



## Notice of a public meeting of

### Decision Session - Executive Member for Housing, Planning and Safer Communities

**To:** Councillor Pavlovic

**Date:** Monday, 23 September 2024

**Time:** 3.00 pm

**Venue:** West Offices - Station Rise, York YO1 6GA

## AGENDA

### **Notice to Members – Post Decision Calling In:**

Members are reminded that, should they wish to call in any item\* on this agenda, notice must be given to Democratic Services by **4:00 pm on Monday 30 September 2024**.

\*With the exception of matters that have been the subject of a previous call in, require Full Council approval or are urgent, which are not subject to the call-in provisions. Any called in items will be considered by the Corporate Services, Climate Change and Scrutiny Management Committee.

- 1. Declarations of Interest** (Pages 1 - 2)  
At this point in the meeting, the Executive Member is asked to declare any disclosable pecuniary interest, or other registerable interest, they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

*[Please see attached sheet for further guidance for Members].*

2. **Minutes** (Pages 3 - 4)  
To approve and sign the minutes of the Decision Session held on **Thursday, 18 July 2024.**

3. **Public Participation**

At this point in the meeting members of the public who have registered to speak can do so. Members of the public may speak on agenda items or on matters within the remit of the Committee.

**Please note that our registration deadlines are set as 2 working days before the meeting, in order to facilitate the management of public participation at our meetings.** The deadline for registering at this meeting is **5:00pm on Thursday, 19 September 2024.**

To register to speak please visit [www.york.gov.uk/AttendCouncilMeetings](http://www.york.gov.uk/AttendCouncilMeetings) to fill in an online registration form. If you have any questions about the registration form or the meeting, please contact Democratic Services. Contact details can be found at the foot of this agenda.

### **Webcasting of Public Meetings**

Please note that, subject to available resources, this meeting will be webcast including any registered public speakers who have given their permission. The meeting can be viewed live and on demand at [www.york.gov.uk/webcasts](http://www.york.gov.uk/webcasts).

4. **Response to consultation on the National Planning Policy Framework** (Pages 5 - 72)

City of York Council is a Local Planning Authority and has responsibility for planning within the authority area. The Government are consulting on reforms of the National Planning Policy Framework, which sets the overarching planning framework for plan-making and decision-making. Although a consultation at this stage, should the proposals be implemented

there would be implications for planning in York.

This report sets out the key matters outlined in the consultation for consideration and discussion with members of the Local Plan Working Group to inform the Council's response to the consultation.

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## 5. Urgent Business

Any other business which the Executive Member considers urgent under the Local Government Act 1972.

### Alternative formats

If you require this document in an alternative language or format (e.g. large print, braille, Audio, BSL or Easy Read) you can:



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Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (ہولی) میں بھی مہیا کی جاسکتی ہیں۔ (Urdu)

For more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats

Contact details are set out above.

### Declarations of Interest – guidance for Members

- (1) Members must consider their interests, and act according to the following:

| Type of Interest  | You must   |
|---|--|
| Disclosable Pecuniary Interests   | Disclose the interest, not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.   |
| Other Registrable Interests (Directly Related)<br><b>OR</b><br>Non-Registrable Interests (Directly Related) | Disclose the interest; speak on the item <u>only if</u> the public are also allowed to speak, but otherwise not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.  |
| Other Registrable Interests (Affects)<br><b>OR</b><br>Non-Registrable Interests (Affects)                   | Disclose the interest; remain in the meeting, participate and vote <u>unless</u> the matter affects the financial interest or well-being:<br>(a) to a greater extent than it affects the financial interest or well-being of a majority of inhabitants of the affected ward; and<br>(b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.<br>In which case, speak on the item <u>only if</u> the public are also allowed to speak, but otherwise do not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation. |

- (2) Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.
- (3) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations,

and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.

City of York Council

Committee Minutes

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|------------------------|--|
| Meeting                | Decision Session - Executive Member for Housing, Planning and Safer Communities  |
| Date                   | 18 July 2024   |
| Present                | Councillor Pavlovic (Executive Member)   |
| Officers in Attendance | Becky Eades - Head of Planning and Development Services<br>Mark Baldry - Principal Development Projects Officer<br>Pauline Stuchfield - Director of Housing and Communities<br>Anthony Dean - Healthy and Sustainable Homes Manager<br>Michael Jones - Head of Housing Delivery and Asset Management |

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### **1. Declarations of Interest (3:33pm)**

The Executive Member was asked to declare, at this point in the meeting, any disclosable pecuniary interests, or other registerable interests he might have in the respect of business on the agenda, if he had not already done so in advance on the Register of Interests. None were declared.

### **2. Minutes (3:33pm)**

Resolved: That the minutes of the previous meeting held on 28 February 2024 be approved and then signed as a correct record by the Executive Member.

### **3. Public Participation (3:33pm)**

It was reported that there had been one registration to speak at the meeting under the Council's Public Participation Scheme; there was also one written representation

The Head of Planning and Development Services read written representation from Cllr Mark Warters on Item 16, in support of the release of s106 funding for Osbaldwick Sports Club.

Keith Cartledge spoke on item 16, representing Osbaldwick Sports Club and supporting the release of s106 funding. He contextualised why this was important to the club.

#### **4. E-petition - Releasing Section 106 Funds to Osbaldwick Sports Club (3:41pm)**

The Executive Member considered a report presented by the Head of Planning and Development and Principal Development Projects Officer.

Officers explained that the purpose of the report was to provide the Executive Member with information and a response to an e-petition the Council received in respect of Section 106 (s106) Agreements, specifically in relation to Osbaldwick Sports Club and planning obligations.

Officers explained that the petition received by the council requested the release of £10,986 s106 funds to the Sports Club from local developments (Derwenthorpe and Burnholme). It also requested further allocation, for the Sports Club, from the potentially available £45,000 from the Burnholme housing scheme from the Derwenthorpe Phase Five s106 agreement.

In response to questions from the Executive Member, officers explained the funding release process and provided the following additional information:

- As part of the s106 agreement, certain triggers must be met in order that funds be released; usually with housing developments, this relates to occupation and in this specific instance the £10,986 would be released on first occupation of the Derwenthorpe development.
- At the time of the Decision Session, the developer was at the construction stage of the process, and there had been one sale. Assuming this sale was progressed without issue to occupancy, at that point the trigger would be met.
- The perceived delay in releasing s106 funds was due to the first batch of houses needing to be built and sold; this had now been achieved, but funding was still subject to first occupation.
- From a legal standpoint, there was no reasonable basis for the Local Authority to request that the developer release any funds prior to the trigger being met.

In respect of the e-petition, there was no legal basis for the council to justifiably request money in advance of occupancy. There is no lack of willingness to give Osbaldwick Sports Club the money.



Resolved: The Executive Member noted the contents of the report within the context of responding to queries that have been raised within the e-petition that was received.

Reason: To ensure that the Executive was made aware of the current position in respect of the queries raised within the received e-petition and the wider context to planning obligations.

#### **5. Leveraging more retrofit investment into York - Energy Company Obligation Wave 4 and Great British Insulation Scheme LA Flex Arrangement (3:52pm)**

The Executive Member considered a report presented by the Director of Housing and Communities, Head of Housing Delivery and Asset Management and the Healthy and Sustainable Homes Manager.

Officers explained the report's aims to improve the offering that the council gave residents and homeowners by:

- Improving their properties
- Maximising their available finances
- Improving energy efficiency measures
- Helping save money on fuel bills
- Reducing carbon emissions
- Contributing towards the council's ambition for York to be a net zero and climate ready city by 2030

They went on to explain that the proposals sought approval for the formation of a partnership with a company called Agility ECO to deliver something called the Energy Company Obligation for Flex, more commonly known as ECO4 funding scheme, an opt-in government funded scheme enabling Local Authorities to access funds to tackle fuel poverty for those on the lower end of the fuel spectrum or with disabilities, offering more to residents at no cost to the council.

In response to questions from the Executive Member, officers provided the following additional information:

- The scheme would principally impact privately owned and rented properties, but there a whole range of qualifying criteria such as income and health which may make people eligible for grant funding through the ECO4 scheme.
- Qualifying groups of individuals would be informed via the Statement of Intent, the council's website, a publicity press release and planned events, all of which would create publicity and awareness. Information could also be circulated in the free Local Link magazine.

Resolved: That Option 1 set out in paragraph 27 of the report be approved, incorporating all four recommendations outlined in paragraph 14, to approve the proposed Statement of Intent for publication, support the creation of a partnership with Agility ECO.

Reason: This provided the most comprehensive response to the ambitions to improve the energy efficiency of homes in the city, which will maximise the reduction in carbon emissions and maximise the benefits for residents through warmer homes which are more energy efficient and more affordable to heat.

Cllr Michael Pavlovic, Executive Member  
[The meeting started at 3.32 pm and finished at 4.03 pm].



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|----------------------|--|
| <b>Meeting:</b>      | Executive Member for Housing, Planning and Safer Neighbourhoods Decision Session   |
| <b>Meeting date:</b> | 23/09/2024   |
| <b>Report of:</b>    | Claire Foale, Interim Director for City Development                                |
| <b>Portfolio of:</b> | Cllr. M Pavlovic, Executive member for Housing, Planning and Safer Neighbourhoods. |

## **Decision Report: Proposed reforms to the National Planning Policy Framework Consultation**

### **Subject of Report**

1. City of York Council is a Local Planning Authority and has responsibility for planning within the authority area. The Government are consulting on reforms of the National Planning Policy Framework, which sets the overarching planning framework for plan-making and decision-making. Although a consultation at this stage, should the proposals be implemented there would be implications for planning in York.
2. This report sets out the key matters outlined in the consultation for consideration and discussion with members of the Local Plan Working Group to inform the Council's response to the consultation.

### **Benefits and Challenges**

3. This national consultation on proposed reforms to the National Planning Policy Framework (NPPF) is open to responses until 24 September 2024. This approach allows all interested parties to submit a response to inform the national approach to planning.
4. The outcomes of this consultation, including the proposed housing numbers, are subject to change following the Government's

consideration of all consultation responses received. However, the Government are keen to enact changes quickly to align the framework with their manifesto objectives; it is therefore anticipated that changes will be enacted by the end of 2024.

5. There a number of other challenges associated with consultation and implementation of a reformed planning framework:
6. The timing of the revised NPPF and other proposed changes in relation to the adoption of York's emerging new Local Plan, currently in the final stages of independent Examination. The transitional arrangements set out for implementing policy changes and when these take effect will be an important consideration for planning across both plan-making and decision-taking. Currently, proposed transitional arrangements are clear that the Council will be able to continue to progress positively with the ongoing Examination of the Local Plan, and subject to any issues identified through this process, will be able to move to adopt the Local Plan;
  - i) The documentation released includes a tracked change version of NPPF text. However, it is anticipated that further text modifications may be enacted to align with questions asked and their answers, where wording is not currently suggested. These further changes and whether they are to be consulted on is unknown.
  - ii) The changes may have significant resourcing impacts on planning policy and development services in York should they be implemented. Whilst the government have committed to the provision of more planning officers, the funding and the scope of this on service areas will need to be considered in further detail to inform service planning, when known.
7. There remains a commitment from Government to implement further planning reforms aligned to the Levelling Up and Regeneration Act (2023) regarding examination of Local Plans, supplementary planning documents and environmental assessment for example. We await the detail of this, including the relevant timescales for implementation and how this will dovetail with updates in the NPPF.
8. Providing a Council response to the consultation is to help the government understand the impact the proposed policy changes might have on planning and development services in York together

with the impact on the emerging new Local Plan which remains in examination.

