to Questions 48, 49 and 50

Having carefully considered the range of responses, the government will proceed with our proposal to remove the prescriptive national requirements relating to affordable home ownership, giving greater control to local areas. This means that the requirement to deliver at least 10% of the total number of homes on major sites as affordable home ownership, as well as the requirement that 25% of affordable housing units delivered through section 106 planning obligations should be First Homes, both no longer apply. The option to deliver First Homes both through section 106 planning obligations and exception sites will, however, remain in place.

We also acknowledge the view that support for people into home ownership should be available. The government is committed to offering such support, and we wish to emphasise that these changes are about local flexibility: in those areas where the need for affordable home ownership is most pressing, local planning authorities can continue to reflect this in their affordable housing requirements.

We welcome the views that were expressed specifically on the delivery of First Homes exception sites. These reflected a mix of opinions and shed light on the interactions that take place between First Homes exception sites and the delivery of other types of affordable housing, particularly in rural areas. This raises a wider question about the best approach to exception

sites, which we will consider in the future. In the meantime, the policy on First Homes exception sites will remain in place.

Promoting mixed tenure development

Question 51 – Do you agree with introducing a policy to promote developments that have a mix of tenures and types?

Question 51 – response

A total of 1,486 respondents answered yes/no to this question. Of those, 1,267 (85%) said they did agree with the above proposal, 219 (15%) said they did not.

Key points:

- Overall, there was very strong support for promoting mixed-tenure development. Respondents noted that specific wording in the National Planning Policy Framework would support local authorities to deliver mixed tenure developments. Some suggested any policy should be managed locally rather than setting central targets and that mixed tenure would be positive for socio-economic diversity.
- Respondents suggested that there should be exceptions to the policy for some sites, including small sites, those delivering 100% affordable housing and those for which there are viability issues when delivering mixed tenure.

Government response

The government has considered the range of responses to this question and has concluded that a policy promoting developments with a mix of tenures and types should be introduced. We have therefore strengthened the National Planning Policy Framework to encourage the delivery of mixed tenure developments. We intend to reinforce this with further measures in the new year, including setting a site size threshold above which sites must deliver a mix of tenures.

Supporting majority affordable housing developments

Question 52 – What would be the most appropriate way to promote high percentage Social Rent/affordable housing developments?

Question 53 – What safeguards would be required to ensure that there are not unintended consequences? For example, is there a maximum site size where development of this nature is appropriate?

Question 52 and 53 – response

- For Question 52, a total of 1,234 respondents answered this question.
- For Question 53, a total of 945 respondents answered.

Key points:

- There was broad agreement of the need to ensure that high percentage social rent and affordable housing developments are supported. A number of respondents raised the existing challenges in delivering these developments, and the need for broader support through both the planning system and more direct government interventions.
- Some respondents argued for more firm targets for affordable housing, with some arguing that these should be set at a local level, and for greater weight to be given to affordable housing in the decision-making process. However, some raised the challenges of meeting fixed targets due to viability challenges.
- A number of potential safeguards were suggested, which raised issues such as the need for community engagement, rethinking the role of right to buy, consideration of the availability of infrastructure, and implementing required design standards.

Government response for Questions 52 and 53

In recognition of the calls to give clearer priority to social rent, the government is amending the definition of affordable housing in the glossary to the National Planning Policy Framework, as set out in response to Question 57. We will consider what further steps we can take to support

social and affordable housing as part of our intent to produce a set of national policies for decision making in 2025.

Question 54 – What measures should we consider to better support and increase rural affordable housing?

Question 54 – response

A total of 1,254 respondents answered this question.

Key points:

- Respondents suggested additional and better targeted funding to support the delivery of affordable housing in rural areas, both as capital grant and resource funding to provide the necessary capacity within local authorities, housing associations and others. Respondents also supported making more use of rural exception sites. Respondents recognised the value of the national network of Rural Housing Enablers (RHEs) in bringing housing development forward in rural areas and the need for their support to be maintained.
- The importance of optimising the amount of affordable housing on individual development sites was widely acknowledged among respondents. The key issue raised here was the threshold below which affordable housing contributions should not be sought. There is also ambiguity over whether the policy allows a threshold to be set for sites of between 5 and 10 units.

Government response

The government is aware of higher costs of delivery in rural areas and we want to see more affordable housing in these areas as part of our ambition to deliver the biggest increase in social and affordable housebuilding in a generation.

We recognise the strong support that was given to rural exception sites and the potential for encouraging them to be brought forward in greater numbers.

We are committed to improving the quality of life for people living and working in rural areas. We intend to give further consider to how policy can

better promote rural affordable housing and wider exceptions site policy as part of our work to produce a set of national policies for decision making in 2025.

Meeting the needs of looked after children

Question 55 – Do you agree with the changes proposed to paragraph 63 of the existing National Planning Policy Framework?

Question 55 – response

A total of 1,368 respondents answered this question. Of those, 1,001 (73%) said they did agree with the proposed changes to paragraph 63, 180 (13%) disagreed and 187 (14%) neither replied yes or no but left a comment.

Key points:

- There was a broad consensus that the proposed changes recognised the pressing needs on social rent homes and the unique housing needs of looked after children. Respondents frequently stressed that housing provision should be informed by local evidence (such as Housing Needs Assessments) and align with Sufficiency Strategy to ensure local housing needs are adequately addressed. Some respondents raised that the housing needs of Care Leavers in addition to looked after children should also be explicitly named.
- Some concerns were raised regarding the assessment of housing needs for looked after children, which includes potential financial burden, difficulties applying the approach in two-tier authority areas, and potential ambiguities in methodology. Some respondents advocated for further guidance on assessment methodology.
- Some respondents suggested conversion of a property to use as a children's home should fall under Permitted Development Rights.
- Respondents commented that the housing needs of specific groups should be dictated by local authorities and based on local circumstances, others suggested it was inappropriate to rule out particular groups as everyone's housing needs should be met.

Government response

The government has considered the range of responses received to this question and has concluded that we will apply the proposed changes to what was previously paragraph 63 of the National Planning Policy Framework, to ensure that every child has a secure home close to their communities and to make explicit reference to the needs of looked after children. The government intends to give further consideration to the potential for additional guidance to provide clarity in this area.

Strengthening support for community-led development

Question 56 – Do you agree with these changes?

Question 56 – response

A total of 1,106 respondents answered yes/no to this question. Of those, 862 (78%) agreed with the proposed changes and 244 (22%) disagreed.

Key points:

- Respondents most frequent comments were to emphasise the value of community-led housing and the importance of supporting it. This included adjustment to the definition of “community-led development”, including to reference development by Almshouses.
- Respondents also suggested that community-led exception sites should be allowed within the urban footprint as well as adjacent to it and that a size limit for community-led exception sites should not be defined in the National Planning Policy Framework (i.e. footnote 39 should be deleted) and that this is a matter for local authorities.
- Respondents also commented that community-led housing groups should be further supported with technical expertise and grants in order to help them realise their delivery potential.

Government response

The government has decided to proceed with its proposed changes to strengthen the provisions to support community-led housing. The first is an amendment to the definition of 'community-led development' housing to include groups originally set up for a purpose other than housebuilding. The second is removing the size limit for community-led exception sites where an alternative limit is established through the development plan.

Having carefully considered responses, government will not extend the definition to capture almshouses. While almshouses make a valuable contribution to the provision of affordable housing for those in particular need, the almshouse model differs fundamentally from community-led housing. Developments are taken forward by the board of an almshouse charity rather than by the prospective residents, and the residents are not automatically entitled to become voting members of the body that controls the homes.

Question 57 – Do you have views on whether the definition of 'affordable housing for rent' in the Framework glossary should be amended? If so, what changes would you recommend?

Question 57 – response

A total of 1,107 respondents answered this question.

Key points:

- Some respondents expressed strong support for amending the definition of affordable housing for rent to make it easier for organisations that are not Registered Providers to develop new affordable homes. These respondents often emphasised the need for a broad spectrum of providers and a more flexible approach to facilitate the delivery of more affordable housing. The particular benefits of supporting delivery by bodies such as almshouses, community-led developers and co-operatives were frequently cited.
- However, there was also a concern about the potential for national planning policy to support the development of affordable housing for rent that was outside the scope of the regulatory system for social housing. Some argued that this would be at odds with ongoing efforts to strengthen protections for social housing tenants. Some responses from local planning authorities expressed misgivings about possibly having to replicate in section 106 agreements the safeguards that apply automatically to Registered Providers.

- Some responses included suggestions as to how these risks might be mitigated, such as expanding the definition to only include non-Registered Providers that are registered charities, members of the Housing Ombudsman's scheme and/or adherents to certain codes of practice. It was also suggested that the definition could give local planning authorities discretion to recognise, on a case-by-case basis, accommodation with a non-Registered Provider landlord as affordable housing for rent.
- There were also many wider comments about how affordable housing should be defined in national planning policy. Many respondents argued that a 20% discount on market rents/prices was insufficient to ensure affordability, and in most cases favoured replacing this with a definition linked to incomes. Some suggested that products that are closer to market rents / prices should no longer be recognised as affordable housing. A number of responses emphasised the importance of affordable housing remaining affordable in perpetuity. A few respondents warned that narrowing the definition could harm housing supply.
- There were also calls for the definition to make a clearer distinction between the different types of affordable housing – in many cases favouring greater differentiation of Social Rent within the definition.

Government response

The government acknowledges that there was a mix of views from respondents on this issue. We are committed to making it easier for community-led developers and almshouses to develop new affordable homes, but we also recognise the need to ensure there are adequate protections for those who live in affordable housing and that any changes to the definition must be workable. Informed by the points raised in the consultation, we will actively explore options in future changes to national policy related to decision making.

The government recognises the concerns raised by many respondents about the definition of affordable housing. We are committed to building a greater share of genuinely affordable homes, and to prioritising the building of new Social Rent homes in particular. That priority is reflected in the changes we are making to national planning policy, and in our commitment that government investment in new affordable housing will have a particular focus on delivering Social Rent homes.

In that context, the government has concluded that it is no longer appropriate that the definition of affordable housing in national planning policy should refer to Social Rent as just one of a number of types of affordable housing for rent. Instead, as specifically proposed by a number of respondents to the consultation, it is right that Social Rent should be defined separately. We

have amended the definition in the National Planning Policy Framework glossary accordingly.

Making the small site allocation mandatory

Question 58 – Do you have views on why insufficient small sites are being allocated, and on ways in which the small site policy in the National Planning Policy Framework should be strengthened?

Question 58 – response

A total of 1,073 respondents answered this question.

Key points:

- Respondents were near unanimous in positive support for small to medium sized (SME) housebuilders and raised many different suggestions for strengthening small sites policy. Respondents from all groups stated that small site provision is lacking, with many acknowledging the impact this has on SMEs.
- The themes ‘not enough small sites are coming forward and the National Planning Policy Framework could be strengthened’ and ‘Local planning authorities are prioritising large sites over small sites’ were the most commonly reported. However, these themes were closely followed by ‘mandating the small site allocation would put too much pressure or not be possible for local planning authorities’ and ‘there should be a greater emphasis on windfall/neighbourhood for small sites’ themes.
- The consultation also raised that the call for sites process is not working well enough for local planning authorities to identify suitable sites, and that local planning authorities need support to identify and process these sites through additional resource or access to digital tools.
- There was limited support for a mandatory target for small site allocation in local plans, whereas there was a lot of concern that a mandatory target would, for many local planning authorities, not be possible or produce undesired outcomes, largely due to resource concerns and aligning small site timelines to the plan-making process.

Government response

In recognition of the strong feedback about burdens on local planning authorities, government will not make 10% small site allocation in local plans mandatory. Local planning authorities are already expected to allocate 10% to small sites in local plans unless they can provide a strong explanation for why this is not possible.

However, the government recognises the strength of feeling from the consultation that small site policy generally is not working for both local planning authorities and small to medium sized developers. Supporting small to medium sized housebuilders to grow is a crucial part of the government's strategy, and we are strengthening the wording in the National Planning Policy Framework to make the importance of allocating small sites to small to medium sized housebuilders clear. We intend to give further consideration to how policy can better support small site development as part of our work to produce a set of national policies for decision making in 2025.

Requiring “well designed” development

Question 59 – Do you agree with the proposals to retain references to well-designed buildings and places, but remove references to ‘beauty’ and ‘beautiful’ and to amend paragraph 138 of the existing Framework?

Question 59 – response

A total of 1,591 answered this question. Of those, 975 (61%) agreed with the proposal, 297 (19%) partially agreed and 319 (20%) did not agree.

Key points:

- There was considerable support for the proposal to remove the references to ‘beauty’ and ‘beautiful’ added in 2023, due to the terms being subjective and difficult to define and apply practically in the planning process, with many preferring the use of ‘well-designed’ over ‘beauty/beautiful’, which supports a more objective assessment of design quality.
- Respondents commented that heritage and culture should still be maintained as part of the requirements for future developments and

plans. There were concerns that, without clarification of what ‘well-designed’ means, this could lead to homogenous housing development across the country without consideration of local design character. Others commented that local distinctiveness should feature in local design irrespective of development scale.

