

Annex C:

City of York Council Response to The draft National Planning Policy Framework

General Comments

- (i) The Council supports a local evidential approach to assessing and meeting local development needs and the emphasis on this in the draft guidance is welcomed.
- (ii) The streamlining of national guidance is also welcomed in part and it is accepted that there is a need to make national policy more concise and readable as a whole. However, in achieving this aim the NPPF has become over-reliant on concepts which have not been clearly defined.
- (iii) It is considered essential that the transitional arrangements are established to ensure that the gap between the new NPPF being in place and the adoption of Local Plans does not result in damaging or inappropriate developments being approved. It is not doubted that it is the Government's intention to put transitional arrangements in place but this information would be useful when evaluating the effects of the proposed changes.
- (iv) The issue of transitional arrangements is also important from the point of view of SPDs which have a key role in terms of Development Management and securing planning gain. It is important that this role is recognised and if the position of SPDs are to be diminished the appropriate allowances are made for transitional arrangements.
- (v) With regard to both the Natural and Historic environment we support the protection afforded to designated assets, but have concerns that undesignated assets have not been afforded the necessary level of protection. While we accept that much of this could be established through preparation of Local and Neighbourhood plans, we feel the current policy gap could result in damage to locally significant assets.

Delivering Sustainable Development

1(a) The Framework has the right approach to establishing and defining the presumption in favour of sustainable development.

Do you:

Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly

Disagree

1(b) Do you have comments?

Paragraphs 9 and 10 - The Council welcomes in principle the commitment to Sustainable Development but these paragraphs together provide a limited definition of the elements of sustainable development (with the exception of references made to paragraph 13 below) but we do support paragraph 11 which sets out the Government's intention to pursue sustainable development in an integrated way. Generally, the Council welcomes reference to the planning system playing an active role in guiding sustainable development but the Council believe that the starting point for a definition of sustainable development should be the principles and priorities set out in the UK Sustainable Development Strategy – Securing the Future (2005):

Principles:

- Living within environmental limits.
- Ensuring a strong, healthy and just society.
- Achieving a sustainable economy.
- Promoting good governance.
- Using sound science responsibly.

Priorities:

- Sustainable production and consumption.
- Climate change and energy.
- Natural resource protection and environmental enhancement.
- Creating sustainable communities.

Paragraph 13 - The Council understand and support the view that planning has a key role in encouraging economic growth. However, it is concerned that in applying 'significant weight' to the need to support economic growth through the planning system the NPPF does not advocate a balanced assessment of whether development is sustainable. The Council feel particularly that the definition of sustainable development is limited in relation to environmental capacity, and is concerned that this could lead to economic growth at the expense of local social and/or environmental objectives.

Paragraph 14 - The Council would like to emphasise their strong concern that the general presumption in favour of development 'wherever possible' could undermine plan preparation. This is particularly important given that the NPPF indicate that permission is to be granted

where plans are absent. The development plan produced for an area should be the definition of what is sustainable development for that area based on a local evidential approach and an understanding of local economic, social and environmental issues. This needs to have reference to longer term objectives – an individual development decision may initially appear to deliver sustainability objectives, but may in the longer term generate long term costs.

Paragraph 17/18 - The Council welcomes Neighbourhood Plans. The organisational structures required to effect neighbourhood planning are not clear, particularly in terms of achieving appropriate levels of participation and involvement etc.

Plan-making

2(a) The Framework has clarified the tests of soundness, and introduces a useful additional test to ensure local plans are positively prepared to meet objectively assessed need and infrastructure requirements.

Do you:

Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree

2(b) Do you have comments?

Paragraphs 40 and 43 - Viability and deliverability are important elements of plan making, however they can vary over the short, medium and long term and can be influenced by factors beyond planning. Whilst the Council supports the broad principle of ensuring that there is a reasonable prospect of infrastructure being delivered, seeking to undertake detailed infrastructure planning (requirements, timescales, costs and setting CIL rate) as part of the production of the Local Plan may be difficult when preparing a 15 year plan. For example, development costs will change over this timescale. The Council therefore consider that the NPPF should acknowledge the difficulties in assessing infrastructure requirements over the longer term and a more flexible approach to infrastructure planning be adopted which takes account of the changing economic cycle.