## Policy Basis for Decision

9. The National Planning Policy Framework sets out the government's planning policies for England and how these are expected to be applied. This is the principal guidance for planning authorities in planning for future development and decision-making. It is supported by a suite of [Planning Practice Guidance](#)<sup>1</sup>, which adds further details to the requirements set out therein. It is also supported by the delivery of other development plan documents, such as Neighbourhood Plans, which have their own legislative requirements.
10. The National Planning Policy Framework was revised in response to the [Levelling-up and Regeneration Bill: reforms to national planning policy consultation](#) on 19 December 2023; this was the fifth update since it was first introduced in 2012.
11. The Government has made clear that sustained economic growth is the only route to improving the prosperity of our country and the living standards of working people. Their approach to delivering this growth focuses on three pillars: stability, investment and reform. The Chancellor's speech on 8 July committed to consulting on reforms to the NPPF to take a different, growth-focused approach and this consultation seeks views on their proposed approach to revising the National Planning Policy Framework in order to achieve sustainable growth in the planning system. They consider that this will help to deliver their economic ambitions and their overall housing target of 1.5 million new homes.
12. The contents of this consultation supports the Council Plan and 10 year strategies where delivery is reliant on plan making and decision-taking as part of delivery. This is particularly relevant for the Economic and Climate Change Strategies.
13. It also relates to all of the administration's key manifesto pledges regarding Affordability, Environment, Equalities and Human Rights, and Health Inequalities in so far as the consultation is consulting on all aspects of the NPPF, which covers these policy areas in varying degrees of detail. The significance of this will be

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<sup>1</sup> <https://www.gov.uk/government/collections/planning-practice-guidance>

determined by the enacted changes resulting from this consultation.

## **Financial Strategy Implications**

14. There are no financial implications as result of considering or responding to this consultation.
15. Subject to the implementation of the revised NPPF following the consultation, there may be financial implications on York Council planning services. Work to scope the impact of a revised NPPF following the outcomes of this consultation will be considered in due course when these are understood.

## **Recommendation and Reasons**

16. Recommendations for the Executive Member are:
  - i. To note the discussion and recommendations arising from Local Plan Working Group;
  - ii. To agree to submit a comprehensive response to the consultation (Annex A);
  - iii. To delegate authority to the Director for City Development, in conjunction with the Executive Member for Housing, Planning and Safer Neighbourhoods, for any changes and approval the final response for submission.

Reason: To allow a Council response to the Government's consultation on Proposed Modifications to the National Planning Policy Framework by the deadline of 24 September 2024.

## **Background**

17. The Government are seeking views on a reformed approach to the planning system. This consultation seeks to modify the National Planning Policy Framework to achieve sustainable growth in our planning system. They are also seeking views on a series of wider policy proposals in relation to increasing planning fees, local plan intervention criteria and appropriate thresholds for certain Nationally Significant Infrastructure Projects. This aligns with their drive for sustained economic growth and are stated to be vital to delivering the Government's commitment to achieve economic growth and build 1.5 million new homes.

18. The proposed changes to the NPPF fall within several topic areas, which are detailed below. In summary, these are:
- Reverse other changes to the NPPF made in December 2023 which are considered to be detrimental to housing supply. This includes the reintroduction of mandatory standard method for assessing housing need to ensure local plans are ambitious enough to support the Government's manifesto commitment of 1.5 million new homes during this Parliament;
  - Broaden the existing definition of brownfield land, setting a strengthened expectation that applications on brownfield land will be approved and that plans should promote an uplift in density in urban areas;
  - Identify grey belt land within the Green Belt, to be brought forward into the planning system through both plan and decision-making to meet development needs;
  - Improve the operation of 'the presumption' in favour of sustainable development, including safeguards to make sure its application cannot justify poor quality development;
  - Deliver affordable, well-designed homes, with new "golden rules" for land released in the Green Belt to ensure it delivers in the public interest;
  - Ensure that local planning authorities are able to prioritise the types of affordable homes their communities need;
  - Support economic growth in key sectors, aligned with the Government's industrial strategy and future local growth plans
  - Deliver community needs to support society and the creation of healthy places.
  - Support clean energy and the environment, including through support for onshore wind and renewables.
19. It should be noted that the consultation does not cover revisions to the Neighbourhood Planning process.

### **Assessing housing needs**

20. The Ministerial Statement<sup>2</sup> and proposed modifications seek to reverse changes to the NPPF made in December 2023 regarding housing land supply. This means that mandatory housing targets are reintroduced and that there remains necessary a need to show a 5 year housing supply (as opposed to a 4 years supply in specific circumstances).
21. The standard method for assessing the level of local housing need was originally introduced in 2018 and uses a formula to identify the minimum number of homes expected to be planned for based on household projections (produced by the Office for National Statistics), which are then adjusted to take account of affordability.
22. The current standard method housing need for York based on the existing formula equates to **1020 net additional homes per year**.
23. This consultation proposes a new standard method that uses a baseline set at a percentage of existing housing stock levels and using a stronger affordability multiplier. The result of this new standard method would result in the requirement for **1251 net additional homes per year** (see Annex B for a breakdown of this calculation).
24. This compared to the new Local Plan, currently in Examination, wherein policy requires at least **822 net additional homes per year** over the Plan period.
25. The proposed new standard method for housing results in an **increased housing requirement of 429 net additional homes** compared to the Local Plan requirement of 822 homes, or an **increase of 52.19%**.
26. In the context of the new Local Plan, it should be noted that planned delivery of our site allocations will currently result in an oversupply of housing against our average housing target given we have identified strategic sites which will continue to deliver post plan period. This may lessen the overall uplift required to be implemented.
27. Additionally, the requirement for a 5% buffer to be added to 5 year housing land supply (YHLS) is required for plan-making and decision-taking. This rises to 20% should an authority not meet

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<sup>2</sup> Made by Angela Raynor, Deputy Prime Minister, on 30 July 2024:  
<https://www.gov.uk/government/speeches/deputy-prime-minister-on-changes-to-national-planning-policy>;



75% of its requirement as demonstrated in the Housing Delivery Test. For York, currently, a 20% buffer would be required **raising the annual target to 1501 dwellings.**

28. The proposals also remove the ability to 'fix' the 5 YHLS for a year through the release of an annual position statement. The implication being that authorities' will need to continually demonstrate a 5 YHLS of specific, deliverable sites for housing.
29. Additionally, the proposals seek to remove the wording on past oversupply in paragraph 77, which was introduced to set out that previous over-supply could be set against upcoming supply. Given the chronic need for housing the government consider that strong delivery records should be celebrated without diluting future ambitions.

### **Brownfield land, grey belt and the Green Belt**

30. The revisions to the NPPF will require a local planning authority undertakes a Green Belt review where they cannot meet their identified housing, commercial or other need without altering Green Belt boundaries.
31. A sequential approach is proposed to the release of Green Belt land for development. This starts with the consideration of Previously Developed Land (PDL) and to assist in this para.154 of the NPPF is to be amended to allow for the redevelopment of PDL with the only restriction being that it should not cause substantial harm to the openness of the Green Belt. The consultation further asks whether the definition of PDL in the glossary of the NPPF should be revised to include hardstanding and glasshouses.
32. Following the consideration of PDL in the Green Belt, attention would turn to land defined as grey belt. The proposed definition of grey belt<sup>3</sup> is:

*'For the purposes of Plan-making and decision-making, grey belt is defined as land in the Green Belt **comprising Previously Developed Land and any other parcels and/or areas of Green Belt land that make a limited contribution to the five Green Belt purposes** (as defined in para 140 of this Framework) but excluding those areas or assets of particular importance listed in*

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<sup>3</sup> See [Proposed reforms to the National Planning Policy Framework and other changes to the planning system - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system), Chapter 5, para 9

*footnote 7 of this Framework (other than land designated as Green Belt).'*

33. The consultation goes on to explain that land which makes a limited contribution to Green Belt purposes will:
  - a) Not strongly perform against any Green Belt purpose; and
  - b) Have at least one of the following features:
    - i. Land containing substantial built development or which is fully enclosed by built form
    - ii. Land which makes no or very little contribution to preventing neighbouring towns from merging into one another
    - iii. Land which is dominated by urban land uses, including physical developments
34. Land which contributes little to preserving the setting and special character of historic towns
35. Finally, once PDL and grey belt land have been considered, higher performing Green Belt sites, where these can be made sustainable, should be assessed.
36. The aim of the approach is to ensure that low quality Green Belt is identified first, while not restricting development of specific opportunities which could be made more sustainable. While it is made clear that local planning authorities should meet their development needs in full, the release of land should not be supported where doing so would fundamentally undermine the function of the Green Belt across the area of the plan.
37. While it is intended that Green Belt release takes place through the plan making process, the consultation recognises this will take time. In the short term, to support housing delivery, changes are proposed to support the release of Green Belt land through development management. This is detailed in a new paragraph 152 which identifies that housing and other development in the Green Belt is not inappropriate where it utilises grey belt in sustainable locations; and the authority cannot demonstrate a five year housing land supply, or failed the housing delivery test over the previous 3 years, or where there was a demonstrable need for land to be released for development of local, regional or national importance.

38. Where land is released from the Green Belt, either as PDL, grey belt or Green Belt, then development will have to comply with the golden rules as set out in new paragraph 155. These apply only to major development and require that:
- Housing schemes provide at least 50% affordable housing with an appropriate proportion being Social Rent, and subject to viability;
  - Necessary improvements to local or national infrastructure are made; and
  - The provision of new, or improvements to existing, local green spaces that are accessible to the public.
39. Implications for York of this approach include reviewing the entirety of the York Green Belt to evaluate it based on the proposed sequential approach criteria. Our response highlights this and the importance of transitional arrangements for authorities who have recently set their Green Belt boundaries to provide a degree of permanence (as expected through our emerging Local Plan for primarily the purpose of '*preserving the setting and special character of historic towns*'). It is suggested that these transitional arrangements should be made more clear.