- Other respondents raised the importance for development to be sustainable and respond to issues around natural environment, biodiversity, and climate change/ resilience, as well as consideration of preventative measures to ensure places and buildings are well-designed for future generations. Others raised the need for active travel and accessibility to be addressed to ensure that everyone, no matter their ability, would be able to access new developments.

Government response

The government is committed to the importance of good design, which is why we proposed to retain references to ‘beauty’ as a strategic objective of the planning system. Having considered the responses to the consultation, it remains our view that the assessment of development proposals is better conducted against the principle of good design, which can be more clearly articulated (such as in the National Design Guide).

Therefore, we will proceed with removing the references to ‘beauty’ and ‘beautiful’ that were added in 2023 and will also remove one additional reference to ‘beautiful’ at what was previously paragraph 74(c). Whilst this was not identified in the consultation for removal, we consider that it should be removed on the basis that the reference is inconsistent with our approach of retaining the wider references to beauty only where it is in terms of being a strategic objective. The government will also proceed with the amendments proposed in the consultation to what was previously paragraph 138 of the National Planning Policy Framework.

Supporting upward extensions

Question 60 – Do you agree with proposed changes to policy for upwards extensions?

Question 60 – response

A total of 1,231 respondents answered yes/no to this question. Of those, 844 (69%) agreed with the above proposal and 387 (31%) did not agree.

Key points:

- Respondents frequently commented that the previous reference to mansard roofs was too specific for the National Planning Policy Framework, adding that in broadening support for other upward extensions, policy would enable local authorities to act with greater flexibility to better support developments that complement local character. Additionally, many respondents commented that the proposed changes would encourage densification in urban areas, thereby maximising use of available space and increasing housing supply, and some respondents added that the proposed policy changes would encourage developments with lower levels of embodied carbon.
- Some respondents expressed caution suggested the word “height” should be retained in the policy as they felt that “height” acted as a safeguard to reduce the number of inappropriate upward extensions. Some respondents commented that upwards extensions should be more regulated or carefully considered, and that upward extensions have negative impacts on local street scenes, communities, and residents. Other respondents noted that the policy would still be too prescriptive and there was no need to mention mansard roofs in the National Planning Policy Framework at all; while others felt that any design decisions on upward extensions should be handled by local planning authorities or described in design codes.
- Some respondents commented that upwards extensions are more likely to increase the size of existing homes, rather than to create new dwellings. In particular, there was a concern that upwards extensions could remove some key housing types (e.g., bungalows) from available housing stock.

Government response

Reflecting the considerable support, government will proceed with the changes to what was previously paragraph 124(e) on upwards extensions. We recognise the feedback that there is a need for upwards extensions in general to be of high quality and respectful of local context, character and heritage. The National Planning Policy Framework must be read as a whole, together with policies in the locally-produced development plan, including the policies in these documents for requiring development to be well-designed.

Question 61 – Do you have any other suggestions relating to the proposals in this chapter?

Question 61 – response

A total of 776 respondents answered this question.

Key points:

- Respondents frequently mentioned adequacy of infrastructure to support housing development. Respondents also made points related to community engagement and community led development and definition of affordable housing. There was acknowledgement that adequate funding and grant funding for developers and local authorities is needed.
- Respondents who answered this question also reiterated or repeated answers to other questions in this chapter, most frequently those in response to Question 47 on the expectation that local planning authorities should consider the particular needs of those who require Social Rent when undertaking needs assessments and setting policies on affordable housing requirements and Question 57 on whether the definition of ‘affordable housing for rent’ in the National Planning Policy Framework glossary should be amended.

Government response

The government has considered the full range of responses in shaping the policy changes described above.

Additional changes related to this chapter

Build out

There was a strong concern from respondents over rates of build out on housing sites, and associated concerns about developer land banking. While the issues surrounding build out rates are complex, the government is committed to making sure that planning permissions are translated into homes, and that developers do all they can to deliver.

We have already set out policy changes designed to promote diversification, which the evidence shows drives build out. This includes mixed tenure developments and greater proportions of affordable housing.

To bring greater transparency and accountability we will go further, and take the steps necessary to implement build out reporting. We will implement the following provisions in the Levelling-up and Regeneration Act 2023, following technical consultation:

- Housing developers will be required to formally notify local planning authorities before they commence development (via development commencement notices) and then report annually to them on their actual housing delivery (via development progress reports). This will ensure that local planning authorities can clearly identify where delays occur, enabling them to work more effectively with developers to tackle the issue.
- We will also be bringing forward a measure to provide local planning authorities with the power to decline future planning applications made by developers who fail to build out earlier planning permissions granted on land in the authority's area at a reasonable rate.

7. Building infrastructure to grow the economy

Changes to the National Planning Policy Framework to support these modern economies

Question 62 – Do you agree with the changes proposed to paragraphs 86 b) and 87 of the existing National Planning Policy Framework?

Question 62 – response

A total of 1,237 respondents answered yes/no to this question. Of those, 832 (67%) agreed with the proposals, while 405 (33%) didn't agree.

Key points:

- Respondents frequently agreed that it is critical that we invest in growing the UK economy. Many agreed that focusing on these new sectors and infrastructures in the National Planning Policy Framework (e.g. data centres, laboratories, gigafactories, digital infrastructure, freight and logistics) is a positive step to achieving this.
- A common theme was the importance of selecting the most suitable locations whilst others wanted more reassurance/guidance on what an appropriate site looks like. There were also queries on who decides on these locations and calls for the process to be clearer. Similarly, a lot of responses specifically said they weren't in favour of these uses being built on Green Belt land.
- Other concerns raised were about the sustainability of data centres due to the amount of resources they would use and specifically the energy needed. There were also concerns about the potential negative impacts on local communities.
- There was significant support for upgrading storage and distribution operations and many identified this as a key aspect of modernising the economy. However, there was reluctance to see such infrastructure on Green Belt land and many expressed concerns about the environmental impact of increased logistical movements on local communities (e.g. impacts on air quality).

Government response

The government has considered the range of responses received to this question and in light of the considerable support received, will take forward the proposed changes consulted upon, with a few minor edits to enhance clarity, to support the needs of a modern and changing economy, and to bring the proposals into line with the key sectors for growth identified in the government's recently published draft industrial strategy^[footnote 3]

Question 63 – Are there other sectors you think need particular support via these changes? What are they and why?

Question 63 – response

A total of 917 respondents answered yes/ no to this question. Of those, 531 (58%) answered yes and 386 (42%) answered no.

Key points:

- The majority of respondents did not suggest specific other sectors but recognised the need for stronger policies around a modern economy to be better reflected in the National Planning Policy Framework and or planning practice guidance. This was followed by those who considered solar, wind and all types of renewable technologies need to be more supported. A similar number of respondents also thought that there needs to be more resources and support for high tech manufacturing, emerging industries and SME's. This also included those who think it is important to modernise transport, including freight and logistics and ports. There were also some suggestions regarding strengthened support for farming and rural businesses, and for grid connections and battery storage.
- Several responses suggested that local authorities need to reflect modern economy needs in their local plans or strategies, and/or more fully in determining applications. Some also said the green economy and environmental sustainability needs to be better reflected.
- To a lesser extent some respondents identified that the Nationally Significant Infrastructure Project regime needs to be better aligned and integrated with the Town and Country Planning regime.

Government response

Support for many of the sectors referred to in responses is addressed through the text which we consulted on, but we have broadened references to priority sectors for growth and support, taking into account both the responses received and to align more fully with the government's draft industrial strategy. Stronger support for the renewables sector is set out in the changes being made to the chapter on climate change.

Directing data centres, gigafactories, and laboratories into the NSIP consenting regime process

Question 64 – Would you support the prescription of data centres, gigafactories, and/or laboratories as types of business and commercial development which could be capable (on request) of being directed into the NSIP consenting regime?

Question 64 – response

A total of 1,007 respondents answered yes/no to this question. Of those, 605 (60%) said they did agree with the above proposal, 402 (40%) said they did not.

Key points:

- Respondents supported prescribing data centres, gigafactories, and/or laboratories as part of the Nationally Significant Infrastructure Project consenting regime. Respondents who were not in support frequently cited that decisions should be made at a local level and with the input of local groups as local decision makers are best placed to understand the needs and impacts of planning for such schemes on the local environment.
- Respondents were concerned about lack of consideration for the local environment should planning commence for data centres, gigafactories, and laboratories. Some respondents were concerned that the high energy usage associated with these industries would be detrimental to the UK's net-zero targets. However, some respondents noted that data centres and gigafactories would allow for greater green technological innovation.
- Site location with consideration for site access to transport was frequently mentioned, with local input on site location being important.
- Respondents were split on whether data centres, gigafactories, and laboratories as sectors were important enough infrastructure to be considered as part of the Nationally Significant Infrastructure Project regime. Economic growth was recognised as an important driver of the proposals, but references to providing employment opportunities were limited with respondents believing that development of these sectors would hinder job creation in the local area.

Government response

See grouped response to questions 64, 65 and 66.

Question 65 – If the direction power is extended to these developments, should it be limited by scale, and what would be an appropriate scale if so?

Question 65 – response

A total of 723 respondents answered yes/no to this question. Of those, 455 (63%) said they did agree with the above proposal, 268 (37%) said they did not.

Key points:

- Respondents were clear that development of data centres, gigafactories, and laboratories should be limited by scale. Respondents suggested that the limitation of location of sites, and the size of the development were the drivers behind having scale. There was no clear common suggested appropriate scale, many noted that it was the government and/or local planners' responsibilities.

Government response

See grouped response to questions 64, 65 and 66.

Question 66 – Do you have any other suggestions relating to the proposals in this chapter?

Question 66 – response

A total of 360 respondents answered this question.

Key points:

- Respondents were clear that any development should fully consider the environmental impact at both a local and national level and be mindful of energy provision, and the possible use of renewable energy sources is important.
- It was noted that location is a hugely important factor, but support is mixed between those wanting to use existing brownfield sites and those who believe that building in rural areas is required.
- Comments were also made that consideration needs to be given to how important development of these sites are for economic growth and strategic planning on a national level and local decision makers need to continue being involved in the planning process, even if Nationally Significant Infrastructure Project designation goes ahead.

Government response for questions 64, 65 and 66

We have decided that the proposals to prescribe data centres, laboratories, and gigafactories should be pursued due to the overall favourability of responses and important role these types of development are to supporting the government's economic growth mission. Few respondents answered the question on limitation by scale of the powers under Nationally Significant Infrastructure Project, and some suggested further consideration of whether a limited scale is needed and what the thresholds should be. We will give careful consideration to whether we should limit the direction power to developments over a certain size to ensure we strike the right balance between the different consenting regimes.

Environmental impacts arising from a proposed development and any mitigations to reduce these impacts, would be important issues for consideration whether consent was applied for either under the Town and Country Planning or Nationally Significant Infrastructure Project consenting regimes.

Whilst we recognise concerns around a perceived lack of local input in the NSIP consenting process, local authorities are statutory consultees in the development consenting process for Nationally Significant Infrastructure Projects and play a key role during all stages of that process. For instance, as well as engaging with applicants pre-application and submitting post-application full and detailed representations to the Examining Authority, they are also required to submit Local Impact Reports giving details of the likely impact of the proposed development on the authority's area (or any part of that area).

8. Delivering community needs

Public infrastructure

Question 67 – Do you agree with the changes proposed to paragraph 100 of the existing National Planning Policy Framework?

Question 67 – response

A total of 1,401 respondents answered yes/no to this question. Of those, 1,148 (82%) agreed with the above proposal and 253 (18%) did not agree.

Key points:

- Respondents emphasised the importance of new, expanded, or upgraded public service infrastructure in development proposals. This support was driven by the need to address community needs and enhance the quality of life.
- There was concern about potential environmental impacts and overdevelopment. Many feared that the changes might prioritise development over community interests and environmental protection such as the Green Belt. There were calls for ensuring that any changes were subject to community engagement and transparency in the planning process.
- Respondents also expressed concerns about administrative burdens and resource constraints that might arise from the proposed changes, particularly for local authorities and professional bodies. They called for adequate funding and support from central government to ensure the successful implementation of the new infrastructure requirements.
- Respondents highlighted the need for coordination with statutory agencies and community groups to ensure that infrastructure was planned in advance as much as possible. There were calls for a clearer definition of public service infrastructure, with recommendations to broaden the scope to include, among other things, green infrastructure, active travel infrastructure, libraries and GP surgeries.
- Practical challenges in securing and delivering necessary infrastructure were noted, particularly in areas with low market value. Respondents emphasised the importance of proactive planning and the need for stronger legislation or incentives to ensure that developers (and delivery partners in general) fulfilled their infrastructure delivery promises.