Paragraph 48 - It is considered that the reference to unmet needs in neighbouring authorities requires further clarification. For example, in

what circumstances would it be appropriate for a Local Authority to have 'unmet demand'. This could be clarified through additional guidance or by adding in reference to the 'planning strategically across boundaries' section of the NPPF, and in particular paragraph 47. It would also be helpful to refer to joint working under the 'positively prepared' test of soundness.

Joint Working

The policies for planning strategically across local boundaries provide a clear framework and enough flexibility for councils and other bodies to work together effectively.

2 (c) Do you:

Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree

2(d) Do you have comments? (please begin with relevant paragraph number)

Paragraph 45 - The Council welcomes the requirement for Local Authorities to work collaboratively to ensure that strategic priorities across boundaries are properly coordinated and reflected in Local Plans; albeit, this will be harder for those areas that do not have a history of working across boundaries. It is presumed from the limited detail that it will be for Local Authorities to establish ways of joint working.

Paragraph 46 and 47 - The Council feels that it may also be difficult for some Local Authorities to demonstrate evidence of having successfully cooperated. Local Authorities are at varying stages in preparing their development plans and as such it may be difficult to properly coordinate joint working. It may also be the case that neighbouring authorities have competing priorities, which cannot be negotiated. Further guidance on how to undertake joint working when neighbouring Local Authorities are at different stages (particularly where there are authorities where a plan is already adopted) would be helpful. The Council also considers that the objectives, policies and principles within the Framework have not yet been set out clearly enough to guide collaboration.

Development Management

Decision Taking

3a: In the policies on development management, the level of detail is appropriate.

Do you:

Strongly Agree / Agree / Neither Agree or Disagree / **Disagree** / Strongly Disagree:

3b: Do you have comments? (Please begin with relevant paragraph number)

General - The Council consider that the level of detail in the draft NPPF is not useful in directing Development Management. The resource implications of speeding up process and entering into pre-application discussions should be recognised.

Paragraphs 65 and 66 - conformity with the overall objectives of the Local Plan should be made a stated aim of all aspects of Development Management.

4a: Any guidance needed to support the new Framework should be light-touch and could be provided by organisations outside Government:

Do you:

Strongly Agree / Agree / Neither Agree or Disagree / **Disagree** / Strongly Disagree

4b: What should any separate guidance cover and who is best to provide it?

General - Given the size and scope of the draft NPPF and level of detail it contains, there will need to be supplementary guidance to many of the sections in order for it to provide useful guidance for local planning authorities. Without further guidance, the lack of clarity will lead to more scope for appeals, and determination by the courts.

The status of extra guidance should be made clear especially if published by external organisations. If external organisations were to produce separate guidance, they may not have the same consistency as

current PPGs/PPSs. If additional guidance is produced externally it is important that it does not reflect the interests of specific organisations and is subject to wide consultation and stakeholder involvement.

Business and Economic Development

5a The ‘planning for business’ policies will encourage economic activity and give business the certainty and confidence to invest.

Do you:

Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree

5b Do you have comments? (Please begin with relevant paragraph number)

Paragraph 72 - refers to achieving ‘sustainable economic growth’. The Council considers that for economic growth to be truly sustainable, it must be a medium/long term process to ensure that the right type of growth occurs in the right locations and is developed and constructed in a sustainable way. This needs to be made clear throughout this section.

Paragraph 73 - The economic development policies need to protect what’s unique to the Local Authority that gives it its niche or marketability. For example, in York, the Council would want to avoid developments that risk changing the unique selling point which makes York attractive to investors – its historic character and setting.

Paragraph 73 - The NPPF should encourage local authorities to identify and plan for new or emerging sectors that are *needed* in the area e.g. more skilled, better quality jobs.