### **Gypsies and Travellers**

40. Proposed changes to support the release of Green Belt land are intended to address unmet needs for traveller sites. The exceptional circumstances under which Green Belt boundaries can be altered during the preparation or review of plans are now defined and include instances where an authority cannot meet its identified need for housing through other means, unless such alterations would undermine the function of the Green Belt across the plan area.
41. The sequential approach to Green Belt release, explained above, would apply and would allow for housing in the Green Belt to be not inappropriate where it utilised grey belt in sustainable locations; and the authority could not demonstrate a five year housing land supply, or failed the housing delivery test over the previous 3 years, or where there was a demonstrable need for land to be released for development of local, regional or national importance. The 'golden rules' would apply. The consultation asks for views on how the assessment of need for traveller sites should

be approached to determine whether a Green Belt review is required.

42. Our proposed response draws upon our experience through the Local Plan process of identifying suitable sites and the ability this proposed amendment would make to site delivery.

### **Viability**

43. A new Annex 4 is proposed to the NPPF to clarify issues around viability in relation to Green Belt release and the golden rules. It suggests a national policy basis for adopting an Existing Use Value of the land plus a '*reasonable and proportionate premium*' for the landowner when calculating benchmark land values (BLV) as part of a viability assessment. Locally set BLVs would then be informed by Local Plan policies. Where land transacted at a price above the nationally set BLV, it should then be assumed to be viable.

### **Housing mix**

44. Changes are proposed to ensure that development provides the most appropriate mix of housing. This includes specifically socially rented housing within the mix of affordable housing and in accordance with identified local needs. Sites should contain a mix of tenures including ownership and rental as well as housing for specific groups.
45. The removal of the requirement to deliver 10% of housing on major sites as affordable home ownership. LAs are advised that this should be seen as an expectation to deliver a locally specific mix. The consultation also asks why insufficient small sites are being allocated and how this issue might be solved.
46. Our proposed response draws upon our experience of affordable housing delivery and negotiations experienced through the planning process as well as our understanding of desired tenures.

### **Strategic and regional planning**

47. Issues such as meeting housing needs (including neighbours' unmet needs), strategic infrastructure and climate resilience are areas which are specifically identified to be addressed through the duty to cooperate. Para.24 is amended to address this and notes that effective strategic planning across boundaries will play a vital and increasing role in how sustainable growth is delivered.

48. New para.27 then makes clear that once the matters of collaboration have been identified, strategic policy makers should ensure that their plan policies are consistent with others where a strategic relationship exists unless there is a clear justification to the contrary.
49. The consultation notes that the Duty to Cooperate requirement is to be strengthened but also that short term measures to strengthen cross-boundary strategic planning will be introduced. New legislation will subsequently introduce formal strategic planning mechanisms with the intention to move to a model of universal strategic planning covering functional economic areas within this parliament. The model will support elected Mayors in overseeing the development and agreement of Spatial Development Strategies.
50. No further detail has been provided of the form of the Spatial Development Strategies but is expected to be released as part further guidance.
51. Consideration in the response has been given to the existing role of combined authority and geographical extent implications of this locally. It is considered that there may be opportunities associated with this approach to work with North Yorkshire Council and the MCA to ensure our planning approach and evidence based align.

### **Local Plan Production**

52. Plans at examination will continue to be examined under the version of the NPPF they were submitted under. However, as is the case in York, if the revised Local Housing Need (LHN) figure is more than 200 dwellings per annum higher than the annual housing requirement set out in the adopted version of the plan, upon introduction of the new plan-making system, the local planning authority will be required to begin preparation of a plan under the new system as soon as possible, or in line with any subsequent arrangements set out to manage the roll-out of the new system.
53. It is the intention to implement the new plan-making system as set out in the Levelling- up and Regeneration Act from summer or autumn 2025.

### **Design and character**

54. Chapter 12 maintains the primacy of the National Model Design Code and support for design codes, in areas that provide the greatest opportunities for change, such as allocated sites. Reflecting the wider aspiration to drive housing and economic growth, there is an acknowledgement that design codes should also consider where, and in what circumstances, higher density development could be encouraged.
55. Removal of the references to 'beauty' and 'beautiful' (which is considered subjective), instead focusing on well-designed buildings and places.

### **Building a modern economy**

56. The proposed change to para 86b now mandates local plans to set criteria and identify strategic sites for local and inward investment, where previously they were only required to do one or the other. This includes for the first time a requirement to plan and provide land to accommodate a range of commercial development which meets the need of the 'modern economy' (also enacted in changes to para 87): Laboratories, Gigafactories, Data Centres, Digital Infrastructure and Freight/Logistics.
57. In our response we are drawing on our evidence and Economic Strategy to inform the response to ensure that the Government's approach to the '*modern economy*' is able to reflect our local ambitions.

### **Presumption in favour of sustainable development**

58. Changes seek to strengthen the '*presumption in favour of sustainable development*' to engage the tilted balance where the supply of housing has not been met, subject to existing protections or safeguarded areas. This changes the current focus which is to engage the presumption where plan policies are not up-to-date.
59. Changes to para 11d, which include clarification both of the policies relevant to decision taking and to those in the Framework, seek to ensure that planning permissions are only granted where high standards are met; these are safeguards to ensure only high-quality schemes benefit from the presumption.

## **Supporting Renewable Development**

60. The changes give emphasis and support for all forms of renewable and low carbon development:
- New para 161 b) mandates Local Authorities to identify in their Local Plans suitable areas for renewable and low carbon energy sources, and supporting infrastructure where this would help secure the development (removing the prior 'consider identifying' phrase).
  - Para 164 guides LPAs to support planning applications for all forms of renewable and low carbon development and, at part a) significant weight should be given to the proposal's contribution to renewable energy generation and a net zero future.

## **Changes to Planning Fees**

61. The proposals seek to address the funding shortfall experienced by many Local Authorities by:
- Proposing a fee increase for householder applications to £528 (from £258) to meet cost recovery levels (and seeking views on whether a smaller increase to the householder fee (e.g. 50% increase) would be more appropriate).
  - Seeking views on increasing fees for other application types such as prior approval and S73 applications.
  - Introducing fees for applications with no fee at the moment such as demolition consent in a conservation area and Listed Building Consent.
62. There is also the potential for a locally set fee and two different models are suggested for how this might be calculated.
63. The proposed response supports the uplift in fees for planning applications and the ability for cost recovery.

## **Sustainable Transport**

64. The consultation proposes a move to set a vision for how we want places to be, and designing the transport and behavioural interventions to help achieve this vision. This approach is known as 'vision-led' transport planning and, unlike the existing 'predict and provide' approach, it focuses on the outcomes desired, and planning for achieving them. To support this, the consultation

proposes to make amendments to paragraphs 114 and 115 of the existing NPPF. To support the implementation of this updated policy, further guidance alongside the policy coming into effect would be published.

65. Our response welcomes this approach as it is aligned with York's emerging Local Transport Strategy.

## **Consultation Analysis**

66. Given the NPPF covers different technical topic areas, an internal officer workshop was undertaken to inform a council response including officers from Strategic Planning Policy, Development Services, Design and Conservation, Housing, Health, Carbon reduction and Transport.
67. Consultation has also taken place with the Leader of the Council, the Executive Member for Housing, Planning and Safer Neighbourhoods and the Chief Operating Officer of the Council as required by Appendix 1 of the Constitution.
68. Officers are also attending a suite of national workshops run by the Planning Advisory Service and MHCLG (up to 18 September) wherein they are presenting on the proposed planning reforms and allowing discussion with colleagues from other authorities. This will help better understand and respond to the current consultation.
69. The consultation was also presented to Local Plan Working Group on 10 September 2024 under 'urgent business' for cross party discussion (Annex C). Members were invited to provide comments, both during the meeting, and separately by 12 September, to inform the council's response to government. In summary these were:
- Planning fees should be uplifted to reflect cost recovery of the planning services;
  - The green belt purposes should recognise additional criteria for enhancing nature and providing resilience, particularly for flooding
  - As well as mixed tenure, housing should consider lifecycle tenures, for example, family homes, single homes, homes adapted for independent living etc.



- The scale of further development should be self-sustaining to ensure the delivery of necessary facilities and infrastructure, for example schools, health facilities, etc.
  - Healthy communities should consider safety (such as make space for girls) as well as accessible and inclusive developments that encourage social connection and wellbeing
  - Language should be defined to avoid value-judgments.
  - Proposals put challenge back to Local Planning Authorities but it should be clear on the government responsibilities, for example who is funding the infrastructure, particularly health and transport connections
  - Be clear on developer responsibilities, particularly timescales for fulfilling allocations and progressing developments to completion.
  - When considering grey belt criteria, also consider the grey belt's relationship to biodiversity and nature corridors
  - Development should be plan-led; There is a risk between both the transition arrangements and and uplift in proposed housing requirements, including that there is no ceiling on housing numbers, that there will be unplanned and unsustainable growth
  - More generally, a consultation held over the summer break is difficult to respond to and the government are asked to consider the best time to hold a consultation of this importance; this does not represent best practice for engagement.
70. One public speaker addressed LPWG regarding the NPPF reform, requesting that student blocks are not counted as 'homes' in the reporting of housing monitoring statistics. In their view, flats and rooms in student blocks counted as homes skews the reporting market housing delivery.
71. The government is inviting comment from all interested parties who can submit a response directly to government by 24 September 2024. Details of how to submit a response is set out in the Government's consultation material<sup>4</sup>.

## Options Analysis and Evidential Basis

72. Option considered for this report were:

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<sup>4</sup> [Proposed reforms to the National Planning Policy Framework and other changes to the planning system - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system)

- (i) To submit a Council response to the national consultation;
  - (ii) To not submit a Council response to the national consultation;
  - (iii) To submit the response proposed as drafted by officers without amendment at Annex A;
  - (iv) To amend the response proposed at Annex A.
73. Submitting a response to the consultation will help inform the Government's approach to modifying the NPPF and sets out the Council's understanding of the proposed changes, both in support and objection where necessary. Option (i) has therefore been recommended.
74. The government will review local responses in respect of changes to local housing need and growth expectation, and alongside this, multiple responses about wider issues. The Member is advised that their comments will not necessarily be included in the final NPPF.
75. Whilst technical officers from across the council have compiled a response to the consultation, there may be further considerations arising from discussion at the meeting. Option (iv) is therefore recommended to allow modifications as a result of the Executive Members consideration of any discussion.

## **Organisational Impact and Implications**

76. It is important to note that the proposed reforms to the NPPF and associated reforms to the planning system, if implemented in their current form, will likely have a very significant impact on City of York Council's Planning Services.
77. With regard to the Development Management service, the key issue is that proposals would likely to lead to an increase in the number and complexity of speculative planning applications and planning appeals, which has resource and cost implications as a result of the increased housing requirement and in advance of further Green Belt Assessment.
78. With regard to the Strategic Planning Policy Service, whilst it is considered unlikely that the proposals place a significant risk to the timeframe for the adoption of the current draft Local Plan (currently at examination), as a result of the proposed transitional arrangements there is a significant risk to the Council that it would

need to progress a Local Plan review at the earliest opportunity, which has significant resource and cost implications.