Government response

The government has considered the range of responses received to this question and in acknowledgment of the strong level of support received through the consultation, we will proceed with the proposed changes. In doing so, we are also amending the non-exhaustive list of 'other public service infrastructure' set out in what was previously paragraph 100 to assist in demonstrating the broader range of development types which fall under this policy. Reference to further education colleges has been removed from this paragraph as they will now be covered under the 'post-16' changes made to what was previously paragraph 99. We have also

amended the reference to hospitals with a broader range of health and emergency service facilities.

Question 68 – Do you agree with the changes proposed to paragraph 99 of the existing National Planning Policy Framework?

Question 68 – response

A total of 1,225 respondents answered yes/no to this question. Of those, 1,066 (87%) agreed and 159 (13%) did not agree.

Key points:

- Respondents suggested the proposed changes would be critical for ensuring access to a broad range of education opportunities to support young people's skills, and for ensuring provision of nursery space which in turn will support families who need to work. Respondents commented that the terms 'early years' and 'post-16' needed definition, and there were requests for further clarity if the changes would apply to all schools.
- There were calls for the proposed changes to apply to other types of education facilities. This included special education needs as well as higher education, integrated private nurseries in new development and adult education facilities. Wider considerations, such as general practitioner surgeries and childcare were also suggested for inclusion.
- Respondents sought clarification on how the changes will be delivered and will this be through developer contributions.
- Further guidance was requested to support the changes, including for identifying the level of need for nursery provision in specific local areas, and that guidance should encourage local authorities to plan proactively for the expansion of education facilities in conjunction with their standard method housing requirements.
- Respondents requested clarity on the roles of different authority and community groups in the planning process, including County Councils and Local Education authorities. The importance of ensuring that educational authorities actively engage with the plan-making process was also raised.

Government response

Given the strong support received, the government has decided to proceed with the proposed changes to what was previously paragraph 99, which would apply to all schools (including those providing special educational needs), early years and post-16 education facilities. We have also provided a definition of the terms 'early years' and 'post-16' in the glossary in recognition of consultation respondents requesting this.

Regarding the points raised around developer contribution funding concerns, housing and the need for more guidance, the 'securing developer contributions for education' non-statutory guidance^[footnote 4] from the Department for Education (DfE) is available to help local authorities secure developer contributions for education infrastructure to mitigate the impact of development. This guidance promotes good practice on evidencing these impacts, engaging with local planning authorities, and delivering expanded or new facilities with funding from housing development. The 'estimating pupil yield from housing development' DfE non-statutory guidance^[footnote 5] is also available to inform local plans, planning decisions and justify developer contributions towards education.

In terms of the consultation feedback on nurseries, the recently published DfE non-statutory guidance^[footnote 6] 'establishing school-based nursery provisions' helps to support the government's manifesto commitment to deliver 3,000 new nurseries.

On the point raised around plan-making interaction, the new plan-making process introduced through the Levelling Up and Regeneration Act 2023 will include a new 'early participation' requirement to ensure that key stakeholders (including education authorities) are able to engage much earlier in the process and shape the vision for growth in the area.

A 'vision-led' approach to transport planning

Question 69 – Do you agree with the changes proposed to paragraphs 114 and 115 of the existing National Planning Policy Framework?

Question 69 – response

A total of 1,288 respondents answered yes/no to this question. Of those, 922 (72%) agreed with the above proposal, 366 (28%) did not agree.

Key points :

- General reasons for support included how it would enable a shift from a 'predict and provide' approach which some respondents thought would deliver better outcomes. Respondents felt this change would lead to greater integrated transport and land use planning and encourage joint stakeholder working. Some respondents were unclear what a 'vision-led' approach is and how it should be applied in practice and suggested that the proposals should be matched by appropriate transport infrastructure investment. It was also suggested that 'vision' should be added to the opening paragraph in the transport chapter.
- There were specific requests for clear Transport Assessment Guidance and updates to planning practice guidance to support the proposed changes. Further respondents suggested the 'vision-led' approach should be integrated with other existing forms of government guidance. Guidance on the role of different stakeholders was also suggested.
- With regard to the proposed changes in consulted paragraph 113, comments were made around the proposed 'all-tested scenarios' wording and respondents suggested it should be more clearly defined. There were also concerns that an unlikely or low-traffic scenario could be used to bypass refusal of a development, which could lead to transport safety and congestion risks. There were suggestions for changing the wording to 'reasonable', 'appropriately' or 'realistic' scenarios, and some respondents suggested removing the 'all-tested scenarios' wording altogether.
- The 'severe' wording in consulted paragraph 113 was also critiqued for being unclear, too subjective and high a threshold, not applying to the 'vision-led' approach and was interpreted as only applying to the private car, leading to overly car-centric development. The word 'only' was requested to be removed to add more flexibility in terms of highways impacts.
- Greater clarity or definitions of 'vision-led' and other key terms such as 'cost effective', 'highways' and 'scenarios' were raised.
- A number of respondents identified issues with applying the proposals to specific places and sites, particularly rural areas where there may not be as many sustainable transport opportunities, and there was a suggestion that careful consideration should be given to the proportionately of vision-led approaches when applied to ensure project viability for smaller and medium scale developments.

Government response

Having considered the range of responses received to this question, and given the considerable support, the government has decided to add the

‘vision-led’ approach within the opening paragraph of the ‘promoting sustainable transport’ chapter to ensure this is appropriately considered from the earliest stages of plan-making and development proposals. Some additional text changes have been added to what was previously paragraphs 108 and 114 to ensure the intended application of ‘vision-led’ approach is clear.

We have also provided a definition of ‘vision-led’ in the glossary, to provide further clarity on how this approach should be considered in practice.

We have decided to amend the consulted text from ‘all tested scenarios’ to ‘taking into account all reasonable future scenarios’ within what was previously paragraph 115, to provide further clarity, and given concerns raised by respondents that the consulted wording may imply that unrealistic scenarios could be tested in order to permit a development. To further support these changes, we have also added ‘following mitigation’ to clarify that impact reducing measures count in decisions and we have provided a definition of ‘reasonable future scenarios’ in the glossary.

We have added a ‘vision-led’ reference within what was previously paragraph 117 to ensure the vision-led approach is applied to transport assessments and statements when these are appropriate and amended glossary definitions of these terms to further support these changes.

In recognition of the large number of comments received requesting further clarity on how these proposals would apply in practice, we will produce updated planning practice guidance.

Promoting healthy communities

Question 70 – How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity?

Question 70 – response

A total of 1,510 respondents answered this question.

Key points:

- More than half of respondents commented that sustainable transport methods would help in promoting healthy communities. Specifically, respondents highlighted the importance of encouraging active travel through planning for walkable, accessible and safe neighbourhoods.
- Encouragement of sport and play was another recurring suggestion, with over a third of respondents stating that access to high quality 'open', 'green' and 'blue' space would help in promoting healthy communities. Respondents also highlighted the importance of provision of play parks and sports pitches.
- Another point raised by many respondents was around regulation of hot food takeaways, with answers stating that hot food takeaways should not be permitted within certain distances of educational institutions.
- Respondents recognised health inequalities and socio-economic determinants of health, with some respondents stating that explicit reference be made to use of data on health inequalities in the National Planning Policy Framework or guidance.
- Respondents also answered that additional guidance should be provided to local planning authorities on how health should be considered in plans/decision making, including on Health Impact Assessment requirements.

Government response

The government has considered the range of responses received to this question and has concluded that additional wording should be added to provide greater direction and clarity to support local authorities in promoting healthy communities and tackling childhood obesity. We have therefore amended what was previously paragraph 96(c) of the National Planning Policy Framework to strengthen policy to promote good health and prevent ill health, especially where this would reduce health inequalities between the most and least deprived communities.

In light of the views received about the adverse impacts of hot food takeaways on health, especially that of young people, we have included additional wording after what was previously paragraph 96 stating that local planning authorities should refuse applications for hot food takeaways and fast food outlets (within walking distance of schools and other locations where children and young people congregate) unless the location is within a designated town centre. The additional text also expects applications to be refused in locations where there is evidence that a concentration of such uses is having an adverse impact on local health, pollution or anti-social behaviour.

The points raised in regard to sustainable transport are addressed elsewhere in this consultation. The National Planning Policy Framework

already sets out that planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities and opportunities for new provision. In response to the points raised related to encouraging sport and play, the government has amended what was previously paragraph 103 of the National Planning Policy Framework to include specific reference to 'formal play spaces'.

With regard to the points raised related to guidance for local authorities on consideration of health impacts in planning, the proposed system of Environmental Outcomes Reports will allow us to consider how best to address the environmental effects of development on communities, covering issues such as the health of local people.

Question 71 – Do you have any other suggestions relating to the proposals in this chapter?

Question 71 – response

A total of 772 respondents answered this question.

Key points:

- Respondents showed support for increased provision and maintenance of public infrastructure and community facilities. Respondents highlighted upkeep of roads and sewer systems, and sufficient provision of hospitals and GP surgeries as examples. Respondents also answered that capacity of infrastructure and facilities should be considered at the earliest stages of the planning process and development.
- Respondents also made points related to sustainable transport, including encouraging active travel through ensuring availability of pedestrian and cycle routes, and adequate and accessible public transport services.
- Respondents raised ensuring community access to nature and provision of open, 'green' and 'blue' spaces, to encourage sport and play.
- Respondents who answered this question also reiterated or repeated answers to other questions in this chapter, most frequently those in response to Question 69 on a vision-led approach to transport, and Question 70 on helping local planning authorities to promote healthy communities and in tackling childhood obesity.

Government response

The government has reviewed the range of responses received to this question and has identified the above key points. The proposals set out in this consultation relating to public infrastructure and sustainable transport as well as existing policy on open spaces and sport and recreation facilities address the points raised and therefore no further changes are proposed at this stage in light of the responses received to this question.

Additional changes relating to this chapter

A coroner's report was received by the government on the 7 August into the death of a 5 year old girl who lived in Crest Buildings (a 2015 housing development) beside Regent's Canal who tragically drowned after falling into the canal. The coroner outlined that the railing next to the canal afforded no protection against the water for a small child and an adult could easily fit through it. The coroner's report recommended that action be taken to strengthen planning policy to improve public safety and prevent future deaths of this nature. As such, we have amended what was previously paragraph 101 a) of the National Planning Policy Framework to make clear that development proposals should consider the safety of children and other vulnerable users in proximity to open water, railways and other potential hazards.

9. Supporting green energy and the environment

Bringing onshore wind back into the NSIP regime

Question 72 – Do you agree that large onshore wind projects should be reintegrated into the NSIP regime?

Question 72 – response

A total of 1,389 respondents answered to this yes/no question. Of those, 995 (72%) agreed with the proposal, 394 (28%) disagreed.

Key points:

- Respondents frequently stated the Nationally Significant Infrastructure Projects process helps streamline planning for large-scale projects, increases efficiency of the planning system and accelerates deployment. Respondents felt this change would provide a consistent, balanced and appropriate regime for large-scale projects to seek consent.
- Respondents also noted that these changes were important in promoting onshore wind as a green, low-cost energy source and for the delivery of the government's decarbonisation ambitions.
- There were concerns from some respondents that the Nationally Significant Infrastructure Projects process might overly centralise decision-making power, bypassing local authorities and communities. Respondents felt that local authorities hold greater local expertise and are better placed to assess the suitability of a project, thus improving the overall quality of a site.
- Respondents also emphasised the importance of ensuring habitats, landscapes, and environments are protected, retaining community and local authority engagement and the need for sufficient resourcing of local authorities to assess onshore wind applications.

Government response

See grouped response to questions 72, 75, 76 and 77.

Supporting renewable deployment

Question 73 – Do you agree with the proposed changes to the National Planning Policy Framework to give greater support to renewable and low carbon energy?

Question 73 – response

A total of 1,585 respondents answered yes/ no to this question. Of those, 1,182 (75%) said they agreed with the proposed changes, 403 (25%) said they did not.

Key points:

- There was support to direct decision makers to give significant weight to the benefits associated with renewable and low carbon development.
- There were some requests for clarity regarding the types of development captured; some respondents wanted reference to associated infrastructure such as grid connections and energy storage.
- Some responses sought alignment in terms of terminology for weighting and the policy support provided in National Policy Statements.
- In relation to the proposal to set a stronger expectation that plans identify sites for renewable and low carbon energy, some respondents raised several concerns regarding the potential impact of the change, including potential delays to the delivery of local plans, inadvertently constraining non-allocated development and a lack of specific expertise within authorities to identify suitable sites.
- Respondents also expressed concern about the removal of paragraph 161, which required local planning authorities to support community-led initiatives for renewable and low carbon energy.

Government response

The government welcomes the views of respondents on this issue. Having considered these, we are proceeding with the proposals consulted upon, with minor amendments to reflect views and provide clarity on how policy should be applied in practice, including to associated infrastructure for renewable and low carbon energy development.

