

Response ID ANON-SNQ4-R58G-C

Submitted to Proposed reforms to the National Planning Policy Framework and other changes to the planning system
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Scope of consultation

Respondent details

a What is your name?

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c What is your organisation?

Organisation:
Chartered Institute of Ecology and Environmental Management (CIEEM)

d What type of organisation are you representing?

Professional body

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

Chapter 1 – Introduction

Chapter 2 – Policy objectives

Chapter 3 – Planning for the homes we need

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

Not Answered

Please explain your answer:

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?

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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?

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

We suggest that the amended paragraph should also reference the policies in Section 15 of the revised NPPF - against which proposals for development in Green Belts should be assessed.

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?

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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?

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer if you believe a different % buffer should be used:

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

Not Answered

Please explain your answer:

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

Yes

Please explain your answer:

We support the amendments to NPPF Paragraphs 24 and 27 strengthening cross-boundary cooperation and effective strategic planning across local planning authority boundaries, but these changes should also make specific reference to the need to cooperate on matters affecting the Natural Environment. These paragraphs of the NPPF should be a mechanism to strengthen joint delivery of, and synergies between, Local Plans and the vital Local Nature Recovery Strategies (LNRSs) that should sit alongside them, ensuring that built development supports rather than conflicts with environmental priorities, and vice versa. The House of Lords Land Use Select Committee Report 'Making the most of England's Land' (2023) identified the fundamental problem of the Government's economic and environmental objectives for the planning system being pursued independently by different Government departments and policies in a way that causes conflict between them that frustrates the delivery of either. This review of the NPPF is an opportunity that should not be missed to make it clear that the delivery of housing and other development, particularly in the Green Belt but also elsewhere, should be used as an engine to promote, fund and drive environmental and ecological enhancements in the Green Belt and beyond. Doing so would make development synonymous with environmental betterment, whilst also improving the quality of life and wellbeing for the residents of both new and existing development. LNRSs should be explicitly mentioned in paragraph 25 of the revised NPPF as a key vehicle for coordinating the required alignment of development and environmental objectives. Additionally, the Land Use Framework, and other spatial plans for infrastructure should be integrated into the Government's approach to strategic planning. Ecosystems, habitats and wildlife extend beyond LPA boundaries. Currently, the land use planning system does not effectively address issues at an ecosystems or landscape scale.

We are also advocating for a Land Use Framework that is an overarching, England-wide spatial document which identifies where and how different land uses can be aligned to maximise co-benefits and ensure that national environmental targets, and other national targets with land use needs or implications, are met and act in support of each other, rather than in conflict. To be effective, the Land Use Framework must also be target and outcome-driven (for example, having the achievement of net zero by 2050 and the pledge to protect at least 30% of land for nature at its heart), backed by strong implementation including through planning policies and decisions and consenting and spending decisions, and be transparent and adaptable for delivery.

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

Not Answered

Please explain your answer:

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

Please provide any other suggestions relating to the proposals in this chapter. :

Chapter 4 – A new Standard Method for assessing housing needs

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?

Not Answered

Please explain your answer:

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?

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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?

Not Answered

Please explain your answer:

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

Please provide any additional comments on the proposed method for assessing housing needs.:

Chapter 5 – Brownfield, grey belt and the Green Belt

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

No

Please explain your answer:

No, we do not agree with the proposed change in Paragraph 124C, as currently worded, to give acceptability in principle in planning policies and decisions to proposals for homes and other identified needs on suitable brownfield land. The current NPPF presumes that brownfield land is ecologically poor or unimportant and therefore is an automatic target for development.

Brownfield sites range from hard-standing areas of limited biodiversity value through to some nationally important wildlife sites, including those that play host to Priority Habitat Open Mosaic Habitat on Previously Developed Land (OMHPDL). Brownfield sites can support scarce and threatened species and can provide important green spaces for local communities, allowing them access to nature and improving wellbeing.

Sites should be assessed on their individual value for biodiversity and local communities, taking into account LNRs and local contexts. If a 'brownfield passport' is nonetheless introduced, then it is essential that suitable policy wording is introduced into the NPPF to ensure that the proponents and applicants of such projects are clear that they must demonstrate that no such ecologically important habitats or species are present on the affected land, or that adverse impacts upon such interest can be avoided and mitigated. Local Planning Authorities must be empowered to require this information from applicants and to refuse permission where it cannot be demonstrated that significant negative effects cannot be avoided, mitigated or, as a last resort, compensated.

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?

Not Answered

Please explain your answer:

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?

Please provide any further views:

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

No

Please explain your answer:

No, we do not agree with the proposed definition of Grey Belt as currently stated, although we consider that this is capable of remedy. In particular, before the principle of 'Grey Belt' Land could be progressed, we believe that the 5 purposes of Green Belt Land as set out in paragraph 140 of the current NPPF require revision to incorporate a broader range of purposes that in particular embraces the hitherto un-realised potential of the Green Belt to contribute toward renaissance in the natural environment and landscape-scale restoration of nature, alongside carefully controlled development. Green Belt as a concept is now an outdated post-war planning tool, the original purpose of which was to prevent urban sprawl and the elision of separate settlements. Whilst these landscape objectives remain important, the Green Belt's potential to benefit modern strategic land-use planning in many other ways is far from being realised. This is because, in addition to the Green Belt causing the potential of sustainable sites for development on the edge of existing towns and cities with good access to services being overlooked, much land within the Green Belt is also intensively farmed, ecologically impoverished and contributing little to local people in terms of ecosystem goods and services such as the wellbeing benefits that come with access to nature-rich green spaces.