79. **Financial:** The cost of submitting a response to the consultation can be funded from within current budgets.
80. **Human Resources (HR):** There are no direct implications arising from submitting a response. Scoping of potential resource impacts a result of implementation of the proposals is noted.
81. **Legal:** As this is a consultation, there are no direct legal implications arising from this report.
82. **Procurement:** There are no implications arising from submitting a consultation response.
83. **Health and Wellbeing:** Public health have been engaged with this process as part of the partnership response. There is a long term implication in planning policy which should have a positive impact on the health and wellbeing of residents via mitigation in the planning cycle. Submitting a response as a council is a positive and pragmatic approach.
84. **Environment and Climate action:** The environmental implications of the proposed changes to NPPF are considered within the body of the report.
85. **Affordability:** Subject to the outcomes of this consultation, there may be clear positive impacts on affordable housing delivery under the proposals.
86. **Equalities and Human Rights:** This is a consultation response only and therefore a full EIA has not been completed.
87. **Data Protection and Privacy:** The data protection impact assessment (DPIAs) screening questions were completed for the recommendations and options in this report and as there is no personal, special categories or criminal offence data being processed to set these out, there is no requirement to complete a DPIA at this time. However, this will be reviewed following the approved recommendations and options from this report and a DPIA completed if required.
88. **Communications:** We note that this could receive some press interest due to the broader issues related to this consultation, particularly around the size of York as a city and the potential growth expected by the government. We also note there is a

suggested motion for full council, which would involve further interest.

89. **Economy:** The Local Plan and Government Planning Policy are fundamental to the city’s economy, and it is therefore vital that York responds to the consultation. While much of the focus will be on housing targets, the continued provision of employment land and the protection of existing employment sites are highlighted in the York Economic Strategy.

## Risks and Mitigations

90. There are no risks anticipated with responding to this national consultation on proposed reform to planning.
91. There is the risk that by not responding, York’s views will not be taken into account in the government’s final considerations.
92. There are risks associated with the proposed revisions in the NPPF itself. Where appropriate, these will be highlighted in the consultation response to government.

## Wards Impacted

93. All wards would be potentially impacted by revised requirements set out in the planning reforms.

## Contact details

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## Background papers

Ministry of Housing, Communities and Local Government's consultation: [Proposed reforms to the National Planning Policy Framework and other changes to the planning system - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system)

Including:

- [Proposed reforms to the National Planning Policy Framework and other changes to the planning system](https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system)
- [National Planning Policy Framework: draft text for consultation](https://www.gov.uk/government/consultations/national-planning-policy-framework-draft-text-for-consultation)
- [Outcome of the proposed revised method \[for housing requirements\]](https://www.gov.uk/government/consultations/outcome-of-the-proposed-revised-method-for-housing-requirements).

Officer Decision 18/10/2023: [Response to the Government's consultation titled "Plan-making reforms: consultation on implementation" on behalf of City of York Council \(47\)](#). This decision was made in consultation with the Executive Member for Housing, Planning & Safer Communities.

## Annexes

- Annex A: Proposed CYC response to the MHCLG Consultation Questions on proposed reform to the NPPF and other changes to the planning system
- Annex B: Outcome of the proposed revised method for housing requirements for York.
- Annex C: Local Plan Working Group NPPF Officer Presentation 10/09/2024

## **Abbreviations**

|       |   |
|-------|---|
| BVL   | Benchmark land value                                  |
| HLS   | Housing Land Supply                                   |
| LHN   | Local Housing Need                                    |
| LA    | Local Authority                                       |
| LPA   | Local Planning Authority                              |
| LPWG  | Local Plan Working Group                              |
| MHCLG | Ministry of Housing, Communities and Local Government |
| NPPF  | National Planning Policy Framework                    |
| PDL   | Previously developed land                             |

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

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## Chapter 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?

#### ***Council response:***

It is important to view housing need across housing market areas, and at regional/sub-regional level.

While supporting the need to address York’s housing need, we welcome that the proposed changes to the application of the standard method retain justification for a lower housing requirement than the figure the method sets out on the basis of local constraints on land and delivery, and agree that these must be evidenced and justified through LP consultation and examination.

We would ask that consideration is given to York’s unique position in setting its detailed Green Belt boundary for the first time. It will be important that the need to establish and retain a ‘permanent’ (20-year) green belt boundary does not negate

York's ability to consider whether a lower than standard housing requirement may be appropriate in the context of local constraints.

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 NPPF?

**Council response:**

Whilst we recognise that removing the allowance for alternative methods should speed up plan making and reduce debate, we welcome the retention of para 11.b of the NPPF which states that '*strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area*'.

It is important that a degree of flexibility remains to ensure that competing demands can be accommodated and *protected areas and assets of particular importance* can be considered across the authority where justified and sufficiently evidenced. The examination process should expose situations where this was not the case and remains the incentive to ensure this is appropriately undertaken.

**Urban uplift**

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

**Council response:**

The Council considers that universal strategic planning will support the provision of sustainable forms of development while still providing for the levels of growth proposed.

**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?

**Council response:**

No, we don't agree to the removal of the paragraph that currently caveats support for higher density on some design grounds. However, we think the paragraph could be modified.

We already support higher densities in areas of high public infrastructure. Also, existing character should not always be assumed to be good character, so it's not always appropriate to match it when making new development. However, too much



of a presumption of support for higher density, without sufficient consideration or weight toward integration with existing good character through NPPF wording will result in poor place making, and is contrary to National Design Guide. In addition, the proposed changes in the NPPF to encourage housing delivery through increased density should be further balanced by the inclusion of greater emphasis wording on good design because land value aside, creating good design at high density is harder than at low density, due to the practical difficulties of accommodating more in a smaller space.

We suggest that the paragraph's second sentence is instead deleted/amended. The reference to evidencing character through an authority-wide design code is unlikely to be widely implemented as authorities move towards, at best, area-specific codes. There are already a variety of means by which character and significance can be evidenced, for example conservation area character appraisals, heritage impact appraisals or design statements supporting planning applications. York has produced a Heritage Topic Paper which defines characteristics of strategic importance to York and key considerations for the enhancement of growth. Para 130 could refer to such alternative evidence.

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?

***Council response:***

We agree with the consultation commentary text stating that district wide design codes are less useful than localised design codes, masterplans and guides for areas of most change and most potential. District wide codes would be too broad a geography and would end up very complicated, even if broken down into character areas, which don't always have easy to define borders on the ground. Areas of most potential for change should be the focus of design codes because these will have the most impact. However, this question wording ties this opinion to density, which muddles two issues. Large new communities such as urban extensions for which it is desirable to have design codes are unlikely to be areas of high density.

***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?

***Council response:***

Changes to para 11d, which include clarification both of the policies relevant to decision taking and to those in the Framework, seek to ensure that planning permissions are only granted where high standards are met; these are safeguards to ensure only high quality schemes benefit from the presumption. This is welcomed.

The clarification that the presumption applies only where policies '*for the supply of land*' provides a useful clarification although we would anticipate that it will not remove all areas of debate. However, it will be important to consider that this should not lead a significant rise in unplanned and speculative developments and/or pressure from developers to negotiate on provision so infrastructure and affordable homes.

We continue to consider that the plan-led system should not be undermined through the use of the presumption, otherwise there will be no incentive for developers to work with local authorities to identify site allocations as part of plan-making.

### ***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?

#### ***Council response:***

Historically local planning authorities have provided evidence to support a five-year supply of housing through specific deliverable sites that are available now, in a suitable location and achievable with a realistic prospect that housing will be delivered during the next five years. This proposed amendment to the NPPF reverts to earlier iterations of this document.

It should be noted that continually updating records to demonstrate a 5YHLS is a resource intensive process and will likely compete with the same resources that progress plan-making. This may impact on authorities capability to to progress plan-making expeditiously.

Supply and the housing trajectory will also have been subject to consultation and scrutiny through the local plan examination process, likely in conjunction with the landowners who support the delivery of their sites in the process. The LP examination would modify this where appropriate. It could therefore be argued that this should be able to be relied on for the 5 year following period with the ongoing annual monitoring framework to add context to this and a tool for ensuring developers meet their anticipated timescales.

Question 8: Do you agree with our proposal to remove wording on national planning guidance in paragraph 77 of the current NPPF?

#### ***Council response:***

No; this needs to be reviewed - Paragraph 77 was introduced to enable previous over supply of homes to be set against upcoming supply. If paragraph 77 were to be removed short term shortfall would be weighted greater than high delivery rates in previous years and could result in approval through appeal when more suitable sites could be overlooked.

### ***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?

#### ***Council response:***

The inclusion of a 5% buffer will ensure choice and competition in the market for land during the 5-year housing land supply calculations. Should delivery of certain sites stall for unforeseen reasons this buffer provides an appropriate amount of flexibility within the projections and allows the market to address any shortfalls. This has been our approach during plan-making.

For additional security in achieving our 5-year supply CYC include a further 10% non-implementation rate on approved sites to take account of potential construction delays or downturns within the housing market.

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

#### ***Council response:***

If a buffer is to be used, 5% should ensure that sufficient homes are built both locally and nationally to achieve the completion of 1.5m homes nationally over a five-year period. This buffer should be sufficient, especially so if authorities also include a similar non-implementation rate to CYC within its housing trajectory (see answer to Q9 above for details).

We note that the 20% buffer is retained for authorities where there has been significant under delivery of housing over the previous three years to improve the prospect of achieving the planned supply measured against the Housing Delivery Test (where results are 85% below the housing requirement). This buffer is deemed high and can dramatically inflate the number of sites required to be allocated / delivered in the authority which may not be realistic across a 5 year period in reality, particularly given the limited control Council's have over developer-led schemes.

The Council consider that, alongside amending housing targets, further work is required to ensure that developers are required to uphold their responsibilities in relation to providing housing. It is noted that there are no requirements to complete developments, and there have been instances where highways infrastructure in new developments has not been completed for significant lengths of time and we would welcome measures to ensure development progresses more quickly to completion. The proposals should consider a way to hold developers to account and actively implement sites identified and brought forward in a plan-led way.

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

**Council response:**

Yes. The details required within the rarely published Annual Position Statement are now provided within alternative documents.

***Maintaining effective co-operation and the move to strategic planning***

Question 12: Do you agree that the NPPF should be amended to further support effective co-operation on cross boundary and strategic planning matters?

**Council response:**

Alongside the requirements set out in new paras 84b and 85, there is a strong shift towards LAs engaging with cross-boundary strategic planning, making tough decisions about large scale development and associated infrastructure.

We support the proposals strengthening the existing regime for Duty-to-cooperate regime. The proposals also seek to recognise devolution and the role a combined authority can play in strategic plan making. We consider that cross-boundary strategic planning is vital in creating successful places within a wider economic and housing market area. If done collaboratively and constructively, we consider that this will bring benefits to plan-making.

The York and North Yorkshire combined authority is relatively new in its formation and therefore there are opportunities that exist in progressing this spatial Development Strategies to align with economic growth-led ambitions, which forms part of the core remit for the combined authority.

In the forthcoming guidance we think it would be helpful to set out how SDSs could be approached to aid consistency across the country and enable this to be developed more quickly. We would be particularly interested in content regarding apportioning development growth in a spatial strategy.