The removal of what was previously paragraph 161 is not intended to lessen support for community-led renewable and low carbon energy, which is covered instead by the revised general paragraph which sets out how all forms of renewable and low-carbon energy are expected to be facilitated and includes specific mention of community-led projects.

The government acknowledges the reservations that some respondents had in relation to setting a stronger expectation that authorities proactively identify sites for renewable and low carbon development when producing plans. It is noted that the change could adversely affect plan-making and could have a limited impact on securing development. As such, rather than require all local authorities to identify sites for renewable and low carbon energy development during plan-making, this is to be retained as a discretionary choice.

After considering the comments received requesting further clarity on terminology and the application of policy for renewable and low carbon

energy development, we will shortly be updating planning practice guidance to support these changes in practice.

Question 74 – Some habitats, such as those containing peat soils, might be considered unsuitable for renewable energy development due to their role in carbon sequestration. Should there be additional protections for such habitats and/or compensatory mechanisms put in place?

Question 74 – response

A total of 1,452 respondents answered yes/no to this question. Of those, 1,314 (90%) said they agreed with additional protections for habitats, such as those containing peat soil, 138 (10%) said they did not agree.

Key points:

- Groups showing overwhelming support for additional protections for some habitats (including those containing peat soils) were local authorities, neighbourhood planning groups, parish/town councils, interest groups/voluntary or charitable organisations and individuals. The only exception were developers, approximately half of whom did not support this proposal.
- Respondents who supported the proposal for additional protections recognised their crucial role in carbon sequestration and biodiversity and stated that renewable energy projects should avoid these sensitive areas to maintain the provision of ecosystem services and their intrinsic value. Many respondents stated more protections are needed, with the dominant themes including that windfarms on habitats containing peat soils could have adverse effects on climate change.
- The most common theme among those who made comments against the proposal, was that existing measures are sufficient for protecting these habitats when new renewable energy projects are developed. Some developers felt that additional measures could be a barrier to development.

Government response

The government welcomes the views provided in response to this question. Some habitats that include peat soils are already protected by the National

Planning Policy Framework definition of irreplaceable habitats, including blanket bog and lowland fen. Given the breadth of further habitats which could be considered irreplaceable, including those containing peat, the government plans in due course to review and ensure the robustness of the definition of irreplaceable habitats to ensure it is comprehensive to support decision makers.

The government plans to publish a 12-week consultation on land use early in the New Year. The consultation will inform the development of a Land Use Framework for England, to be published in 2025. This will set out the government's vision for long-term land use change and focus on the principles for land use decision making and priority areas for policy change.

Setting the NSIP threshold for solar generating stations and onshore wind

Question 75 – Do you agree that the threshold at which onshore wind projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50 megawatts (MW) to 100MW?

Question 75 – response

A total of 1,100 respondents answered yes/no to this question. Of those, 662 (60%) agreed with the proposal, 438 (40%) disagreed.

Key points:

- Respondents emphasised a higher threshold would retain strong local authority decision making as few onshore wind projects in England would likely exceed 100MW, maintaining the use of local knowledge, increasing democratic accountability and fostering community involvement.
- Respondents also felt the higher threshold would better reflect the contemporary advancements in turbine technology, and ensure that smaller projects can use the quicker, cheaper local planning route. Respondents felt local planning would be more appropriate for smaller projects which are typically less complex, and a higher threshold may incentivise more mid-sized projects to develop. However, some respondents felt the raising of the threshold would be detrimental to local planning processes, and that reintroducing onshore wind into the

Nationally Significant Infrastructure Project regime would transfer powers from local authorities to central government.

- Some responses also included suggestions for alternative criteria, such as tip height, number of turbines, site size and impact on land use or food production, as well as different thresholds varying from sub-50MW up to 500MW.

Government response

See grouped response to questions 72, 75, 76 and 77.

Question 76 – Do you agree that the threshold at which solar projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50MW to 150MW?

Question 76 – response

- A total of 1,111 respondents answered yes/no to this question. Of those, 638 (57%) agreed with the proposal, 473 (43%) disagreed.

Key points:

- Supporters noted the disproportionate number of solar applications with a capacity of 49.9MW, perceived as an attempt to avoid the larger costs and delays associated with seeking consent via the Nationally Significant Infrastructure Project route.
- Many respondents expected an increased threshold would reduce planning costs and speed up decision making for solar projects between 50MW and 150MW, incentivising more mid-sized projects to develop.
- Respondents felt the higher threshold reflected advancements in solar technology, with the current threshold seen as outdated for smaller and less complex projects. Others saw potential benefits for local communities, with decisions being made locally with increased community involvement. However, respondents highlighted the need for proportionate increases in resourcing and guidance for local planning authorities, compensating for the expected increase in workload.
- Some respondents thought the 50MW threshold should remain, fearing an increased threshold would lead to delays or inconsistent decisions, impacted by local politics or opposition. Others supported an increased

threshold but questioned the evidence for a trebling, suggesting 100MW as a more appropriate threshold, aligning with onshore wind and other renewables.

- A few responses argued for a threshold above 150MW to allow more projects to be decided at a local level. Others proposed changes to the wider Nationally Significant Infrastructure Project regime, such as basing thresholds on site footprints, offering flexibility for projects to choose their consenting regime, and creating a fast-track process for smaller solar projects.

Government response

See grouped response to questions 72, 75, 76 and 77.

Question 77 – If you think that alternative thresholds should apply to onshore wind and/or solar, what would these be?

Question 77 – response

A total of 845 respondents provided a response to what an alternative Nationally Significant Infrastructure Project threshold should be for onshore wind and solar.

Key points:

- For onshore wind, respondents felt the threshold should be set at 50MW, though many did not provide specific reasoning or additional detail. Some felt this would provide consistency, while others felt projects of this size are of sufficient scale to warrant entry into the Nationally Significant Infrastructure Project regime.
- Respondents also suggested changing the onshore wind threshold to be based on geographical size, land area, local impacts or power generated.
- For solar, respondents suggested the threshold for solar should be 100MW to provide consistency with the onshore wind proposal, and the current threshold for offshore wind.
- A few respondents made the case for a smaller threshold than onshore wind, due to the more efficient land use of onshore wind projects. A similar number argued for an even larger threshold.

- Many disagreed with solar thresholds based on capacity, instead putting forward area-based thresholds or thresholds based on local impacts.

Government response to Questions 72, 75, 76 and 77.

Reintroducing onshore wind

The government has considered the range of responses received to this question and has concluded that onshore wind should be reintroduced into the NSIP regime.

The responses highlighted it was important to ensure the planning system is efficient with appropriate routes available for large-scale projects. Creating a level playing field for larger scale onshore wind, putting it on the same footing as offshore wind and nuclear, will provide greater certainty to the industry and help deliver the government's Clean Power Mission.

The Nationally Significant Infrastructure Project process retains strong provisions for extensive community and local authority engagement, with opportunities for feedback in the pre-application phase and during the project's examination.

The Nationally Significant Infrastructure Project process is not a mechanism to override protections or concerns on the potential impacts of a proposal on the environment, landscape or habitats. Decision makers need to take account of such issues when determining a development consent application, examining statutory environmental and habitats impact assessments including landscape and visual impacts assessments and heritage assessments.

Onshore wind threshold

The government has considered the range of responses to this question and has concluded to set the threshold at 100MW as consulted.

Responses highlighted how a higher threshold would better reflect the technological advances in turbine technology with such schemes being more likely to be of a scale, impact or complexity that is proportionate to using the Nationally Significant Infrastructure Project process. Raising the threshold to 100MW will allow mid-sized projects to progress using the more appropriate local planning route, and will retain strong local decision making on the majority of projects proposed in England.

The government acknowledges the planning system will need sufficient resourcing and skills to effectively process an increased number of onshore wind planning applications, regardless of where the threshold is set.

Government believes Planning Performance Agreements, reforms to planning fees, cost recovery measures for Nationally Significant Infrastructure Projects, and broader reforms to ensure local decision making is more pro-growth through the forthcoming Planning and Infrastructure Bill will help ensure applications can be assessed timely and effectively.

Solar threshold

The government has considered the range of responses received to this question and has concluded that on balance the threshold should instead be set at 100MW rather than 150MW proposed in the consultation.

A majority of respondents agreed that solar projects should have a higher threshold of entry into the Nationally Significant Infrastructure Project system. This was primarily due to a higher threshold better reflecting the technological advances in solar technology since 2008, when the original threshold was set. Solar projects at the current threshold of 50MW are therefore unlikely to be of a scale, impact or complexity that is proportionate to using the Nationally Significant Infrastructure Project process.

However, many respondents disputed the need for a threefold increase to 150MW. On reflection, we agree with consultation views that a 100MW threshold would better reflect modern technology and are of such sufficient scale, impact and complexity to be considered as nationally significant under the Nationally Significant Infrastructure Project regime.

This change (to 100MW) will allow mid-sized solar projects to progress using the appropriate local planning route, and will retain strong local decision making on the majority of projects proposed in England. This would also provide consistency with the new onshore wind threshold, and the current threshold for offshore wind.

Next steps

The government intends to bring forward legislation in spring 2025 to reintroduce onshore wind into the Nationally Significant Infrastructure Project regime at a threshold of 100MW and change the existing solar threshold from 50MW to 100MW.

We recognise there will be some projects that have invested and undertaken steps with the intention of proceeding through either Nationally Significant Infrastructure Project or local planning process routes. Changing the thresholds may mean that projects fall out of a particular route or are required to enter a different one than intended, with the potential to increase costs or cause delays.

Therefore, the government intends to put in place a transitional window until the end of 2025 when the changes will formally come into effect. We believe this strikes the right balance between giving industry and other stakeholders

sufficient time to prepare, providing flexibility for projects that are in or shortly entering the planning system, and incentivising mid-sized projects (particularly solar) to come forward and develop. The transitional window does not preclude requests being made by developers for projects to be potentially directed into the Nationally Significant Infrastructure Project regime under Section 35 of the Planning Act 2008.

Tackling climate change

Question 78 – In what specific, deliverable ways could national planning policy do more to address climate change mitigation and adaptation?

Question 81 – Do you have any other comments on actions that can be taken through planning to address climate change?

Question 78 and 81 – response

We received 1,198 substantive responses to Question 78, and 940 substantive responses to Question 81, which were combined for analysis. Comments mainly suggested how planning policy could go further in addressing climate change mitigation and adaptation.

Key points:

- Respondents suggested the National Planning Policy Framework should be strengthened to focus on climate change and net-zero goals, with clearer prioritisation of climate change considerations through the presumption in favour of sustainable development and support for local plans to adopt more ambitious climate targets, including higher energy efficiency standards than in the building regulations.
- The importance of protecting habitats and incorporating nature-based solutions, such as integrating Natural England's green infrastructure standards.
- There were suggestions for reducing emissions from transport and energy through active travel infrastructure and advancing renewable energy adoption by mandating solar panels, relaxing restrictions on wind farms, and limiting fossil fuel development.

- Improving the energy efficiency of existing housing stock through retrofitting and promoting the reuse of buildings to reduce embodied carbon emissions. The inclusion of whole-life carbon assessments in planning applications was advocated by some to account for emissions throughout the building lifecycle.
- Adaptation measures to be addressed more fully through the National Planning Policy Framework, such as mitigating overheating, reducing flood risk and implementing sustainable drainage systems. Additional suggestions included small-scale adaptations in new developments, such as rain gardens, urban greening, and limiting impervious paving.
- Emphasis on the role of spatial planning in the context of renewable energy deployment, including local area energy planning and aligning grid connections with strategic plans.

Government response for Questions 78 and 81

The government welcomes the wide range of views and suggestions from respondents on this topic. After considering these, we are making some immediate changes to the National Planning Policy Framework to support climate change mitigation and adaptation through increased deployment of renewables and sustainable drainage systems, amendments to transport policy and changes to emphasise the importance of climate considerations in planning. Most of these changes are contained within the chapter on meeting the challenge of climate change, but the emphasis on taking a 'vision-led' rather than a 'predict and provide' approach to transport planning and assessment will also support positive moves to tackle this important issue. We will review the planning system holistically and consider whether further changes are required to address climate change when we consult on further planning reform including national policy related to decision making.

We have added a specific new paragraph to make clear that climate change is an important consideration in decision-making as well as plan-making. We have also sought to ensure that a wider range of climate impacts are referenced following calls for adaptation measures to be addressed through the National Planning Policy Framework.

The government will bring forward future standards next year which will set our new homes and buildings on a path that moves away from relying on volatile fossil fuels and ensures they are fit for a net zero future. We will also keep building regulations under review to ensure that new buildings are built to mitigate the risk of climate change, including through a potential review of Part O, which seeks to mitigate the risk of overheating, and water efficiency options.