Paragraph 74 - suggests that planners should be assisting developers in bringing forward sites and helping them overcome any issues. Para. 75 goes on to suggest that employment land/floorspace should not be protected in the long term – The Council feels that this conflicts with earlier paragraphs which set objectives to plan proactively (72) and identify strategic sites (73) and will bring extra transport and environmental impacts and costs. Most local authorities will have undertaken employment land reviews or similar studies which identify a collection of potential employment sites to meeting the need of future economic growth; these are then adopted in an Allocations DPD and are protected for that use for the length of the plan period. If we remove this

aspect of planning for economic development, it will make planning proactively very difficult, including the identification and delivery of infrastructure and take away the certainty for businesses to invest.

Paragraph 75 - Contemporary “market signals” can be an unreliable basis for medium to long term planning. This should be recognised in guidance.

5c *What market signals could be most useful in plan making and decisions and how could such information be best used to inform decisions?*

General - The Council considers that the following information should aid plan/decision making:

- Information currently included in employment land reviews. This shows an understanding of market preferences in terms of locations for types of employment. Using this information, the local planning authority can balance market conditions against other sustainability factors.
- The use of retail studies will assess the capacity for convenience and comparison retail alongside the health of existing centres.

6a *The town centre policies will enable communities to encourage retail, business and leisure development in the right locations and protect the vitality and viability of town centres.*

Do you:

Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree

6b *Do you have comments?*

Paragraph 76 - The expansion of city centres should not compromise the vitality and viability of the existing centre – it needs to be made clear in the policy that a phasing approach should be taken. It should also be highlighted that functional links need to be established between the existing city centre and any expansion. There is little incentive to redevelop derelict land in town centres or to adapt the existing stock for reuse if relaxations are allowed in peripheral areas which have fewer development constraints. Short term gains particularly will be at the cost of real “sustainable development” damaging the quality of town centres.

The document fails to recognise the importance of sustaining and enhancing the quality of town centre environments.

Paragraph 77/78 - Office developments no longer need to apply the sequential test although they seem to be recognised as a town centre use elsewhere in the framework. The Council feels that this will encourage edge/out of centre office parks which could be damaging to the vitality and viability of city centres and are significantly less sustainable in terms of public transport and access to facilities. This will therefore have a negative effect on wider climate change objectives and could lead to traffic problems.

Paragraph 79 - The Council considers that the requirement for out of centre retail proposals to undertake an impact assessment only if the floor space exceeds a locally set threshold (or, if this is not available, a default threshold of 2,500 sq m) has the potential to be very damaging to the vitality and viability of city centres. It is often the out of centre smaller units that will compete directly with city centre. Furthermore, stating a default threshold is overly prescriptive given the locally-driven direction of the NPPF.

Transport

7(a) The policy on planning for transport takes the right approach

Do you:

Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree

7(b) Do you have any comments?

General

The council strongly disagrees that the policy for transport takes the right approach. Sustainability is achieved through a balanced consideration of economic, social and environmental aspects that comprise sustainability. Placing a presumption on one – in this case ‘Economy & Growth’ and planning a transport system to realise this without giving due consideration to the other aspects could lead to development that is unsustainable. This is particularly relevant for edge of centre or out of centre development, which, in the past, has proven to be difficult to access by the more sustainable forms of transport such as walking cycling and public transport. City of York Council (through its Local Transport Plan and emerging Local Development Framework) is seeking

to implement strategies and policies that seek to:

- Minimise the need to travel
- Maximise the use of more sustainable forms of transport to travel (if travel is necessary)
- Ultimately tackle congestion, fulfil its obligations to reduce CO2 emissions and improve local air quality

The framework, as it stands, will strongly dilute the ability of the council to realise these objectives through the planning process. Therefore, it needs to:

- Restate the objectives in PPG13 to:
 - promote more sustainable transport choices for both people and for moving freight
 - promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling and
 - reduce the need to travel, especially by car
- Give more practical guidance, such as a 'policy toolkit' for example to demonstrate how these could be realised (in York)
- Be more compelling - i.e. use 'must' rather than 'shall' or 'should' (see Para. 85) or use 'take full account of' rather than 'consider' (see Para. 89).
- Give more guidance as to who is responsible for establishing 'local criteria' etc.
- The more flexible approach put forward will potentially make it more difficult to assess overall infrastructure requirements for specific areas and then create effective funding mechanisms

Communications Infrastructure

8a Policy on communications infrastructure is adequate to allow effective communications development and technological advances.

Do you:

Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree

8b Do you have comments?

No comments

Minerals

9a *The policies on minerals planning adopt the right approach.*

Do you:

Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree

9b *Do you have comments?*

General - Mineral planning guidance is very well established through the Mineral Policy Statements, Minerals Policy Guidance and the Planning and Minerals Practice Guide. It has provided strong guidance for many years. The intention is that Local Planning Authorities will have sufficiently robust Local Plans and Neighbourhood Plans to provide local interpretation and detail. The document gives little guidance on how to achieve the desired position. The Council suggests that, due to its nature, minerals planning should be assessed at the regional and sub-regional level. This should be highlighted in the NPPF.

Paragraph 100 - There are no references to prudence, conservation of supplies or limits of the environment, and the focus on material input growth above all factors; all imply an acceleration of extraction, without concern for prudence or conservation, and without concern for the natural limits set by geology. This could be seen to be promoting an unsustainable approach to minerals, in effect a presumption in favour of unsustainable development in this field. It is felt that prudent management of mineral resources is a critical part of sustainable development. It is considered that the recycling of suitable minerals to minimise the requirement for new primary extraction should be a first principle as apposed to the other way around which is currently being proposed.

Paragraph 102 - the Council welcomes the reference to safeguarding areas of local minerals of importance to heritage assets.

Paragraph 103 - The Council considers that this should refer to enhancement and after-use as well as restoration, and should make

reference to obligations as well as conditions, which would ensure good quality restoration and after-use over time.

Housing

10(a) The policies on housing will enable communities to deliver a wide choice of high quality homes, in the right location, to meet local demand.

Do you:

Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree

10(b) Do you have comments?

General

The Council supports the ambition to increase the delivery of new homes where this is in line with a local evidential approach. The Council strongly supports the emphasis on an evidence based approach (i.e. an ongoing role for SHMA, SHLAA etc) and would welcome the publication of more practice/methodological guidance to help steer a more consistent approach to evidence and studies such as the SHMAs to allow for greater comparability between areas (i.e. comparable data sets etc).

Current guidance gives considerable emphasis to affordable housing and it is noted that this isn't picked up in the objectives highlighted. Given the importance of this issue, in achieving the social objectives of sustainability this appears to be a substantial omission.

Paragraph 107 - It is important that funding is available to support the regeneration and renewal mentioned in this paragraph.

Paragraph 109 - The position taken on windfall sites is overly prescriptive. The Council considers that this decision should be left to Councils to take a local approach to reflect local circumstances, and may reduce the burden on Greenfield sites. The paragraph could also usefully include a statement on empty and underused homes, including space above shops.

Sustainable Communities

Planning for schools

11(a) The policy on planning for schools takes the right approach.

Do you:

Strongly Agree/Agree/**Neither Agree or Disagree**/Disagree/Strongly Disagree

11(b) Do you have comments?

Paragraph 129 – Whilst agreeing with the broad approach it is felt essential that adequate protection is given to recreational land such as school playing fields. The Council feels that the development of open space or recreation land (such as school playing fields) should only ever happen in exceptional circumstances, and where alternative facilities are provided. The Council also would suggest that it should be acknowledged where such facilities are deficient this should be addressed.

Design

12(a) The policy on planning and design is appropriate and useful.

Do you:

Strongly Agree/Agree/**Neither Agree or Disagree**/Disagree/Strongly Disagree

12(b) Do you have comments or suggestions?