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

**Council response:**

In principle we would support amending the tests to better reflect the timescales involved in strategic planning. Given the economic instability of recent years it has been difficult to plan for delivery in the longer term, and also to remain consistent with national policy. This may also fit with the intention to roll out further plan-making reforms as set out in the Levelling Up and Regeneration Act.

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

**Council response:**

None

## **Chapter 4 – A new Standard Method for assessing housing needs**

### ***Setting a new headline target***

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?

**Council response:**

We recognise that any standard method is not going to be able to provide an approach that is agreeable to all and that the current projections used are now ten years out of date.

Household projections that have been criticised and challenged in terms of their accuracy over recent years and led to debate. As trend based statistics they reflect previous peaks/troughs in housing supply and when updated, there is an ability to evaluate whether this is representative or whether further scrutiny should be applied, for example, to challenge and change household formation rates.

We recognise that housing stock is a measurable base statistic to work with in comparison. This is a readily available statistic, regularly issued for all authority areas and recognised for their accuracy. The dataset is added to through local evidence such as the Housing Flows Reconciliation returns made annually.

However, the projection of the base stock does not necessarily reflect local need for housing as it is a projection of the current situation. We also think it would be helpful to further justify the use of an average figure (0.8%) for growth – in some places this will be below or above the current annual data updates and may significantly impact on the amount of homes to be delivered.

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?

**Council response:**

The affordability ratio is an accepted national statistic used as part of the standard methodology. Median values exclude the extremes held within statistics, again avoiding the use of other average figures (mean & mode) that can reflect more volatile results. Using a three-year average seems reasonable to avoid changes that can be associated with using an individual year figures.

However, we are cognisant to the fact that houses in multiple occupation, short-term housing lets or residential investments are having a significant effect on housing markets. Without consideration of how to manage this, it does not automatically follow that the affordability ratio will readjust in the future based upon housing delivery.

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

***Council response:***

The increase in affordability weighting is welcomed. York is seeking to address affordability issues through policy in its Local Plan which seeks higher levels of affordable housing provision where viability is not compromised.

Affordability and the provision of affordable homes are key drivers in ensuring that an appropriate level of housing is provided at a local level. Weighting within the proposed standard method is reasonable.

The Council further consider that these changes should come alongside additional measures to control the proliferation of short term housing lets. In York is is considered that significant numbers of properties are now becoming STLs and lost from the open market for sale/rent every year. This is having consequential impacts on affordability for residents.

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?

***Council response:***

It is not clear what impact the inclusion of rental affordability would have on the standard method.

Rental charges and affordability are more complex than calculating the median house price currently used in the standard method. For example, a recent local study of student rental charges has highlighted the large differences between the purpose-built student accommodation (PBSA) and university managed schemes. We are also aware of the large differences in rents charged for student HMOs compared to market HMOs.

Details of how rental affordability would be included within the calculations would need to be explained in detail before full comment can be made.

***Result of the revised standard method***

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

The uplift in figures across particularly the north of the country may not reflect where significant need is likely to be generated. It must be recognised that economic development goes hand in hand with housing growth and is important for sustainability. It therefore follows that the rebalancing of housing away from areas that have been identified to have significant need to areas of low delivery or low need or a struggling economy, may jeopardise the overall delivery of 1.5 million homes.

## **Chapter 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?

#### ***Council response:***

Development on brownfield land is already prioritised and this should continue. The proposed amendment make this principle clear.

However, delivery of brownfield sites can be subject to delay out of an authority's control once planning permission is granted. There should be an associated recognition that development of brownfield land can take considerable time to progress to full completion, particularly due to required remediation works. Slower delivery may have viability implications in times of high interest rates with construction companies involved in clearance often hit first due to cash flow issues. Whilst LPAs can offer some support through on-going cooperation, Government intervention at an early stage in such circumstances would help to avoid these delays.

### ***Making it easier to develop Previously Developed Land***

Question 21: Do you agree with the proposed change to paragraph 154g of the current NPPF to better support the development of PDL in the Green Belt?

#### ***Council response:***

Brownfield sites in the green belt currently restricted by the NPPF for development, such as petrol stations and car parks, should be considered where they do not cause substantial harm to the openness of the green belt. These types of sites are rare so the increase in development on such sites is not likely to be significant. We also acknowledge that there may opportunity to already progress this through the planning system should it be demonstrable currently under *Very Special Circumstances*.

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?

#### ***Council response:***

We have concern about the expansion to include hardstanding as this can be large areas (runways/ race tracks), which would become grey belt and, in sustainable locations, development would be not inappropriate. This could have a significant impact on openness and consequently the Green Belt designation.

We question whether this complicates the situation unduly and if there could be a more straightforward way of expressing it.

Expansion and clarity in the definition of PDL would be welcomed. Sites such as vacant/under used garden centres could provide substantial amounts of land for development nationally should the definition of PDL be allowed to include these types of sites. We would welcome further clarification of hardstanding, which we consider would have to be carefully defined; many farms have large areas of hardstanding.

To avoid objection through the planning process It would also be helpful to provide a timescale for which land remains as brownfield following dereliction and when or what can be described as a permanent structure or fixed surface structure that has blended into the landscape – currently used in the NPPF definition of PDL.

### ***Defining the grey belt***

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

#### ***Council response:***

The term 'limited contribution' will be the subject of wide debate and needs to be defined further, and with consideration for each of the different purposes wherein it could mean different things. The consultation document (at para 10) proposes a number of additional criteria to guide the assessment of '*limited contribution to GB purposes*'. Our comments as follows:

- a) object. Land may moderately perform against a number of GB purposes, the cumulative effect of which should increase its contribution.
- b) ii – iv repeat consideration of GB purposes 2-4? Again, the fact that land may not perform strongly against a single purpose should not conclude that it makes a limited contribution to GB purposes.
- c) Is land outside an area defined by footnote 7, but which is of importance to the inherent character of the defined area, also excluded from grey belt? Eg, in the case of Strensall Common SAC, we have identified a zone of influence within which we would restrict development to minimise harm to the SAC as a result of development. Would land within the 400m buffer also therefore be excluded? If so, these circumstances need to be acknowledged.

The definition proposed in NPPF Annex 2 states "*Grey Belt is land in the Green Belt...*". This is paradoxical to the references to Green Belt '*release*' elsewhere. We would welcome clarification of how Grey Belt is defined in relation to 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?

**Council response:**

GB policy is already restrictive for new development. Contribution to GB purposes is not related to how 'green' the landscape is, regardless of perception – it is a place-shaping tool. Additionally, land which can be perceived to be 'degraded' may be highly valuable for ecosystem services, nature conservation or nature recovery whilst remaining open and permanent.

This question implies that the quality (i.e. look) of the overall land is fundamental but isn't this at odds with para 142 of the NPPF which states "*The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land open; **the essential characteristic of Green Belts are their openness and permanence***"?

Additional resourcing to ensure GB reviews can be undertaken in a timely manner.

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 NPPF itself or in planning practice guidance?

**Council response:**

Additional guidance would be welcome for future Green Belt review. However, in the context of our soon to be adopted Local Plan, and Green Belt boundary will be defined for the first time. How would weight be afforded to its methodology and so recent delineation?

Guidance will need to differentiate between grey belt and GB in assessment/review.

We further consider that the additional definition regarding land which makes a limited contribution to Green Belt purposes included within the consultation document should be within the revised NPPF.

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?

**Council response:**

Only to an extent. We consider that it will still be a matter for significant debate because there will be an element of judgement/assessment necessary and where views differ, delay would be incurred.

In York's experience, setting of the detailed Green Belt boundaries has been much debated, including the methodology to be used and the interpretation of how this is applied, including between the Local Plan evidence and appeal Inspectors.

It should also be noted that the methodology for each purpose can be different. We consider that 'preserving the setting and character of the historic town' is more subjective than some of the other purposes which can be more fully rooted in tangible spatial boundaries. The historic town purpose is more subjective and reliant, in some cases, on perception. For example, in York's case the city is observed set back from main road infrastructure in a rural hinterland with key views of York Minster, which is a key landmark monument. On that basis, further guidance is absolutely necessary to ensure consistency of approach to green belt reviews and the definition of 'limited contribution' associated with each purpose specifically.

See para.14 – 'where significant development of agricultural land is demonstrated to be necessary areas of poorer quality should be preferred' Most of GB around York is agricultural land of at least good quality.

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?

***Council response:***

LNRS is to be an overarching strategy and bringing a purpose to land which may otherwise not be recognised for its importance. A way to layer this across Green Belt would be supported.

There is a need to ensure that conflict is avoided where areas being identified for making a 'limited contribution to the GB' is identified but actually is importance for other reasons, such as ecosystem services, nature recovery, carbon sequestration.

Our suggestion is potentially to enhance or bring in a 6<sup>th</sup> GB purpose which would designate this as GB with a degree of protection.

***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?

***Council response:***

Text should be amended to make clear that land can be both in a sustainable location and in locations which can be made sustainable.

Note the absence of reference to greenfield in the hierarchy of land release. Currently the hierarchy inferred by NPPF is brownfield, pdl, grey belt then other green belt (higher grade). Since not all greenfield sites will be in the green belt, where does the government see green field sites fitting within this hierarchy?

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?

***Council response:***

Yes but how? Centrally defined? What happens where GB function is to preserve the setting and special character of a historic town?

***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?

***Council response:***

New para 151 sets out the exceptions, g) allows for limited infilling etc if one of two exceptions. This has been simplified, and no longer confined to meeting affordable housing need.

New para 152. For York, whose Local Plan is as yet unadopted and faces a significant uplift in housing need against the revised application of the standard method, this represents a significant increase in pressure to release grey belt land for housing development. The identification of Grey Belt allows for greater certainty for the development industry in relation to obtaining planning permission ahead of or as an alternative to site allocation in Local Plans; this approach would undermine a 'plan-led' system.

We consider that there is likely significant pressure on resources resulting from speculative applications for GB development. While this would allow for continued development while plans are being updated, the methodology for assessing GB would still need to have been agreed to avoid inconsistencies. It would also influence and steer the spatial development strategy.

***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?

***Council response:***

Seems appropriate if land is required and will also ensure potential for employment generating uses in proximity to new GB housing

## ***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?

### ***Council response:***

Government's intention is to support the release of green belt land to address unmet needs for traveller sites.

Traveller sites do not fall within the list of exceptions at new para 151 given that a site involves a change in the of use of land rather than the construction of new buildings.

Government could consider making it explicit in new para 153 that Traveller sites fall within the categories of development 'not inappropriate' in the gb. Provision could also come forward via smaller sites on grey belt sites (wouldn't be subject to golden rules if not major development) in sustainable locations – potentially enabling more sites to come forward than currently.

How is Government intending to address Planning Policy for Traveller Sites, which is separate from NPPG?

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?