Question 79 – What is your view of the current state of technological readiness and availability of tools for accurate carbon accounting in plan-making and planning decisions, and what are the challenges to increasing its use?

Question 79 – response

A total of 801 respondents answered this question.

Key points:

- Respondents showed some support for carbon accounting being incorporated or required as part of the planning and development process. Although some respondents suggested a requirement for carbon accounting would be more appropriately placed within building regulations.
- Respondents cited that there is currently a low level of technological readiness and availability of suitable tools, with some respondents citing that this could impact the practicality of considering carbon accounting within the plan-making and decision-making process. Some respondents highlighted that the carbon accounting landscape extends beyond planning, and as the sector is emerging it could benefit from innovation funding to accelerate tool development. Respondents also commented that tools which are available are not always accessible to those who wish to use them.
- Some respondents also shared that data gathered as part of the carbon accounting process may not always present an accurate assessment, depending on the individual or organisation who gathered the data, as some data cannot be independently verified for accuracy and different models use different estimates as the basis for calculations. It was also raised that carbon offset schemes can further reduce the perceived carbon impact of a development.
- There were suggestions that a national framework or endorsed methodology would be required to ensure consistency in the application to decision making across local authorities. Some suggested that national targets should be introduced to ensure that similarly constructed and designed developments are compliant with benchmarks. It was also recognised that local authorities and developers could benefit from support and guidance in developing the skills required to use and apply carbon accounting tools.

Government response

The government welcomes the range of views from respondents on this topic. The planning system provides the freedom for local authorities and developers to carry out carbon accounting should they seek to do so. However, we recognise that both local authorities and developers would benefit from clearer guidance on the use of appropriate tools. Therefore, we intend to update planning practice guidance to assist local authorities in considering carbon emissions within the plan-making process, and to support developers in using carbon accounting to reduce carbon emissions as part of their development proposals.

Question 80 – Are any changes needed to policy for managing flood risk to improve its effectiveness?

Question 80 – response

A total of 1,170 respondents answered yes/no to this question. Of those, 1,028 (88%) responded that changes are needed to policy for managing flood risk to improve its effectiveness, 142 (12%) did not agree changes are needed.

Key points:

- Some respondents identified that planning policy should do more to promote the use of sustainable drainage systems in developments. Support for this was strong across local authorities, professional bodies and individual responses. Developers also expressed some support for the expansion of the use of sustainable drainage systems.
- Some respondents identified that planning policy should promote the use of natural flood management techniques to reduce the risk of flooding in catchments. Natural flood management involves the naturalisation of upstream areas to slow the flow of water into urbanised areas, and to increase the capacity of watercourses to hold water during times of flood. Support for this was particularly strong among professional bodies and charities.
- Some respondents identified that there is uncertainty over the application of sequential test for flood risk which results in cost and delay to development. While a small number of respondents suggest that the sequential test should be strengthened, a large number of respondents, including both developers and local authorities, identified particular areas of confusion relating to the consideration of surface water and ground

water flooding, and what constitutes a 'reasonably available site'. Responses also highlighted that the sequential test is being applied in situations where no development on site is located in an area at risk of flooding.

Government response

National planning policy plays a key role in avoiding risks of flooding to (or arising from) new development and we welcome the suggestions made for potential improvements to flood risk policy. We have considered the responses carefully and concluded that it is necessary to update both the National Planning Policy Framework and planning practice guidance to provide greater clarity on how the sequential test should be applied to development in areas of flood risk and to encourage the use of sustainable drainage systems in new development.

This update will insert a new paragraph into the National Planning Policy Framework to clarify that requirement for a sequential test is not triggered where it can be demonstrated, using a site-specific risk assessment, that no new development or access and egress route is proposed in an area of flood risk from any source. This assessment cannot rely on mitigation measures that would require active maintenance, as their effectiveness in mitigating flood risk cannot be guaranteed. This change will maintain standards of flood protection and make sure that local planning authorities continue to have appropriate information available to them when assessing applications, while making the application process more proportionate in these situations. Revisions to the preceding paragraphs will also clarify the difference in applying the sequential test to plan-making and decision making.

After considering the comments received in relation to reasonably available sites, we will shortly be updating planning practice guidance to clarify the definition of reasonably available sites that should be considered as part of the sequential test.

The government is committed to securing the delivery of high-quality sustainable drainage systems to help manage flood risk and adapt to the effects of climate change. In light of the responses we are updating the existing paragraph on incorporating sustainable drainage systems in new development to take a more holistic approach so that it is clear that developments of all sizes are expected to make use of sustainable drainage techniques where they could have drainage impacts, and take the opportunities which this offers to provide a range of benefits, but in a way which is proportionate to the nature and scale of the scheme. A definition of sustainable drainage systems has been added to the glossary to clarify the

wide range of interventions which can support sustainable drainage, for both very small and larger schemes.

We will consider whether further changes are required to manage flood risk, coastal change and sustainable drainage systems provision through the planning system when we consult on further planning reform, including a set of national policies related to decision making.

Availability of agricultural land for food production

Question 82 – Do you agree with removal of this text from the footnote?

Question 82 – response

A total of 1,337 respondents answered yes/no to this question. Of those, 561 (42%) agreed with the above proposal, 776 (58%) did not agree.

Key points:

- Some respondents interpreted the removal of the footnote as weakening of the current protections for agricultural land. Others said that the footnote was unclear, did not add anything of value, was a barrier to effective decision making, or that there were already sufficient protections for agricultural land in planning policy.

Government response

As the government set out in the consultation document, the reason for proposing that the text in what was previously footnote 63 should be removed was because it was unclear whether this text “provided a material benefit – especially as it gives no indication of how authorities were to assess and weigh the availability of agricultural land when making planning decisions”. As many responses echoed these concerns the government has decided to press ahead with its removal. National policy remains clear that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a

higher quality. The removal of the text in footnote 63 does not change this commitment.

Question 83 – Are there other ways in which we can ensure that development supports and does not compromise food production?

Question 83 – response

A total of 1,012 respondents answered yes/no to this question. Of those, 848 (84%) agreed other ways in which we can ensure that development supports and does not compromise food production, and 164 (16%) said there are not.

Key points:

- About a third of respondents objected to development on Best and Most Versatile land (also referred to by terms such as ‘productive’ or ‘good quality’ land) and suggested there should be explicit protection for all, or particular categories of, Best and Most Versatile land.
- Other respondents proposed clearer local or national guidelines on land use, suggestions included to re-evaluation of the Best and Most Versatile land categories, more detailed guidance on the evidence required to make assessments on particular areas of land, and providing a clear local and national details of how best to support and not compromise food production.
- Some respondents suggested local initiatives such as community gardens, orchards and allotments would help to ensure that development supports and does not compromise food production. They advocated that developers should be required to include how they would support food production in their proposed development plans and suggested community gardens, orchards and allotments should receive greater protection.
- Some respondents argued for greater use of innovative farming techniques such as vertical farming, hydroponics and more sustainable farming.
- A smaller number of respondents suggested mixed/dual uses of land. For example, using the same area of land to grow food alongside other land uses such as solar production.

Government response

The government has considered the range of responses received for this question and remains committed to safeguarding Best and Most Versatile agricultural land.

Respondents used this question to highlight how important they consider agricultural land to be. The government has been clear that food security is important for our national security. We conclude that national policy already makes clear that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The government will continue to hold this position.

The Land Use Framework consultation set to be published by the Department for Environment, Food and Rural Affairs (Defra) in 2025 will invite discussion on how we use our land and will set out the government's vision for long-term land use change. The consultation will inform the development of a Land Use Framework for England. We will continue to work closely with Defra with regards to food security and appropriate national planning policy in this area.

Supporting water resilience

Question 84 – Do you agree that we should improve the current water infrastructure provisions in the Planning Act 2008, and do you have specific suggestions for how best to do this?

Question 84 – response

A total of 1,011 respondents answered yes/no to the question. Of those, 929 (94%) said they did agree with the proposal, whereas 82 (6%) disagreed.

Key points:

- Some respondents suggested use of water infrastructure projects that are designed to be used intermittently but provide significant peak water supplies during droughts. Other commented on the construction, maintenance or operation of water infrastructure by a third party on behalf

of a water undertaker. Respondents noted the importance of water recycling, and infrastructure which transfers treated drinking water.

- Suggestions to take forward the proposals included amendments to the Planning Act 2008 to refer to “development associated with direct abstraction and water recycling”, removing the annual average from the definition of the deployable output for the projects, to allow for intermittent use projects, and allowing transfers within a River basin to be Nationally Significant Infrastructure Projects.
- There were also suggestions that greater flexibility might be needed, such as an ‘opt-out’ from the Planning Act 2008 consenting route if projects could more easily pass through other routes, such as the ‘local’ Town and Country Planning Act 1990 route.
- Respondents also commented on the water sector and stated the urgent need for more water infrastructure, including reservoirs and water recycling. Leakage reduction was also cited as being crucial to a more successful water sector. Greater utilisation of both grey water storage and harvesting rainwater in residential dwellings was cited for the dual purpose of increasing supply, whilst relieving pressure on sewers.
- Respondents remarked there needs to be a greater recognition of the need for water infrastructure projects in planning policy and suitable sites. There was also support for a wider number of statutory consultees on planning decisions, with water undertakers particularly considered highly desirable to be added to the list, since they will be required to provide the supporting infrastructure.
- Some respondents were not convinced that applications under the Planning Act 2008 would be a faster route for consent. Other questioned the state of the water industry in general, that it should be focussing on fixing leaks and using the current planning regime to get things built. Other frequent responses included nationalisation of the water industry, senior individuals of water companies being held accountable for the actions of water companies, and sewage pollutions concerns.

Government response

See grouped response to questions 84, 85 and 86

Question 85 – Are there other areas of the water infrastructure provisions that could be improved? If so, can you explain what those are, including your proposed changes?

Question 85 – response

A total of 720 respondents answered yes/no to this question. Of those, 545 (76%) said there are other areas of the water infrastructure provisions that could be improved, 175 (24%) answered no.

Key points:

- Respondents frequently commented on sewage and combined sewage overflows. Issues, including general concern about the damage to the environment. A range of solutions were offered, from fining water companies to prosecuting water company senior staff.
- Some responses proposed redefining water resources infrastructure and wastewater infrastructure as Critical National Infrastructure or being of Critical National Priority. It was suggested this may enable water projects to have Critical National Priorities status across all planning regimes which would support critical local water projects as well as national projects.
- The setting of requirements relating to water efficiency measures is currently restricted by Building Regulations with the higher-level set to 105 l/p/d but this is currently less than what is emerging in Water Company plans. Some respondents proposed greater flexibility to set stricter policies in local plans where justifiable.
- Some respondents suggested Schedule 3 of the Flood and Water Management Act 2010 should be swiftly implemented, to provide Sustainable Drainage Systems capable of managing drainage whilst boosting biodiversity, across all developments. This should also reduce stormwater overflows and to prevent new connections to the foul and surface water sewers where water companies are discharging stormwater in non-exceptional circumstances.

Government response

See grouped response to questions 84, 85 and 86

Question 86 – Do you have any other suggestions relating to the proposals in this chapter?

Question 86 – response

A total of 357 respondents answered this question.

Key points:

- Respondents frequently noted that water waste and sewerage were not covered. Respondents also set out what they see as water companies' failures to build appropriate infrastructure, which is causing our natural habitats to suffer.
- Some respondents sought greater support for rooftop solar panels, improved planning decision making, especially in relation to sewage capacity, and that the government should require water company plans to be prepared on the basis of meeting the government's national housing policy, not the number of homes currently planned for in development plans.
- Some respondents also suggested that there should be 'opt outs' from the Planning Act 2008 consenting regime where projects are above the Nationally Significant Infrastructure Projects thresholds. Scheme promoters should be able to propose to government that their projects should instead be consented under other planning regimes such as the Town and Country Planning regime.
- Comments were also made about land use and protection of the Green Belt, farmland and not wanting to see it used for solar farms.

Government response to Questions 84, 85 and 86

The government welcomes the positive consultation response in support of the proposals and will consider how we take this forward. Given the lack of specific detail contained in the responses about the provisions in the Planning Act 2008, we will need to consider the proposals further, and possibly carry out further targeted consultation, before making legislative changes in due course.

An Independent Commission into the water sector and its regulation was launched by the government on 23 October 2024 as part of the largest review of the industry since privatisation. The Commission forms the next stage in the government's long-term approach to ensuring we have a sufficiently robust and stable regulatory framework to attract the investment needed to clean up our waterways, speed up infrastructure delivery and restore public confidence in the sector.

We agree there is an urgent need to deliver water infrastructure, such as the Strategic Resources Options in the water companies statutory water resources management plans. Water infrastructure can already be considered Critical National Infrastructure and we will monitor the current

pipeline of projects to consider if it would be beneficial to additionally define projects as Critical National Priorities beyond that of being in water companies' statutory plans, in which the Secretary of State has already recognised the urgent need to deliver the projects on time.