Paragraph 114 - there should be an additional clause promoting the use of local materials as a way of stimulating the local economy. The link between design, construction and training apprentices should also be made.

Paragraph 116 - The Council supports the reference to underpinning design policy through better understanding of local character, which reflects York's stance on Heritage policy, but suggest the removal of 'optimise the potential of the site to accommodate development', as this is unnecessary and should be determined by local characteristics and site circumstance. Policy should refer to amenity space, high quality architecture and urban design as part of well designed places, reflecting

a local sense of place. The Council suggests alternative text, as follows: “...while not constraining creativity or discouraging new architectural additions to the townscape or rural landscape”.

It is difficult to gauge how a two tier system will work in the case of general design policy. For example, a local plan may establish policy supporting new and innovative design, and a neighbourhood plan within the same authority could enforce a conservative representation of local style or vice versa.

Paragraph 123 - The Council does not support the subjective approach taken to controlling advertisements. Leaving the requirement for a detailed assessment to an individual’s definition of ‘appreciable impact’ is not sufficient, and could lead to the harmful degradation of centres. The character of conservation areas can be significantly damaged by such signage – control of advertisements is justifiable on conservation as well as amenity grounds.

Green Belt

13a *The policy on planning and the Green Belt gives a strong clear message on Green Belt protection.*

Do you:

Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree

13b *Have you comments to add?*

Paragraphs 130-132 - The introduction of a Local Green Space designation will not provide complete protection from development and could also prevent their registration as a Town and Village Greens. Further clarification needed, given the recent consultation by Defra on changes to Town and Village Green registration. The Council feels that Local Green Space should be given adequate protection recognizing their values to local communities.

Paragraph 135 - The Council supports the Government’s approach to Green Belt which remains largely the same as in previous national guidance, although the Framework takes a more positive view towards enhancing the beneficial uses of Green Belt, which is a welcome addition. This supports the Council’s approach to Green Infrastructure, which recognises that Green Belt should be viewed as more than a

planning constraint.

Paragraph 136 - The Council recognises that, as the general extent of Green Belts across the country are already established, it should not be necessary to designate new Green Belts except in exceptional circumstances. However, the Framework includes a list of criteria that LPAs should meet when proposing new Green Belts – this is welcomed particularly given the York context.

Paragraph 144 and 145 - The Council supports the inclusion of a list of exceptions/forms of development appropriate for the Green Belt. It provides a clear direction for LPAs on which to base decisions.

General

York's Green Belt has existed since the 1950s with its general extent recognised through relevant sub regional and regional plans. Its detailed inner boundaries have however never formally been adopted. York's ongoing LDF process will lead to adopted boundaries for the first time. Given the abolition of RSS the Council's feel it is important that the principle of York having a Green Belt is acknowledged.

Climate Change, Flooding and Coastal Change

14a The policy relating to climate change takes the right approach.

Do you:

*Strongly Agree/Agree/Neither Agree or Disagree/ **Disagree**/Strongly Disagree*

14b Do you have comments?

General - Within the strong focus of facilitating economic growth, this Council feels that cutting carbon emissions appears to be a secondary goal. For example, the core principles (paragraph 19) have no reference to climate change adaptation or mitigation. It is considered that this is a major omission. There seems to be an objective to help to deal with climate change but no delivery mechanism to make sure it happens.

There seems to be very little reference to air quality and low emissions within the Climate Change section.

14c The policy on renewable energy will support the delivery of renewable and low carbon energy.

*Do you: Strongly Agree/Agree/Neither Agree or Disagree/
Disagree/Strongly Disagree*

14d Do you have comments?

Paragraph 150 - Whilst the Council supports a local led approach, it is useful to have national standards for renewable energy and sustainable design and construction. The second bullet point indicates that, to support the move to a low-carbon economy, local planning authorities should set the local requirement for building's sustainability. The intention is that Local Planning Authorities will have sufficiently robust Local Plans and Neighbourhood Plans to provide local interpretation and detail. Development Management will find it difficult to enforce local targets with no national backing. There is also a need to strengthen non-domestic targets. This framework could be a key tool in undertaking this.