### ***Council response:***

The assessment process should be clear and enable a consistent and robust approach to identifying needs to avoid significant challenge through the plan-making process. It should reflect the community's view and support their way of life with 'culturally appropriate' accommodation, which may deviate from the land use of 'pitches'.

***Policy can already be used to meet need under existing current para 146 using 'Exceptional circumstances' triggered by need in the GTAA and the ability to deliver those needs within the authority. This mechanism exists to allow authorities to release Green Belt to meet the needs identified. This needs to be supported by robust, national criteria to ensure a consistent approach to delivery nationally. Golden rules to ensure public benefit.***

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

**Council response:**

Yes, this is supported. A meaningfully affordable, evidence-based tenure mix is essential to achieve the goals of affordable housing delivery through the planning system.

Further benefit for affordable housing provision, mix and type that meets local needs could be achieved by some clarifications and reforms of existing policy:

- Clarification that Use Class C2 Extra Care housing schemes need to make an affordable housing contribution in line with other policy requirements, wherever these comprise apartments/dwellings and are not a care home – legal advice is currently that these would not generally be required to make an affordable housing contribution which negatively affects delivery and likely increases land values for residential developments for this specific purpose
- Reform of the Vacant Building Credit (VBC), which dramatically decreases affordable housing delivery for sites which may otherwise be viable for policy-compliant provision, which would also tend to increase land values for residential developments where the VBC applies

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?

**Council response:**

York is an area that can boast of being attractive to the market and having higher land values. Whilst we fully support maximising the delivery of affordable housing, we do not think the approach for 50% could be currently justified in our area given that our current Local Plan viability appraisals identify that viability is around 30-35%, inclusive of other policy asks. Consequently, we have a policy approach to meet 30% affordable housing on our greenfield strategic development sites (in the Green Belt). We consider that this could cause uncertainty and delay as likely to result in a significant increase in viability appraisals which prove lack of viability and open negotiation.

Additionally, we would be concerned if there was a trade-off for the delivery of affordable housing in preference to delivery of other infrastructure or requirements which would create a sustainable place. This could be overcome if potential for funding is to be made available to support higher levels of affordable delivery.

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?

**Council response:**

Yes – this principle is not new and should reflect best practice in Section 8 of the existing NPPF (for both GB and non-GB sites).

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?

***Council response:***

In areas where land is at a premium and house prices are high, the hope value of land will be high even when it's in the GB given that there would now be potential for development and can affect viability. A centrally set BLV would reduce the scope for disagreement.

However, we are also conscious that over time viability considerations can change as well different land values. Therefore either assessments at the time should continue to be relevant or a mechanism for adapting this quickly should circumstances change.

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

This ranges across the country and across an area according to land use. It is therefore difficult to comment on this question. There is an existing system in place used and referenced within viability assessments, that set out benchmark land values with regional level data which should be a starting consideration.

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?

***Council response:***

There is some benefit to this approach however, it would rely on a high confidence in the accuracy of benchmark land value setting for individual sites. In the event that the benchmark land value does not recognise particular site characteristics that could result in higher than typical returns from alternative uses, ranging from high agricultural yield to particularly profitable location for commercial use, this could result in a loss of housing delivery. This is likely to incur costs on behalf of the Council to have expertise to assess BLVs with confidence.

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?

**Council response:**

We endorse maximising affordability as one of our Council priorities under our Council Plan. As part of the Local Plan process you are required to test that your local plan allocations are viable. Based on this assessment of viability, our current policy for greenfield sites requires 30% affordable provision. If a future viability appraisal showed a higher proportion of affordable housing would be viable we would endorse negotiating that higher rate.

As part of this we see late stage viability reviews as an important mechanism for claiming back affordable contributions.

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?

**Council response:**

Yes, late-stage viability reviews would be supported. A clear methodology with access to specialist surveyor capacity would improve certainty and accelerate the process. Capacity could include in-house provision and/or other models. Access to a range of standard construction index data would also support the process.

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?

**Council response:**

Golden rules should apply to non-residential development otherwise housing developments are unfairly penalised.

Our understanding is that, under new paragraphs 152 and 155, development of a small (less than 1 ha) site for Gypsies and Travellers would not trigger the application of the Golden Rules due to it not constituting 'major development' as defined by NPPF Annex 2. Is this correct – we consider the wording ambiguous when considered in relation to para 152.

Further, where new traveller provision is made in the grey belt, consideration would have to be given to how a requirement for affordable housing would be managed – presumably this would necessitate 2 separate housing providers? Is the expectation that the affordable element would be provided elsewhere, which would run contrary to best practice for affordable housing?

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 NPPF? Are

there other transitional arrangements we should consider, including, for example, draft plans at the regulation 19 stage?

***Council response:***

We note your terminology in this question regards Green Belt 'release'. The definition proposed in NPPF Annex 2 states "Grey Belt is land **in the Green Belt...**". This is paradoxical. We would welcome clarification of how Grey Belt is defined in relation to Green Belt.

Should apply to current Reg 19 stage plans to fully realise affordable housing benefits and to bring forward provision. Inappropriate to consider their application to Plans at examination or adopted.

Question 44: Do you have any comments on the proposed wording for the NPPF (Annex 4)?

***Council response:***

Please refer to response to Questions 38 and 40.

Question 45: Do you have any comments on the proposed approach set out in paragraphs 31 and 32? [relating to compulsory purchase]

***Council response:***

Please refer to Question 38; what constitutes as 'fair' is different in different places.

Support with any complex land assembly where identified, is welcomed. However, in practical terms, compulsory purchase in this way would follow a 'call for sites' where sufficient land could not be identified, including in the grey belt. A further exercise would follow to determine specific additional locations where development would be acceptable. However if this was undertaken through the plan-making process, we would expect 'exceptional circumstances' to apply to release the land from the Green belt for development. Otherwise, the proposal could override or compete with plan-making/plan review. Compulsory purchase may therefore be required in a wider context to allow this as a circumstance.

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

As per our answers to questions in this chapter, a further review of the existing powers in the NPPF need to be considered in relation to the proposals.

Further, whilst we generally support the use of PDL in the Green Belt, any proposals should support a plan-led system enabling development in the right locations supported by the necessary infrastructure.



## **Chapter 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?

#### ***Council response:***

Yes, we agree with this, which reflects the approach taken in City of York already. Our affordable housing policies and decision making are informed by the local needs evidence base and achieving maximum affordability, with 80% of affordable housing expected to be Social Rent.

However, some flexibility to prioritise Affordable Rent for some sites/areas is also recommended, where this can be informed by local evidence to deliver a higher number of rented affordable homes with rent levels set are accessible to low income residents.

The priority for affordable housing delivery throughout the NPPF reform proposals is strongly welcomed. This is notwithstanding the caveat noted in Question 35 that a 50 per cent Green Belt target could result in the unintended, and unwelcome consequence of a reduced delivery of affordable and other housing for the foreseeable future due to site viability and viability appraisal issues.

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

#### ***Council response:***

Yes, we agree with this, as it is much more effective to determine affordable housing types based on the local needs evidence base.

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

#### ***Council response:***

Yes, we agree with this, as noted in question 48 it is much more effective to determine affordable housing types based on the local needs evidence base.

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

***Council response:***

First Homes could be an affordable housing product that meets a level of need, providing local authorities can set the discount levels based on local incomes and prices evidence. However it is considered most suitable to deliver as part of the wider mix policy and not as the entirety of affordable housing on any sites (unless justified by an area's evidence base).

"First Homes exception sites" would likely result in a reduction of more meaningfully affordable provision such as Social Rent and Affordable Rent tenures, that can be accessed by low income residents who are unable to obtain a mortgage.

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

***Council response:***

Yes, strongly agree, this reflects our approach already, informed by the evidence base.

Greater national policy support for delivery of accessible homes across all tenures would be welcomed as part of this. A national priority for Part M4(3) homes would assist in meeting significant needs of individuals with a mobility impairment, including families with children whose wellbeing is very severely impacted by the unavailability of Part M4(3) family homes.

Similarly further clarity on supported housing requirements and other specialist housing would be welcomed to better meet evidenced needs.

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

***Council response:***

The proposals put forward are generally considered the most appropriate way to do this, and sites of this kind have been successfully approved and delivered in recent years in York. Additional clarity around Homes England funding and Section 106 obligations for high percentage affordable housing sites may support accelerated delivery to ensure that local authorities and Planning Committee members (where relevant) can be confident that proposed affordable homes are delivered, without impact on the grant funding Registered Providers rely on for these schemes.

Guidance for local authorities and Registered Providers around sustainable design and lettings approaches to achieve a mixed and balanced community in high percentage affordable housing schemes would be welcomed to support the sector.

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?

***Council response:***

In our opinion there is not a significant risk of unintended consequences. The principal constraint on high percentage affordable housing schemes is typically viability/funding, not community sustainability. As noted in Questions 47-52, community sustainability may be considered primarily an objective of design and lettings policy, and is not necessarily impacted by high affordable housing delivery percentage.

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

***Council response:***

We consider that these proposals would strengthen existing approaches which are already delivering rural affordable housing approvals.

Question 55: Do you agree with the changes proposed to paragraph 63 of the existing NPPF?

***Council response:***

Yes;ensuring we meet the accomodation needs of looked after children is welcomed.

However we suggest that consideration be given to broadening the change beyond looked after children to encompass the wider range of supported and specialist housing needs. This would include in particular, supported housing for individuals with Learning Disabilities and Mental Health needs. It is recognised that these are included within the definition of “People with disabilities” (p77) however, the need for supported accommodation that could meet these needs with long term joint commissioning across partners is a challenge that may merit additional prioritisation and clarity. We would also welcome guidance on how the specific needs of looked after children would translate into land requirements, to inform strategic plan making.

***Delivering a diverse range of homes and high-quality places***

Question 56: Do you agree with these changes?

***Council response:***

We see this definitional change as a useful clarification which would result in significant material change.

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?

***Council response:***

This may be a pragmatic change given challenges with bringing Registered Providers on board to deliver homes on community-led schemes. It would be very important that final drafting avoids creating any “loopholes” or unintended consequences for mid- and larger-size schemes that were only tenuously community-led (or not at all). With sufficient safeguards in place to ensure the policy intention as stated is met, this could be an improvement for community-led housing delivery.

It is also strongly recommended that improvement is made to the “Affordable Private Rent” Framework glossary definition and associated Built to Rent development guidance. Rents for Build to Rent developments are often exceptionally high, and Affordable Private Rent at 80% of market rent can frequently be above the general level of market rents in a locality – clearly not meeting any affordable housing need.

While the discount is specified as a “minimum” in the Guidance, further clarity on this within the principles of meaningful affordability and meeting locally evidence need is strongly recommended, and/or application of a discount to provide e.g. maximum 80% of average private rents in an area and not the particular Build to Rent homes.

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 NPPF should be strengthened?

***Council response:***

Smaller sites can be difficult to identify and tend to be developed out quicker. They therefore are more likely to be brought forward via application ahead of allocation or not at all and appear as windfall sites rather than come through the Local Plan process. In City of York we have a demonstrable high windfall housing rate, which is projected to continue and is therefore a justified part of our housing trajectory.