The government has set out elsewhere in this response how it is making changes to the National Planning Policy Framework to strengthen support for Sustainable Drainage Systems.

10. Changes to local plan intervention criteria

Revision of the local plan intervention policy criteria

Question 87 – Do you agree that we should replace the existing intervention policy criteria with the revised criteria set out in this consultation?

Question 87 – response

A total of 936 respondents answered this question. Of those, 503 (54%) agreed with the proposal, 433 (46%) did not agree.

Key points:

- Respondents were supportive of the transparency and consistency this change would bring for planning authorities and interested parties.
- Other respondents raised concerns about the way the national development needs would be considered in intervention decisions, which would likely be outside the control of planning authorities.
- Respondents also called for clarity rather than complexity in the criteria and welcomed the commitment to providing planning authorities with the opportunity to set out exceptional circumstances that the Secretary of State should consider in relation to any intervention action.

Government response

See grouped response to questions 87 and 88.

Question 88 – Alternatively, would you support us withdrawing the criteria and relying on the existing legal tests to underpin future use of intervention powers?

Question 88 – response

A total of 799 respondents answered this question. 259 (32%) of respondents supported this approach, 540 (68%) did not.

Key points:

- Respondents suggested that reliance on legal tests would be the fastest and most efficient way for government to take intervention action to manage development pressures responsibly and ensure up-to-date local plans are in place.
- Concerns were raised that this approach may lead to inconsistent and potentially arbitrary interventions and potentially undermine trust in, and the effectiveness of, the plan-making system.

Government response for Questions 87 and 88

The government recognises that policy criteria help provide transparency and consistency to planning authorities and other interested parties on what basis the Secretary of State may take local plan intervention action.

On balance, the government has decided to introduce new local plan intervention policy criteria, to help ensure that future local plan intervention action is targeted, swift and proportionate. The government will also allow planning authorities to put forward any exceptional circumstances that they think that the Secretary of State should consider in relation to any intervention action. Based on feedback received about the complexity of the proposed criteria, we have made updates to remove some text that was considered unnecessary and refined the list of legal powers that the criteria apply to. They will only apply where the Secretary of State is considering making directions or removing plan-making powers where she thinks that a planning authority is failing in respect of plan-making.

The new local plan intervention policy criteria have been published in the plan-making section of planning practice guidance^[footnote 7] and replace the previous criteria in the 2017 Housing White Paper. They will be used by the Secretary of State to inform decisions on exercising local plan intervention powers set out in sections 27, 27A of the Planning and Compulsory Purchase Act 2004. Once the relevant provisions in the Levelling-up and Regeneration Act 2023 are commenced, they will be used by the Secretary of State to inform decisions on exercising equivalent intervention powers on local plan and minerals and waste plan intervention taken under sections 15HA and 15HD of the 2004 Act (as amended).

11. Changes to planning application fees and cost recovery for local authorities related to Nationally Significant Infrastructure Projects

Proposed fee increase for householder applications

Question 89 – Do you agree with the proposal to increase householder application fees to meet cost recovery?

Question 89 – response

A total of 1,343 respondents answered to this question. Of those, 967 (72%) agreed with the proposal and 376 (28%) disagreed.

Key points:

- Respondents recognised that a higher fee would provide local authorities with more resources, which would improve the recruitment and retention of planning officers. Some respondents caveated agreement with the desire to see improved performance, others saw it as a way of securing service improvements. There were concerns that increasing the fee to full cost recovery could lead to inefficiencies and unnecessary procedures remaining unaddressed.

- Concerns were raised that higher householder application fees could deter applications and result in a rise in unauthorised development, which would in turn increase the demand on local authority enforcement services. It was suggested that there could be a scale of householder fees – a higher fee for extensions or for the creation of additional floorspace, which were generally more resource intensive for local planning authorities, and a lower fee for smaller scale matters, including fences, gates, replacement windows. The high fee was also raised as an extra burden for minor works on listed buildings and in conservation areas, which would otherwise be permitted development and would not be subject to a fee.
- Some respondents thought the increase from £258 to £528 was too big an increase, and could be phased in.

Government response

See grouped response to questions 89, 90 and 91.

Question 90 – If no, do you support increasing the fee by a smaller amount (at a level less than full cost recovery) and if so, what should the fee increase be? For example, a 50% increase to the householder fee would increase the application fee from £258 to £387.

If Yes, please explain in the text box what you consider an appropriate fee increase would be.

Question 90 – response

There were 533 responses to this question. 291 (55%) respondents agreed that the increase to householder fees should be less than £528, with 242 (45%) disagreeing with this.

Key points:

- A number of respondents agreed with the suggestion that householder fees should be increased by 50%, to £387, as being a more reasonable increase than full cost recovery.

- Other suggestions ranged from no increase to increases of between 10% to 250%. A number suggested that the fee should be set at full cost recovery, but did not suggest what that would be.
- Respondents commented that the householder fee should not be a flat fee as it was unfair that there was the same fee for someone putting in a Velux window or putting up a fence compared to someone else making a large extension to their house. Respondents suggested a two tier fee, with a lower fee for minor alterations and a higher fee for creation of new floorspace. Others suggested a sliding scale, linked to the size or cost of the proposed development.
- Other suggestions included that the fees should be subject to annual inflation related increases; the increase should be phased in over a few years; and, the current fee exemptions should be retained.

Government response

See grouped response to questions 89, 90 and 91.

Question 91 – If we proceed to increase householder fees to meet cost recovery, we have estimated that to meet cost-recovery, the householder application fee should be increased to £528. Do you agree with this estimate?

Yes / No – it should be higher than £528 / No – it should be lower than £528 / No - there should be no fee increase / Don't know

If No, please explain in the text box below and provide evidence to demonstrate what you consider the correct fee should be.

Question 91 – response

A total of 1,120 respondents answered this question. Of those, 527 (47%) agreed that £528 represented full cost recovery, 95 (8%) considered that it should be more than £528, with 157 (14%) of the view that it should be less than £528. 132 (12%) respondents thought there should be no fee increase and 209 (19%) respondents didn't know.

Key points:

- Over half of respondents thought the householder fee should be set at £528 or more. Specific suggestions for full cost recovery fee ranged from £530 to £1,000. Of those who also provided evidence, the suggestions of full recovery costs were mostly in the range £528 to £700.
- Suggestions from respondents who thought the increase should be less than £528 ranged from £274 to £516. Most of these suggestions were not from local authorities.
- Some respondents commented that there shouldn't be just one fixed fee for householders, but there should be a two-tier fee or fees should relate to size or cost of the development. Respondents suggested that the fee should be ringfenced, that the planning application process should be simplified, and, that the fees should be regularly reviewed.

Government response to Questions 89, 90 and 91.

The government welcomes the considerable support for setting the householder fee at a level to secure full cost recovery. It recognises that this will be a significant increase but considers that it is fair that the costs of development which benefit individuals should be borne by them. It was not considered appropriate to phase in the increase, since householder planning applications are typically a one-time, or infrequent, payment for any householders who are required to apply for planning permission. We recognise that an unintended consequence of an increased fee may be increased unauthorised development. Local planning authorities have responsibility for taking whatever enforcement action may be necessary.

Taking into account the responses received, the proposed fee level of £528 is considered to be set at the right level for householder development for the enlargement, improvement or alteration of a single dwellinghouse. We consider that the existing fee of £258 remains appropriate for small-scale operations within the curtilage of a dwellinghouse, such as the construction of gates or fences. We intend to keep the existing fee exemptions and concessions, including those relating to domestic accommodation for disabled people.

The government intends to bring forward regulations to implement the increase of householder application fees at the earliest opportunity, subject to Parliamentary procedures. The increase in householder fees will provide local authorities with more income, which we would expect to result in an improved performance in the determination of these applications.

Proposed fee increase for other planning applications

Question 92 – Are there any applications for which the current fee is inadequate? Please explain your reasons and provide evidence on what you consider the correct fee should be.

Question 92 – response

A total of 704 respondents answered yes/no to this question. Of those, 452 (64%) considered that there are applications for which the current fee is inadequate and 252 (36%) did not.

Key points:

- Some respondents suggested that if householder application fees are increased substantially this would make other applications for potentially more significant proposals appear to be very low cost.
- Although limited evidence was provided, respondents commented that fees for prior approval applications and notifications, applications for variation or removal of conditions, applications for the approval of conditions, and application for post-permission changes such as non-material amendments were thought to be inadequate.
- For applications related to discharge of conditions, some suggested that the fee was too low or that there should be a fee per condition. Similarly, for applications relating to the removal or variation of condition, some respondents recommended that the fee should be charged as a proportion of the original application or there could be a scale of fees depending on the scale of development.
- A theme commonly raised by developers and other private sector organisations was the need for improvements in performance alongside any fee increases and the need for fees to be retained for use by the planning service.

Government response

See grouped response to questions 92 and 93.

Fees for applications where there is currently no charge

Question 93 – Are there any application types for which fees are not currently charged but which should require a fee? Please explain your reasons and provide evidence on what you consider the correct fee should be.

Question 93 – response

A total of 735 respondents answered yes/no to this question. Of those, 372 (51%) considered that there are applications for which a fee is not charged but which should require a fee. 363 (49%) did not agree.

Key points:

- Respondents frequently referenced Listed Building Consents, Tree Protection Orders, notifications regarding work to trees in Conservation Areas, and, demolition in Conservation Areas, as work areas where fees are not currently charged. Respondents also mentioned hedgerow removal notices and the review of old minerals permissions. .
- In relation to listed buildings some respondents were concerned about the costs to individuals that could adversely affect those on low incomes who own a listed building and some respondents cited the higher costs already required for work on listed buildings. There was concern over double charging where Listed Buildings Consent is sought alongside a planning application, while some respondents suggested changing the rules around Listed Building Consents such as removing or reducing the advertisement costs or excluding applications for repair work from a fee structure.
- For tree works in Conservation Areas, there was support for a fee but respondents noted that this is not currently an application but a notification process.
- Some respondents expressed concern that the introduction of new fees could encourage unauthorised work, and in the case of trees a greater likelihood that trees would be removed altogether rather than maintained.

Government response for Questions 92 and 93

We are grateful to all respondents who either provided evidence of costs or explained the rationale for considering that existing fees are or are not inadequate or where fees should be introduced for applications which are currently free.

The government intend to bring forward regulations to implement the increase of householder application fees at the earliest opportunity, subject to Parliamentary procedures. The charge for prior approvals notifications will also be increased at a similar rate to the increase for householder application fees. Through these regulations the government also intend to increase fees for applications to discharge conditions and to introduce a new banded fee structure for S73 applications to reflect different development types. The previous government consulted on this proposal in the consultation 'An Accelerated Planning System' in March 2024.

The government have announced their intention to take forward measures in the proposed Planning and Infrastructure Bill to introduce a power for local planning authorities to be able to set their own fees. As part of these proposals, we will conduct a comprehensive review of all national fees in order to establish a robust baseline for full cost recovery of fees and to inform a national default fee.

Localisation of planning application fees

Question 94 – Do you consider that each local planning authority should be able to set its own (non-profit making) planning application fee?

Please give your reasons in the text box below.

Question 94 – response

A total of 1,210 respondents answered yes or no to this question. Of those, 594 (49%) agreed with the proposal and 616 (51%) disagreed. 63% of local authorities supported the proposal to set their own planning fees.

Key points:

- Respondents recognised that if local planning authorities were able to set their own fees this would enable them to reflect their own local circumstances, and to respond to local issues, such as paying higher salaries in order to recruit and retain the right number and quality of planning officers, or being able to secure the right level of specialist advice. This should lead to an improved service.
- Others considered that a nationally set fee provided consistency across the country, and was fair, with the same fee being paid for the same service wherever the location of the development. If each local planning authority set their own fees, there would be variations across the country, and potentially between neighbouring authorities, which would create inconsistencies, lead to confusion and would seem unfair.
- Respondents flagged the volume of work for local planning authorities to go through the procedure of setting their own fees, which might be disproportionate for smaller authorities. Others stated detailed guidance would be needed on how fees should be set, although it was recognised that authorities set their own fees in other areas, such as building control. Some were concerned that local fee setting could result in challenges to the fees from applicants. Some respondents were concerned that local planning authorities may continually increase fees rather than seeking efficiencies; they may see increasing fees as a way to generate income, without justification; and some local authorities may use fees to deter development, whilst others may use it to attract development, creating competition between authorities.
- Comparisons were made with the fees for pre-application advice, which varied in levels and quality of service. There were expectations that higher fees should lead to improved performance. Some expressed a preference for a national fee, set at a level to ensure full cost recovery, while others thought that an alternative option would be to set regional fees. There were suggestions that there was a need for the fees to be indexed, so that they retained their value year on year.
- It was suggested that there could be limits to the ability of local authorities to set fees, such as having a cap, to prevent fees being set too high, or having a lower limit, to prevent one authority undercutting neighbouring authorities.
- A frequent theme was that planning fees should be ringfenced for spending within the planning service and should not be used to fund wider local authority services. Issues regarding the performance of statutory consultees were also raised.