Paragraph 151 - The heritage protection review (which resulted in PPS 5) urged a more holistic approach to the environment i.e. that undesignated heritage assets should be given more consideration and protection, especially if recognised as being of local value. This draft Framework goes against this intention in giving weight only to designated assets (in most clauses).

Paragraph 152&153 - The Council feels that it should be recognised that some areas are not suitable for this type of development and that an assessment of local character and setting should be undertaken.

14e The draft Framework sets out clear and workable proposals for plan-making and development management for renewable and low carbon energy, including the test for developments proposed outside of opportunity areas identified by local authorities.

*Do you: Strongly Agree/Agree/Neither Agree or Disagree/
Disagree/Strongly Disagree*

14f Do you have comments? (Please begin with relevant paragraph number)

The Council considers it is important that the approach to renewable energy is considered strategically through the Local Plan for an area and this gives clear direction on how an authority will address its energy needs in a sustainable way. It is also essential that this approach is evidential.

14g *The policy on flooding and coastal change provides the right level of protection.*

Do you: Strongly Agree/Agree/Neither Agree or Disagree/Disagree/Strongly Disagree

14h *Do you have comments?*

General - Flood risk is covered by what is essentially an executive summary of PPS25 comprising 14 short paragraphs and 3 footnotes. Given the importance of flood risk this seems inadequate. The key principles are unchanged and seek to steer development away from flood risk areas. The Council welcomes this approach, however there is little in the way of detailed guidance. This replaces PPS25, which has generally been regarded as a practical and useful working document.

Paragraph 155 - Currently the City of York Council's SFRA is read in conjunction with PPS25, providing local and more detailed interpretation of the flood risk information provided by the Environment Agency. With the withdrawal of PPS25 and the absence of detail in the NPPF it seems likely that this Council will have to review its SFRA and specifically incorporate those parts of PPS25 into it which we consider relevant to make it a freestanding document.

Natural Environment

15a *Policy relating to the natural and local environment provides the appropriate framework to protect and enhance the environment.*

*Do you:
Strongly Agree/Agree/Neither Agree nor Disagree/Disagree/Strongly Disagree*

15b *Do you have comments?*

General - The Council considers that the NPPF lacks strength from a nature conservation perspective and will provide little support for wildlife/biodiversity protection policies at the local level. The emphasis (weight) given to national and international designations comes at the apparent expense of locally important sites, which contradicts the laudable statements in paras 164 and 167 (see below). The framework places a lot of emphasis on LPAs setting policies and making judgements, which is good on one hand, however the lack of national backing and defined national policy will make it harder for Development Management to defend decisions.

Paragraph 164 (& 167) - The Council considers that the framework's coverage of 'valued landscapes' relating just to National Parks, AONB's etc is not wide enough. The document should aim to promote landscape protection, management and planning in the wider sense. The document should refer to the European Landscape Convention (ELC), which suggests that all landscapes are valuable and should receive a measure of protection. A policy to support landscape character assessment/recognition and strategy to promote landscape management, protection, enhancement and creation (in addition to green infrastructure and designated landscapes) should be included.

Paragraph 167 - requires LPAs to give great weight to protecting certain landscapes. However, the Council feels that the suggested approach is weaker than previously, as the term 'overriding public interest' is replaced with 'public interest', and where detrimental effect on the environment used to have to be 'overcome', it now just needs to be 'moderated'. There is also no mention of Landscape Character Areas or the desirability of enhancing degraded landscapes (eg former industrial landscapes).

Paragraph 166 - The requirement that LPAs should make distinctions between the hierarchy of wildlife sites could be potentially damaging to other important wildlife sites that are not nationally designated. The Council considers that all designated sites should be given equal protection when it comes to development proposals.