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?

***Council response:***

Under para 138, we support the primacy given to the National Model Design Code. Local coding should focus on specific areas of change or individual character, otherwise risks repetition and is resource inefficient.

We agree with retaining reference to well-designed places. However, Officer’s do not agree with removing reference to beauty. At the first introduction of beauty into the

wording of NPPF there was much interest or even scorn in national professional commentary about how impossible it is to define beauty, making it an inappropriate inclusion into a planning policy. However, we feel the inclusion of beauty into wording of NPPF has had positive benefits at a planning decision level, making discussion about beauty, delight, or attractive appearance more relevant and material. Yes, good design includes consideration of beauty, but without emphasis in NPPF it will often be sidelined in favour of good design aspects that are more obviously functional and easier to define. This sidelining has been the case for years and created the condition of creating ugly places by accident. The excellent Living with Beauty Report was striving to reverse this, and the case for this is still pressing.

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

***Council response:***

We don't agree with this rewording, particularly the removal of consistency with prevailing height wording. We also see contradictions. For example, an upward extension in a mansard or other roof shape that is not a typical roof shapes and/or are higher than neighbouring properties would normally not be "consistent with prevailing form", so wouldn't the inclusion of this caveat wording nullify such proposals in most cases? If the purpose of this paragraph is to encourage densification, it would be less harmful and consistent with other design guidance to encourage development to the property rear.

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

## **Chapter 7 – Building infrastructure to grow the economy**

### ***Building a modern economy***

Question 62: Do you agree with the changes proposed to paragraphs 86 b) and 87 of the existing NPPF?

***Council response:***

The proposed change to para 86b now mandates local plans to set criteria and identify strategic sites for local and inward investment, where previously they were only required to do one or the other. Further, new text describes for the first time a range of commercial development which meets the need of the 'modern economy' (also enacted in changes to para 87). We support the policy framework at national level which endorses growth in specific sectors and also the expansion and modernisation of other industries.

Neither change raises new challenges for York, although the potential scale of uses within the current definition of the 'modern economy' is unlikely to be compatible with York's context and lack of access to major road infrastructure. We have consistently planned for a range of investment needs (including through policy on delivery of appropriate sites for freight) and we support the policy recognition given to these new and expanding industries.

However, York is a major centre of excellence in biotech and agri-food research, with a growing Media Arts sector and aspirations to attract 'green' jobs and grow the low carbon and renewable energy economy. Within this context we challenge the definition of 'modern economy' and suggest that such uses are included to better reflect regional diversity.

We would welcome further guidance around how estimates for needs/demands for such new industries should be established and the forthcoming consultation around nationally significant infrastructure projects, in recognition of its role in influencing strategic and local plans.

New para 85c includes a catch-all to enable economic growth/resilience within sectors not included within a) and b); this should be influenced by local economic strategies or Local Growth Plans.

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

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

- 5-year rolling supply of available sites
- Signal greater weight to be placed on economic growth considerations

## **Chapter 8 – Delivering community needs**

### ***Public infrastructure***

Question 67: Do you agree with the changes proposed to paragraph 100 of the existing NPPF?

Yes, with an expanded definition of public service infrastructure to include health and community venues, sport and recreation facilities, schools and further education.

Question 68: Do you agree with the changes proposed to paragraph 99 of the existing NPPF?

### ***A 'vision-led' approach to transport planning***

Question 69: Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?

#### ***Council Response:***

The proposed move to vision based planning and “decide and provide” methodologies is aligned with York’s emerging Local Transport Strategy and is welcomed.

Officers were concerned at the revised NPPF wording around showing severe traffic impacts in ALL scenarios. Concern is principally around the implications for this in a planning authority which is seeking to reduce car use and has a target to that effect (as York has). The key challenge will be either developing a forecasting methodology can ensure developments make adequate sustainable transport contributions – or alternatively whether the necessary sustainable transport interventions can be funded in some other way – for example, through an enhanced CIL, contributions from regional or national government or other financial instruments and processes.

Officer discussions highlighted another issue – around extended timescales between planning applications and development build out – meaning Section 106 agreements can be left behind by background traffic growth, changes to bus services over time. Officers would welcome provision for a mechanism to review and renegotiate S106 agreements in the event of extended delivery timescales

### ***Promoting healthy communities***

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

#### ***Council response:***

The City of York Council integrated health and care board (known as the York Place Board) and community partners developed a 10-year Joint Health and Wellbeing Strategy that sets out how the city could be a “health generating city”.

National Development Management policy could set an expectation that:

- All statutory Health and Wellbeing Boards strategies are required to consider future developments and set out in Local Plans the policies that would embed health and wellbeing from the outset;
- Developments take a 'Health in all policies' approach to site development, to include a requirement for Health Impact Assessments (HIAs) for all major development to inform and evaluate the masterplanning of proposed development;
- Supporting transport infrastructure has a transport hierarchy with inclusive and active travel as a priority
- All development is supported by green infrastructure planning to embed opportunities for green prescribing and well-being;
- Neighbourhood needs assessment/plans support developers consider the needs of the immediate community;
- Provision for specialist and life-long homes, co-designed with residents to make provision for an ageing population to age-well in their home cities/towns as part of the community;
- Provision for young people to build ties and connections to the development, and neighbouring communities with safe, inclusive and accessible travel routes and well-lit parks and areas to gather;
- provision for children with safe and natural opportunities for play and exploration;
- Provision for encouraging social inclusion, such as shared growing space, public space and opportunities to linger and connect;
- Limits are placed on number and agglomeration of businesses near school/education sites that have negative health impacts.

We need to move away from a more 'limited' approach to considering health such as delivery of open space and health infrastructure in isolation to ensure that wider considerations relating to safety for all, social inclusion, women and girls, accessibility, dementia friendly and age-appropriate design for example are all considered.

We therefore support the use of HIAs and have included a policy on this in our emerging Local Plan (HW7), to recognise that this takes a more holistic view of what the impacts on overall health objectives could be from development and should also identify mitigation to overcome impacts identified. This is promoted as best practice by Public Health England.

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



## Chapter 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?

***Council response:***

Yes

### ***Supporting renewable deployment***

Question 73: Do you agree with the proposed changes to the NPPF to give greater support to renewable and low carbon energy?

***Council response:***

Yes; The changes give more emphasis and support for all forms of renewable and low carbon development, which are supported:

- New para 161 b) This change mandates Local Authorities to identify in their Local Plans suitable areas for renewable and low carbon energy sources, and supporting infrastructure where this would help secure the development (removing the weaker 'consider identifying' phrase).
- Para 164 LPAs should support planning applications for all forms of renewable and low carbon development and, at part a) significant weight should be given to the proposal's contribution to renewable energy generation and a net zero future.

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?

***Council response:***

Yes. There may also be an overlap for such habitats in the Local Nature Recovery Strategy; this would need to be considered in such circumstances.

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?

***Council response:***

No view

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?

**Council response:**

No view

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

**Council response:**

NA

### ***Tackling climate change***

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

**Council response:**

- Use Energy Usage Intensity (EUI) target (kwh/m2) rather than notional building targets to assess new build developments – as recommended by UK Green Building Council
- Apply minimum renewable generation requirements for new developments, as a % of overall building energy usage, as standard
- Require assessment of whole life carbon for new developments – with appropriate targets to achieve net zero and standardised methodology
- Reduce reliance on car parking spaces for new developments with greater emphasis on active travel measures
- Require measures to address overheating through passive design measures
- Incorporate requirements for adaptation measures, with targets for green/brown roof (as a % of total floor area) and rainwater harvesting

Include specific targets for retrofit/refurbishments of all medium/large developments.

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?

**Council response:**

Data availability is a big challenge. Information is often outdated or incomplete, meaning subsequent assumptions and conclusions are flawed.

A standardised methodology is required for whole lifecycle carbon accounting that is flexible enough to apply to different building types and projects but can provide effective comparison.

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

***Council response:***

Policy needs to manage water resources collectively, drought, floods and water quality need to be managed and addressed as one. This would provide efficiencies in people resource and finance and delivery of a sustainable water system.

To support delivery of Natural Flood Management, there needs to be provision of funding or a payment to farmers/landowners for 'water storage' this will encourage people to use agricultural land for flood storage.

Natural Flood Management assets need to be recorded on a flood assets register, maintained by the flood risk authority and have appropriate funding available for their maintenance.

An agreed, standardised approach is required for provision of planning permissions for Natural Flood Management . Natural Flood Management should be exempt from planning permissions, as per traditional (concrete) flood schemes.

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

***Council response:***

See Question 78

***Availability of agricultural land for food production***

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

***Council response:***

No

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

***Council response:***

A national land assessment framework is required that provides guidance for Local Authorities in prioritising land use based on policy, priorities and local stakeholder engagement

### ***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?

***Council response:***

We recognise the importance of resilience in the water infrastructure framework and enabling this is supported. However, we do not offer suggestions as the best way to do this.

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?

***Council response:***

No view

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

***Council response:***

No

## **Chapter 10 – Changes to local plan intervention criteria**

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

***Council response:***

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

***Council response:***

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

### *Changes to planning application fees*

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

**Council response:**

Yes

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.

**Council response:**

The proposed increase is acceptable

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

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?

**Council response:**

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 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.

**Council response:**

Other Change of use applications – should be in line with full applications based on site area as they take a similar level of resource.

Prior Approval applications – where advertisement is required and a quick turn round they have resource implications. They should at least double in price.

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.

***Council response:***

Listed building consents, consent to undertake relevant demolition in a conservation area, and works to trees that are protected because they are located in a conservation area or by a Tree Preservation Order. These applications still incur resource and currently do not generate income for City of York Council.

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.

***Council response:***

No – nationally set fees should remain. There is no competition between authorities for development with national fees. If fee schedules started to deviate across authorities, this may present as a risk to delivery of development.

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.

***Council response:***

If it's agreed that it is set locally there should be the ability to rely on a default position (i.e a national charging structure).

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?

***Council response:***

Yes; the planning process isn't just planning officers. There is a huge shortage in relevant consultees that are a key part of the process and lack of resources slows down the process. These services contribute to ensuring that well-designed and sustainable places are delivered. It is our view that all planning application fees should be increased to reflect this wider implication.

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?

***Council response:***

Planning policy, Conservation and design, Ecology, Archaeology, Drainage, Highways.

It should be noted that the above are not an exhaustive list of consultees to the planning application process. Further teams involved include but are not limited to public realm, health, education.

***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?

***Council response:***

Yes

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.

***Council response:***

There is a cost associated to Local Authorities participating in the NSIP process whether that be in officer time or having to engage external third parties to act of their behalf in respect of specialist aspects. Authorities who host NSIP development should be able to recover costs associated with dealing with the NSIP. A defined cost recovering process would negate the need for Performance Agreements to be made.

However, authorities should be able to waive any fees where performance agreements exist.