Government response

See grouped response to questions 94 and 95.

Question 95 – What would be your preferred model for localisation of planning fees?

Full Localisation – Placing a mandatory duty on all local planning authorities to set their own fee / Local Variation – Maintain a nationally-set default fee and giving local planning authorities the option to set all or some fees locally / Neither / Don't Know

Please give your reasons in the text box below

Question 95 – response

A total of 1,169 respondents answered this question. 541 (46%) supported the local variation model and 174 (15%) supported the full localisation model. 355 (30%) supported neither model and 99 (8%) did not know.

Key points:

- Respondents considered the full localisation model as the most democratic option, which empowered local planning authorities, trusting them to manage their own affairs. Authorities already set fees for other services, for example building control, so they were used to fee-setting procedures. Being able to assess their own costs, and set fees to cover them, would enable the service to be self-funding. Concerns were raised that full localisation would be burdensome for local authorities, could lead to excessive fees and wouldn't encourage local authorities to be efficient.
- The local variation model was seen as fair, and a good balance between the consistency of national fees and the flexibility of full localisation of fees. It would be less burdensome than full localisation, with local planning authorities being able to choose whether or not they considered it appropriate to vary some or all of the nationally set planning fees. Some thought that there needed to be a cap or limits on any varied fees, although the fact of varying a national fee would prevent excessive fees being charged.
- Respondents assumed that with both models fees would increase. In return, it was considered that there needed to be improved performance, although some respondents recognised that this would not happen immediately because it would take time for local authorities to increase their resources and for this to impact performance.

- Other suggestions included having regional or county-wide fees and ensuring that the fees were ringfenced so that the income could only be spend on the planning service.

Government response to Questions 94 and 95

The government welcomes the considered views of respondents on the proposal to move from a national to a locally set planning fee system. These views will continue to inform the way forward. The government acknowledges the split in views on whether local planning authorities should be given the power to set their own planning fees. It recognises the concerns that respondents have, especially with regards to the potential future levels of fees. It considers that many of the concerns could be mitigated through the local variation model, which would maintain a national default fee, for which there was considerably more support than for the full localisation model.

The government intends to take forward measures in the proposed Planning and Infrastructure Bill to introduce a power for local planning authorities to be able to vary or set their own fees. The government intends to pursue a model that would enable local variation from a national default fee. In varying or setting their own fees, local authorities will not be able to be set fees above costs. The government will provide guidance on fee setting, including what costs can be recovered. Where local planning authorities set their own fees, or vary from a national fee, they will have to consult and publish their schedule of fees. The Secretary of State will have the power to intervene where it is considered fees are excessive or unjustified. The government will continue to monitor the performance of local planning authorities. These measures are all subject to Parliamentary procedures.

The detail of fee localisation will be set out in affirmative regulations and supported by guidance. We will also undertake a benchmarking exercise to establish a robust baseline for full cost recovery of fees and to inform a national default fee. We will consult further on the details of local fee setting model and the benchmarking of costs in due course.

Increasing fees to fund wider planning services

Question 96 – Do you consider that planning fees should be increased, beyond cost recovery, for planning applications services, to fund wider planning services?

If yes, please explain what you consider an appropriate increase would be and whether this should apply to all applications or, for example, just applications for major development?

Question 97 – What wider planning services, if any, other than planning applications (development management) services, do you consider could be paid for by planning fees?

Questions 96 and 97 – response

A total of 1,178 respondents answered yes/no to this question. Of those, 498 (42%) agreed planning fees should be increased, beyond cost recovery, for planning applications services, to fund wider planning services. 680 (58%) did not agree.

Key points:

- Respondents acknowledged that increased planning fees would provide more resources for local authorities. For some respondents, policy and plan-making activity was considered integral to the overall planning permission process and therefore should be included in the fee. This was particularly the case for large major applications.
- Respondents wanted to see increased funding targeted to policy and plan-making and enforcement and post application monitoring costs.
- Respondents suggested a wide range of other planning functions to be factored into planning fees, whether performed by local planning authorities, external consultants or statutory consultees or lead authorities, as well as proposals for a contribution towards appeal costs and legal fees for court cases.
- Some respondents considered that wider planning services represented a public service for public benefit and therefore should be funded by local or central government, rather than individual applications. Many respondents also expressed concern that paying for wider planning services would create excessively high fees that would deter development.

Government response to Questions 96 and 97

The government has carefully considered the range of responses to this question. Whilst acknowledging the views of respondents that local planning authorities are under-resourced, it is recognised that there is a risk that introducing higher planning fees to pay for wider planning services risks deterring development or making it less viable. Additionally, the argument that broader planning services benefit all stakeholders and should be considered a public service is noted.

The government intends to take forward measures through the Planning and Infrastructure Bill to enable local planning authorities to set their own fees to meet the costs of their planning service. This measure will support the resourcing of local planning authorities.

It is not proposed that planning fees are increased beyond cost-recovery of the planning applications (development management) service to fund wider planning services at this time. However, the government will continue to investigate ways to better resource other areas of planning, such as statutory consultees, to enhance the resilience of the planning system.

Cost recovery for local authorities related to NSIP

Question 98 – Do you consider that cost recovery for relevant services provided by local authorities in relation to applications for development consent orders under the Planning Act 2008, payable by applicants, should be introduced?

Question 99 – If yes, please explain any particular issues that the government may want to consider, in particular which local planning authorities should be able to recover costs and the relevant services which they should be able to recover costs for, and whether host authorities should be able to waive fees where planning performance agreements are made.

Questions 98 and 99 – response

- A total of 954 respondents answered Question 98, 695 (73%) supported the proposal, with 259 (27%) against.
- A total of 755 respondents answered Question 99.

Key points:

- Over a third of respondents commented that cost recovery should cover all relevant services provided, with a small number of respondents detailing specific services for which cost recovery could apply. Where respondents mentioned a national fee model or use of Planning Performance Agreements to recover costs, there was greater support for a national model for cost recovery. In addition, there was support for waiving standardised fees where a Planning Performance Agreement is agreed instead. A number of respondents also noted the importance of enabling neighbouring, as well as host authorities to recover costs although there was no strong indication of a preference for how this should be done.

Government response for Questions 98 & 99

The government therefore proposes to develop secondary legislation to enable cost recovery for relevant services provided by local authorities in relation to applications/ proposed applications for development consent under the Planning Act 2008. Fees would be payable by applicants. The government is grateful for the further information received through consultation about particular issues and will take these into account in developing its proposal.

Question 100 – What limitations, if any, should be set in regulations or through guidance in relation to local authorities' ability to recover costs?

Question 100 – response

- A total number of 680 respondents answered this question.

Key points:

- About half of respondents included support in their comment for local authorities being able to recover the full costs of their relevant services through charging fees, with a number of respondents stating they should cover the actual costs incurred. Some of these commented fees should be proportional to the work involved rather than a profit-earning service. Around a quarter highlighted the importance of local authorities being

able to clearly justify their fees, others encouraged fee levels to be set out in regulations.

- A small number of respondents commented on the need for accountability of local authorities in providing a service commensurate with the fact that applicants would be paying, which may mean an increased expectation or demand in the standard of the relevant services provided.

Government response

As the government considers proposals for cost recovery it will seek to ensure that the fees charged by local authorities are proportionate to costs of delivering the relevant services, while balancing this against the potential impact on applicants. The government will also seek to ensure that there is accountability of local authorities in delivering the service applicants will pay for.

Question 101 – Please provide any further information on the impacts of full or partial cost recovery are likely to be for local planning authorities and applicants. We would particularly welcome evidence of the costs associated with work undertaken by local authorities in relation to applications for development consent.

Question 101 – response

A total of 585 respondents answered this question.

Key points:

- More than half of respondents considered that full or partial cost recovery would support local planning authorities to participate in the planning process for development consent orders. A small number of respondents noted potential impacts on applicants depending on the level of fees. Some respondents commented that Planning Performance Agreements could play a role while others considered the uncertainty and inconsistency with Planning Performance Agreements on a case-by-case basis was a problem.

- Key comments included the lack of resource available in local authorities to participate, which cost recovery could support them in securing. Other comments noted the potential challenge around engaging local authorities with an in-principle objection to a scheme and the need for clearly defined levels of service that would be provided.
- A number of respondents provided evidence of the impacts of cost recovery. This included evidence of the level of costs, and evidence associated with the types of services that are provided by local authorities to applicants for development consent. This evidence showed that costs varied, with one local authority response highlighted their costs to date of engaging in the development consent process of around £1.3-1.4 million, others noting staff costs around £100,000-£250,000.
- There was also recognition of the benefits of authorities working jointly. Responses provided information that some authorities recover costs through Planning Performance Agreements which can cost applicants varying amounts (£10,000-£1 million, £100/hr was highlighted as an example for engagement charged through Planning Performance Agreements), while some neighbouring authorities without Planning Performance Agreements cannot fund engagement. Responses noted the variety of activities, and areas of expertise, required from across local authorities that contributes to these costs.

Government response

The government will consider the responses and data received in developing an evidence base to determine an appropriate fee or fee range for local authorities, with the ability to recover costs set in legislation. The government will update guidance to accompany new legislation to provide clarity about the ability for local authorities to engage without prejudice to any final position and promote joint working to provide effective economies of scale where appropriate.

Question 102 – Do you have any other suggestions relating to the proposals in this chapter?

Question 102 – response

A total of 429 respondents answered this question.

Key points:

- In response to this question, wider issues were raised such as funding for enforcement, charges for appeals, funding issues for statutory consultees and changes to the pre-application process. Respondents who answered this question also included responses to the other questions in this chapter.

Government response

The government asked if there were other suggestions relating to the proposals set out in Chapter 11 of the consultation about planning application and Nationally Significant Infrastructure Project fees. We are grateful for the wide range of comments that were received, relating to how planning application fee income is used, how fees can support resourcing of the planning system and the advantages and disadvantages associated with different fee levels and structures. This feedback is valuable in continuing to develop policies to ensure the fee regime supports the performance of local planning authorities.

12. The future of planning policy and plan making

Transitional arrangements for emerging plans in preparation

Question 103 – Do you agree with the proposed transitional arrangements? Are there any alternatives you think we should consider?

Question 104 – Do you agree with the proposed transitional arrangements?

Question 103 and 104 – response

- A total of 957 respondents answered question 103. Of those, 461 (48%) agreed with the proposal, 496 (52%) did not agree.
- A total of 835 respondents answered question 104. Of those 457 (55%) agreed with the proposal, 378 (45%) did not agree.

Key points:

- There was strong support from public sector organisations and interest groups/voluntary organisations for emerging plans to be allowed to continue to adoption without additional work being undertaken to bring them in line with the revised National Planning Policy Framework.
- Developers and other private sector organisations considered that to achieve the government's ambitions for housing, all plans should be considered against the revised National Planning Policy Framework/ new local housing need on publication of the National Planning Policy Framework or that the timescale covered by the different transitional provisions should be as short as possible.
- A key concern from individuals and public sector organisations was about the need for plan protections to ensure that recently adopted plans did not fall within the presumption in favour of sustainable development.
- A key concern from developers and other private sector organisations was the risk of authorities fast-tracking plans to submission to avoid the need to plan for increased numbers for a number of years. It was considered that government should make it a requirement for a plan to be reviewed within a specific timescale.
- A strong recurring concern across all categories of respondents was the 200dpa threshold. A percentage figure was considered more appropriate and fairer to authorities with different housing needs.
- A further recurring theme, predominantly from local authorities, was that implementing the transitional arrangements one month after publication of the National Planning Policy Framework did not provide sufficient notice, with 3 months being preferable.
- Some London local authorities shared concerns around the implementation of the transitional arrangements under the existing Spatial Development Strategy (the London Plan).
- All categories of respondents supported funding for authorities to undertake additional work to deliver increased housing numbers.
- Some respondents also called for transitional arrangements for neighbourhood plans.

Government response

The government's proposed transitional arrangement for local plans seek to maintain the progress of plans at more advanced stages of preparation, while maximising proactive planning for the homes our communities need.

The government has considered the range of responses to the consultation and wider sector engagement and has concluded that further changes should be made to the transitional elements in light of those. The changes have sought to balance the views of those respondents who considered that the new National Planning Policy Framework should take effect immediately and those who considered the transitional arrangements should be more lenient and allow local authorities more time to get plans in place.

We had considered a 200 dwellings per annum threshold struck the right balance between allowing plans to continue or requiring them to be reworked to meet the government's housing aspirations. However, given the strength of support for a percentage-based threshold we have decided to take this forward, to enable a more nuanced and locally specific application of the threshold. In order to strike a similar balance to the previous 200dpa threshold in terms of which plans continue and which need to be revised we have decided that for plans at Regulation 19, if the draft housing requirement meets less than 80% of local housing need, authorities will be required to update their plan to reflect the revised local housing need figure and the revised National Planning Policy Framework prior to submission. For authorities with plans at examination, where the draft housing requirement meets less than 80% of local housing need the authority will be expected to begin a plan in the new plan-making system as soon as it is brought into force in 2025.