In order for Green Corridors to be established and to function as they should, they require protection. This is important in order to maintain the wildlife network. New sites provide and enhance linkages/stepping stones with existing sites. These are essential to many species.. The Council consider that there should be a presumption against the development of existing locally designated sites except in exceptional

cases. This is referred to within the Governments recent White Paper on the environment and the supporting documents with regard to offsetting, but is lost here.

Historic Environment

Q16a This policy provides the right level of protection for heritage assets.

Do you:

Strongly Agree/Agree/Neither Agree nor Disagree/Disagree/Strongly Disagree

Q16b Do you have comments?

General - This draft generally encompasses the spirit of PPG5 and picks up one or two of its elements that were dropped from the published versions, which this Council supports. However, as with the natural environment, the balance is hugely in favour of nationally designated assets. Locally designated or recognised assets are hugely important, especially to a place like York, and should be recognised in policy. Reference should be made to the historic environment planning practice guide for how to implement the stated approach.

The important of the historic environment to the economy is also not mentioned, although was in PPS5 – PPS5 in HE7.4 explains that LPAs should take account of the positive contribution that conservation of heritage assets and the historic environment generally can make to the establishment and maintenance of sustainable communities and economic vitality by virtue of the factors set out in HE3.1).

Paragraph 177 -_we note the weight given to Historic Environment Records, though this would clearly have resource implications. Other means of securing the information would need to be explored.

Paragraph 183 - to assist with determining harm in conservation areas, the Council feel that appraisals should be a requirement.

Paragraph 185 -_the loss of the “presumption in favour of conservation” of valued non designated assets would make assets vulnerable to local political agendas especially in view of the strong presumption in favour of development through-out the document.

Paragraphs 187 and 188 -The Council supports this reintroduced reference to ‘substantial harm’, which elevates the significance of non-designated assets that contribute to the character of conservation areas. The reference to enhancement for Conservation Areas is also positive, and should be extended to cover the approach to all heritage assets.

The Council suggests using English Heritage’s stated ‘Conservation Principles, Practice and Guidance’ as the basis for describing significance. The lack of reference to communal value in particular could mean that the significance of locally valued assets is overlooked. This change should also be made to the Glossary.

Paragraph 191 - could be taken to mean that assets which have not been subject to recording are more open to degradation. Suggest that rewording should instead explain (as is intended) that an asset’s record should not be considered as an appropriate substitute for maintaining that asset in all cases. This paragraph has also dropped mention of publication as part of mitigation through recording and dissemination of results. HE12.3 of PPS5 states, “developers should publish this evidence...”. The Council feels this should be reinstated.

Impact Assessment

17a The Framework is also accompanied by an impact assessment. There are more detailed questions on the assessment that you may wish to answer to help us collect further evidence to inform our final assessment. If you do not wish to answer the detailed questions, you may provide general comments on the assessment in response to the following question:

Is the impact assessment a fair and reasonable representation of the costs, benefits and impacts of introducing the Framework?

Q B.3.1. What impact do you think removing the national target for brownfield development will have on the housing land supply in your area? Are you minded to change your approach?

The removal of the national brownfield target should not be damaging in itself provided that the general approach states that brownfield sites should be reused ahead of Greenfield. The approach on this should be clear in order to create a level playing field. This would obviously be open to scrutiny through the public examination process.

Q B 3.2. Will the requirement to identify 20% additional land for housing be achievable? And what additional resources will be incurred to identify it? Will this requirement help the delivery of homes?

The requirement to identify an additional 20% of sites against the housing target in the first five years to ensure choice and competition is overly prescriptive. Although the Council recognises the importance of maintaining a degree of flexibility, it should be left to the local planning authority to decide the amount based on local circumstances. Again the approach taken would be open to scrutiny through the public examination process.

Q B 3.4. Will you change your approach to the delivery of affordable housing in rural areas in light of the proposed changes?

We agree with the proposed approach in principle and think this could go some way to enhance the mix on rural sites.