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

***Council response:***

None

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.

***Council response:***

Given the significance and complexity of development proposals consider under the NSIP regime and by their nature their importance of having to run to fixed project timeframes they can occupy a lot of Officer time, typically at the expense of other day to day work. Cost recovery would provide the opportunity for the LPA to be compensated for this, which in turn could be utilised to employ additional specialist resource or backfill roles effectively vacated by diverting Officers to NSIP projects.

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

***Council response:***

None

## **Chapter 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?

***Council response:***

Further clarity is necessary about the status of soon to be adopted plans in the context of the requirement for early review.

Given the transitional arrangements only relate to those plans in progress at different stages, currently a situation may arise where plans in examination would be required to be reviewed earlier, subject to having more than a 200 difference in regards to the



housing requirement, than those plans that had recently been adopted prior to the introduction of the new framework. The wording 'as soon as possible' therefore needs to be clarified and equitable to other recently adopted plans under previous NPPF versions to ensure that plan can be implemented with some certainty.

Noting the direct funding support to be provided to authorities who are required to re-start plan making, is equivalent funding to be made available for authorities whose plan is subject to early review?

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

***Council Response:***

Refer to response to question 103 above.

The fact that there are two sets of transitional arrangements (one to the new NPPF and then another to the new processes) could cause some further confusion and complication.

We welcome new para 231 which confirms that the policies in the original NPPF published March 2012 will apply for the purposes of examining plans submitted on or before 24 January 2019.

***Future changes to the NPPF***

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

We would welcome further consultation on PPTS and National Planning Policy for Waste. To avoid any policy inconsistency these should be enacted alongside the introduction of the new NPPF.

## **Chapter 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?

***Council Response:***

In general the proposals clearly intend to ensure that there is a positive and supported approach to growth and delivery of development to address identified needs.

Specifically, we consider the proposals relate to the following:

Age – meeting the needs of looked after children seek to positively address the specific needs of children under 16 to ensure appropriate accommodation is planned for and delivered in the right locations. This is a positive approach and is supported.

Race – Consideration for reviewing Green Belt policy to allow the provision of gypsy and traveller sites is positive for considering the needs of this community where this is currently a constraint under current national policy. The outcome of this is unknown but has the potential to be positive as this is no longer deemed 'inappropriate development'.

Disability – Whilst we acknowledge other legislation requires the consideration of disability and accessibility, the proposals do not sufficiently highlight or propose a need to implement standards relating to accessibility in general as part of development proposals. This aspect of the proposals could be strengthened to provide more positive outcomes for this group, including development exceeding current building regulations. Feedback from York's residents indicates that Building Regulations do not go far enough to ensure that accessibility addresses need. In some places this has been compensated for through locally specific SPD, however we would welcome consideration of this at a national level.

Low income groups – the proposals seek to deliver a level of housing adjusted by the local affordability ratio and to positively deliver affordable housing to meet the current housing crisis. This approach is likely to have a positive outcomes for those people on a low income where access to more cost effective accommodation should become available.

**The following matters do not form part of the NPPF consultation but have significance to plan making/development management decision making. We welcome further clarity around how these matters will be addressed through national guidance:**

- Houses in Multiple Occupation
- Student Housing supply
- short term lets
- Houseboats

## Annex B: Outcome of the proposed revised method for housing requirements.

B1.1 The proposed formula is set out in chapter 4 of the consultation document<sup>1</sup> (as presented in Annex A to this report).

B1.2 The figure for York presented in their table 'Outcomes of the proposed revised method':

| ONS Code  | Local Authority Name | Region                   | Current Method | Proposed Method | Average Annual Net additions (2020/21-2022/23) |
|-----------|----------------------|--------------------------|----------------|-----------------|--|
| E06000014 | York                 | Yorkshire and The Humber | 1,020          | 1,251           | 476  |

B1.3 For York, the requirement is calculated as follows:

|   |              | Information source  |
|---|--------------|---|
| Stock as at 2023                            | 91,505       | <a href="#">Live tables on dwelling stock</a> <sup>2</sup> ; see Table 125                |
| 0.8 % stock                                 | 732.04       |   |
| 3yr average (2021-2023) affordability ratio | 8.726        | <a href="#">House price to workplace-based earnings ratio</a> <sup>3</sup> ; see Table 5c |
| Affordability adjustment                    | 1.70890      | Calculation:<br>(affordability ratio-4)/4)*0.6+1  |
| <b>Total Housing requirement</b>            | <b>1,251</b> | Calculation: 732.04 x 1.70890   |

<sup>1</sup> <https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system>

<sup>2</sup> <https://www.gov.uk/government/statistical-data-sets/live-tables-on-dwelling-stock-including-vacants>

<sup>3</sup>

<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian>

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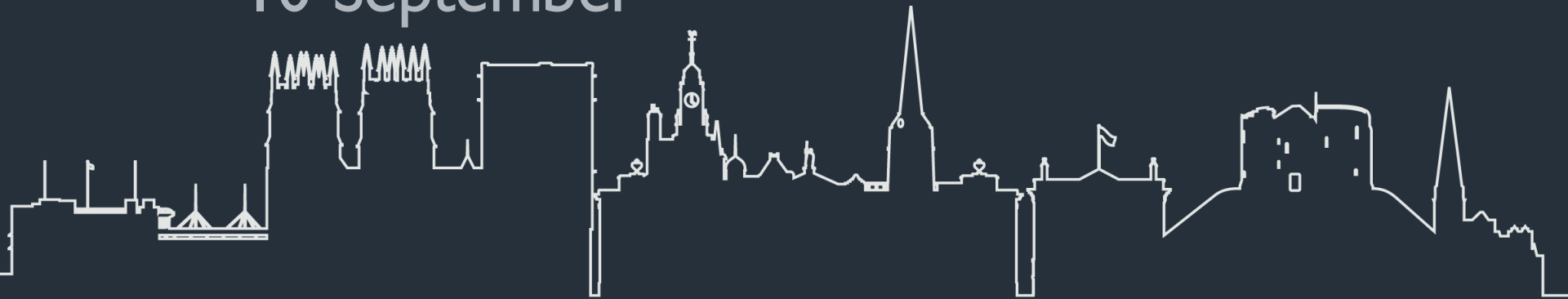
Annex C:



# NPPF 2024 consultation

Local Plan Working Group

10 September



# Policy Objectives

*The Government has made clear that sustained economic growth is the only route to improving the prosperity of our country and the living standards of working people.*

*Changes to the NPPF ... are vital to deliver the Government's commitments to achieve economic growth and build 1.5 million new homes.*

**ACTION: Open consultation until 24 September 2024**

**[PlanningPolicyConsultation@communities.gov.uk](mailto:PlanningPolicyConsultation@communities.gov.uk)**

[Executive Member Decision Session: 23 September 2024]

## **NEXT STEPS:**

+ implementing quickly

+ immediate action by LPAs where necessary

Working together to improve and make a difference

# Local Plans & Strategic planning

## 100% coverage of Local Plans

### Transitional arrangements for emerging plans

- Plans under examination can continue
- If housing target is 200 different = Early Review of Local Plan
- Updates to strengthen local plan intervention criteria

### Strategic Development Strategy

- NEW SDS – CYC & NYC Mayoral Combined Authority

### Commitment to continuing review of Plan-making (LURA)

BUT awaiting funding, new secondary legislation and timescales

# Planning for Homes

## Housing Requirement and 5 yr Housing Land Supply: Revised Standard method is mandatory target

**1251** (new method) vs 1020 (old method) vs **822** (net) in Local Plan

+ 5% additional buffer on all HLS = 1314  
+ **20% additional buffer if not meeting** = **1501**  
**Housing Delivery Test**

- Forward looking supply position
- Removal of ability to 'fix' annual position

## Strengthening 'Presumption in favour of Sustainable Development'

Swaps out of date policies for the 'supply of land'  
*'tilts the balance' towards approval with exceptions*



# Delivery of Development

(1) **Brownfield first**

(2) **Green Field**

(2) **Green Belt:** Sequential approach to GB release

- i. PDL    ii. NEW – Grey belt    iii. Sustainable, higher performing land

## **NEW Grey belt definition –**

For the purposes of Plan-making and decision-making, grey belt is defined as land in the Green Belt **comprising Previously Developed Land and any other parcels and/or areas of Green Belt land that make a limited contribution to the five Green Belt purposes** (as defined in para 140 of this Framework) but excluding those areas or assets of particular importance listed in footnote 7 of this Framework (other than land designated as Green Belt)

## **NEW Golden Rules for public benefit**

- at least 50% affordable housing, where viable
- necessary improvements to local or national infrastructure
- provision of new, or improvements to existing, local green spaces that are accessible to the public

## **Allowing Development on the Green Belt through Decision Making**

Where not meeting housing or commercial needs, development on the Green Belt will not be considered inappropriate when it is on sustainable ‘grey belt’ land

## **Proposals to support release of GB to meet needs for traveller sites**

# Delivering affordable homes & well designed places

## Focus on right mix of affordable housing

- Focus on social rented homes – evidenced by local needs
- Encourages mix of tenures on sites

REMOVES: requirement for 10% of the total number of homes on major sites as affordable home ownership & requirement of min 25% to be First Homes

## NEW - Meeting need of looked after children

- to reflect local evidence and to go in local policy

MISSING: standards for accessible homes or further changes for other specialist provision

## Design

- Removes references to 'beauty'
- Still encourages upward extension

# Infrastructure & Transport



- **Support for the ‘modern economy’** - gigafactories, data centres, freight centres and logistics to support economic growth
- **Widening Nationally Significant Infrastructure Projects (NSIPs)** whether should apply to onshore renewable energy, and data centres, laboratories, gigafactories and water projects
- **Public service infrastructure**
  - *Significant weight should be placed on the importance of facilitating new, expanded, or upgraded PSI when considering proposals for development*
- **Healthy communities** - How to provide greater direction and clarity on the promotion of health?
- **A ‘vision-led’ approach to transport planning** focuses on the outcomes desired, and planning for achieving them
  - Changes to testing impacts: Unacceptable impact on highway capacity ‘in all tested scenarios’
  - More guidance expected

# Green energy & Environment

## Increase support for renewable energy schemes,

- Already removed restrictions on onshore wind
- Proposed Changes to NSIP - *to include onshore wind over 100MW and solar over 150MW and Water infrastructure*
- Identify areas for renewables
- Significant weight to the need to support energy efficiency

## Tackle climate change

- How to better address climate change in policy?

## Safeguard environmental resources

- Safeguarding best and most versatile agricultural land; removing uncertainty
- ‘National Landscapes’ new definition for AONBs

# Other

## Planning application fees

- Considering application fee increase to meet cost recovery level;  
E.g Householder Application estimate = £528
- Considering ability to set local planning fees
- Considering fees to fund wider planning services (beyond cost recovery)
- Cost recovery relating to NSIP

## Public Sector Equality Duty

- Any comments on how the proposals impact on individuals, groups or businesses with a relevant protected characteristic.

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