We will also make some changes to the proposed timings. Firstly, the changes to the National Planning Policy Framework for plan-making will take effect 3 months after the National Planning Policy Framework is published, with the exceptions as set out in the transitional arrangements. This is because there was a strong view from some consultees that one month did not allow local authorities sufficient time to respond to the changes. In addition, where plans at reg 19 need to be revised to account for the revised National Planning Policy Framework and local housing need, the expectation for plans to be submitted in 18 months will be extended to December 2026 where LPAs have to do significant additional work (defined as returning to the regulation 18 consultation). All earlier stage plans progressing under this version of the National Planning Policy Framework will be expected to be submitted for examination under the existing 2004 Act system no later than December 2026.

Worked examples of these points are set out below:

Worked example 1

Local plan reaches Regulation 19 stage in January 2025

Local plan emerging annual housing requirement (**a**): 500 dwellings

Local housing need figure (**b**): 700 dwellings

$$a/b = 500/700 = 0.71 = 71\%$$

The draft housing requirement is **less than 80%** of the local housing need figure and so the planning authority should:

- apply this (2024) version of the National Planning Policy Framework; and
- proceed to examination within a maximum of 18 months from 12 December 2024, or 24 months if the plan has to return to Regulation 18 stage.

Worked example 2

Local plan reached Regulation 19 stage in October 2024

Local plan emerging annual housing requirement (**a**): 750 dwellings

Local housing need figure (**b**): 900 dwellings

$$a/b = 750/900 = 0.83 = 83\%$$

The draft housing requirement is **at least 80%** of the local housing need figure and so the planning authority should:

- apply the relevant previous version of the National Planning Policy Framework.

Worked example 3

Local plan submitted for examination in February 2025

Local plan emerging annual housing requirement (**a**): 400 dwellings

Local housing need figure (**b**): 600 dwellings

$$a/b = 400/600 = 0.67 = 67\%$$

As the local plan has already been submitted for examination, it should be examined under the relevant previous version of the National Planning Policy Framework.

The annual housing requirement in the local plan once it is adopted will be **less than 80%** of the local housing need figure, and so the planning authority should:

- begin a plan in the new plan-making system as soon as it is brought into force to address the shortfall in housing need.

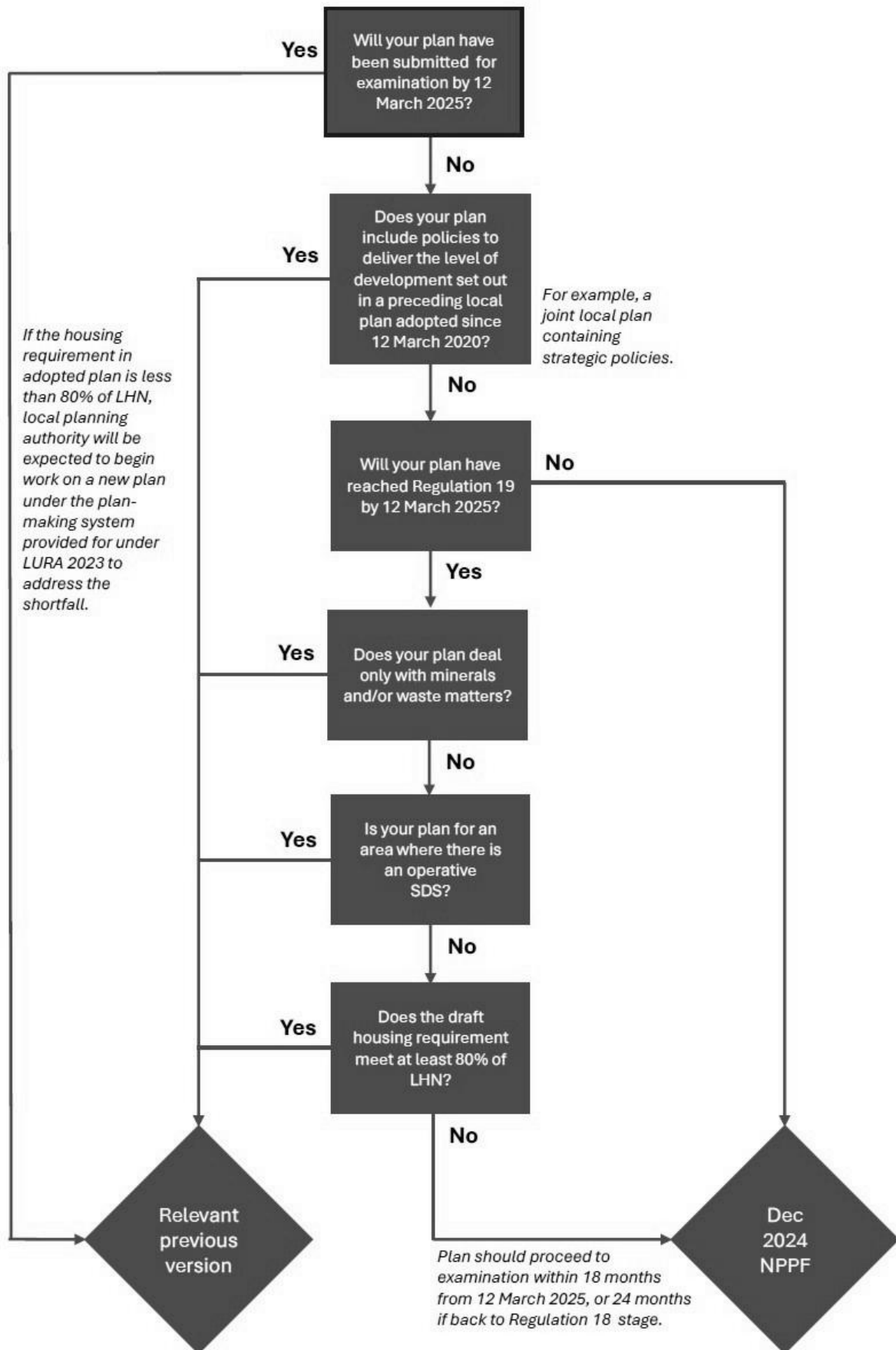
To ensure that local authorities are supported to implement the changes in the National Planning Policy Framework, the government has announced funding to support local plan delivery. This will provide a direct financial contribution to local authorities that are at an advanced stage of the local plan making process (Regulation 19 stage), and that will need to revise their draft plans to accommodate the increase in their Local Housing Need figures as a result of changes in the revised National Planning Policy Framework. Local authorities that meet our eligibility criteria will be able to submit an Expression of Interest (EoI) to receive a share of this funding.

We also recognise that emerging neighbourhood plans may need to be amended to take account of the revised National Planning Policy Framework. To help limit any disruption to neighbourhood plans at an advanced stage, we will set out that neighbourhood plans which have been submitted for examination by the National Planning Policy Framework implementation date will be examined against the current version of the National Planning Policy Framework. Neighbourhood plans submitted after this date will be examined against the revised version of the National Planning Policy Framework.

A number of other technical drafting changes have also been made to improve clarity, including confirmation that Spatial Development Strategies will continue to provide housing requirements for relevant emerging local plans. In response to comments made over Part 1 and Part 2 plans we have amended the text to provide clarification that plans brought forward to implement policies to deliver housing and other development set out in a preceding plan, (for example a joint local plan containing strategic policies) will not be required to be updated to reflect the policies in this Framework. The intention behind this is to allow plans that have been brought forward subsequent to strategic plan policies to continue to be prepared under the same Framework.

The government remains committed to its ambition of achieving universal plan coverage and boosting housing supply. Making these changes strikes the right balance between allowing authorities a reasonable period of time to respond to the changes whilst increasing housing numbers as soon as possible.

Transitional arrangements for local plans flow chart



To minimise disruption and ensure that communities can benefit as soon as possible from up-to-date plans and new protections from speculative development, we have set out new transitional arrangements at Annex 1 of the National Planning Policy Framework.

Future changes to the National Planning Policy Framework

Question 105 – Do you have any other suggestions relating to the proposals in this chapter?

Question 105 – response

A total of 706 respondents answered to this question.

Key points:

- Respondents frequently mentioned adequate infrastructure, made reference to future policy changes including National Development Management Policies, and commented on transitional arrangement and the use of evidence. Others mentioned policy related to waste, minerals and character as well as adequate funding for local authorities.

Government response

The government acknowledges the range of topics covered by respondents answering this question. The government is committed to developing a truly plan-led system with a policy framework that is accessible and understandable to all, to that end we intend to consult on future policy changes, including a set of national policies for decision making in Spring 2025.

As set out throughout this document, there are also further changes we intend to make outside the National Planning Policy Framework. Notably, publishing Green Belt planning practice guidance to ensure a more consistent approach to assessing Green Belt land, taking further steps to increase build out rates on housing sites, publishing further planning practice guidance to clarify the role of Local Nature Recovery Strategies, reviewing the Viability Guidance and undertaking a review of the Planning Policy for Traveller Sites.

13. Public Sector Equality Duty

Question 106 – Do you have any views on the impacts of the above proposals for you, or the group or business you represent and on anyone with a relevant protected characteristic? If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how. Is there anything that could be done to mitigate any impact identified?

Question 106 – response

A total of 610 respondents provided substantive answers to this question.

Key points:

- Many respondents stated that the proposed changes to local housing need and Green Belt policy will be detrimental to rural communities and the countryside due to increasing urban sprawl (risking distinct villages joining each other or being subsumed into towns), a reduction in green space and a reduction in agricultural land.
- Respondents also mentioned that the provision of infrastructure and public services has lagged behind previous development, putting more pressure on existing provision. Similarly, some respondents mentioned that infrastructure, particularly roads and public transport could be put under more pressure, and this might negatively impact elderly people especially.
- Some respondents, believed that the proposals would lead to more speculative development and therefore benefit developers, especially large ones, at the expense of local authorities and communities. Some councils also noted that there would be an impact on their own work and that more resources were needed for them to deliver the revised objectives.
- Some respondents stated that there may be a negative impact on Gypsy, Roma and Traveller people, particularly in relation to the proposals about the Green Belt and therefore there needed to be a fair and consistent approach to these groups.
- Finally, some respondents, expressed how the changes made no provisions to increase accessibility for elderly and disabled people and that this should be considered earlier in the planning process, rather than just through building regulations. Further, some respondents mentioned that changes would increase the complexity of the National Planning Policy Framework which would make it harder for elderly and disabled people to engage with the planning process, particularly through online and digital methods.

Government response

The government has considered the impacts of the proposals in this consultation and an equality impact assessment will be published on GOV.UK.

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1. [Housing affordability in England and Wales - Office for National Statistics](https://www.ons.gov.uk/peoplepopulationandcommunity/housing/bulletins/housingaffordabilityinenglandandwales/2023)
(<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/bulletins/housingaffordabilityinenglandandwales/2023>)
 2. [Private rental affordability, England and Wales - Office for National Statistics](https://www.ons.gov.uk/peoplepopulationandcommunity/housing/bulletins/private-rentalaffordabilityengland/2023)
(<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/bulletins/private-rentalaffordabilityengland/2023>)
 3. [Invest 2035: the UK's modern industrial strategy - GOV.UK](https://www.gov.uk/government/consultations/invest-2035-the-uks-modern-industrial-strategy/invest-2035-the-uks-modern-industrial-strategy)
(<https://www.gov.uk/government/consultations/invest-2035-the-uks-modern-industrial-strategy/invest-2035-the-uks-modern-industrial-strategy>)
 4. [Securing developer contributions for education](https://assets.publishing.service.gov.uk/media/64d0f70d7a5708001314485f/Securing_Developer_Contributions_for_Education.pdf)
(https://assets.publishing.service.gov.uk/media/64d0f70d7a5708001314485f/Securing_Developer_Contributions_for_Education.pdf)
 5. [Estimating pupil yield from housing development](https://assets.publishing.service.gov.uk/media/64d0f71be5491a00134b5940/Estimating_Pupil_Yield_from_Housing_Development.pdf)
(https://assets.publishing.service.gov.uk/media/64d0f71be5491a00134b5940/Estimating_Pupil_Yield_from_Housing_Development.pdf)
 6. [Establishing school-based nursery provision - GOV.UK](https://www.gov.uk/government/publications/establishing-school-based-nursery-provision/establishing-school-based-nursery-provision)
(<https://www.gov.uk/government/publications/establishing-school-based-nursery-provision/establishing-school-based-nursery-provision>)
 7. [Plan-making - GOV.UK](https://www.gov.uk/guidance/plan-making) (<https://www.gov.uk/guidance/plan-making>)

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