We do agree therefore that there is potential for the concept of 'Grey Belt' land to be taken forward as proposed, but in order to embed the ambition that is now required, this must come alongside a fundamental revision of the purposes of the Green Belt as expressed at paragraph 140 of the NPPF, to include a new core purpose of the Green Belt to support the restoration of nature, the enhancement of the natural environment and the increase of the ecosystem goods and services that the Green Belt can provide to local communities and the country as a whole (not just the 'safeguarding of the countryside' as currently stated, which makes no reference to biodiversity or nature and can at present be interpreted solely as an aesthetic criterion)., If the enhancement of natural capital and restoration of nature was newly introduced as a fundamental purpose of the modern Greenbelt, then any development proposals within the Green Belt would need to demonstrate not only how they do not undermine such public goods but also how they would support that objective and deliver ecological betterment. Developments permitted within the Green Belt would therefore enable a new driving force to be unleashed behind nature restoration projects, including the realisation of LNRS objectives and the creation of new and enhanced habitats at a landscape-scale, contributing to the Government's objective to set aside 30% of land for nature conservation by 2030. This is likely to involve harnessing such mechanisms as Biodiversity Net Gain (BNG) to achieve it. In turn, new habitat creation and restoration within the Green Belt, driven by development funding, could be combined with increased public access to bring health and wellbeing benefits to people and other ecosystem goods and services such as boosts to pollinators, floodwater attenuation and carbon sequestration. Harnessing the opportunity presented by permitting development in Grey Belt land to drive such environmental enhancements should not be allowed to pass by and must be seized.

In summary therefore, our view is that introducing the concept of 'Grey Belt' land without seizing the opportunity to undertake a fundamental reconsideration of what the Green Belt is actually for in modern Britain, would squander an enormous opportunity to re-purpose the Green Belt to better benefit both people and nature, commensurate with the ambition that is now required by the interlinked housing, biodiversity and climate crises. Additional guidance is needed to provide details on the definition of 'Grey belt' and its application within planning. Crucially, a clear ecological reference is needed when identifying 'Grey Belt' Areas for development. They should not be assumed to be ecologically unimportant. The current definition does not include this, and could result in important areas for biodiversity being lost unknowingly. The definition of Grey Belt needs to include locally important sites (SINCs, Local Wildlife Sites, Sites of Historic Importance, Geological sites etc.) as well as those areas supporting Priority habitat types under Section 41 of the Natural Environment and Rural Communities Act 2006 (as amended), and the onus should be on applicants for planning permission to demonstrate that such ecologically important features are either not present or can be accommodated such that significant negative impacts upon them would not occur. The exclusion of Footnote 7 areas must also include Local Wildlife Sites, ideally by adding Local Wildlife Sites to the list in Footnote 7.

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

Yes

Please explain your answer:

Yes. If the Government proceeds with the approach proposed in the NPPF additional measures will be needed to prevent the intentional degradation of land to make it closer to the grey belt definition and allow for easy development. Such a provision might resemble the 'anti trashing' provision that exists in Schedule 14, Part 1, paragraph 6 the Environment Act 2021 with respect to Biodiversity Net Gain (BNG), which requires an earlier baseline to be assumed where there is evidence that activities have since been carried out in order to decrease the biodiversity value of land prior to the application of BNG.

We have already commented above in respect to question 23 that the purposes of the Green Belt as expressed at paragraph 140 of the NPPF require revision to make them fit for purpose in the 21st century, specifically by including a new purpose for the Green Belt to facilitate and support nature recovery and maximise the social, environmental and economic benefits that will flow from doing that. Any definition of 'high performing Green Belt' must therefore be read with reference to that new purpose. High performing Green Belt land in this sense could be identified using LNRSs, the presence or absence of designated sites for nature conservation or Priority habitat types, and the Biodiversity Net Gain Metric.

We support the call of other organisations (Wildlife and Countryside Link) for a National Strategic Review of the Green Belt to inform the identification of Grey Belt land and the designation of previously Green belt land to grey.

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?

Yes and it should be contained within the NPPF

Please explain your answer:

Yes, we agree that additional guidance is required. This guidance should be included alongside the NPPF. As we have stated above, the Government should reevaluate the designation of Green Belts to include a purpose to support ecological restoration and nature recovery within the NPPF. To achieve the UK's nature restoration goals, green belts need to be supported as a route towards achieving 30x30, with a new designation for protecting nature into

the future.

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?

Yes

Please explain your answer:

The current definition of Grey Belt is not sufficient for determining if the land contributes to Green Belt purposes. As we have stated above in response to questions 23 and 24, Green Belts were initially designed to prevent urban sprawl and the merging of separate settlements, but some areas of Green Belt either currently provide significant benefits for people and nature or could be made to do so, under the appropriate policy framework that harnesses the opportunity of carefully controlled development in Grey Belt areas to fund and drive environmental improvement projects elsewhere in the Green Belt. A review of Green Belts, and an updated designation including a new purpose for Green Belt to support ecological restoration is required for them to continue to be fit for purpose in the 21st Century, where combatting nature degradation and climate change are the utmost priority.

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?

Yes

Please explain your answer:

Yes, we strongly recommend that areas identified in draft or published Local Nature Recovery Strategies (LNRSs), which have the potential for or existing biodiversity value be excluded from the definition of grey belt land. These areas should also be considered for enhancement, potentially funded by development in other Grey Belt areas that do not have the same ecological interest or potential. In time, LNRSs and their role in guiding the enhancement of the Green Belt can be formalised through the National Land Use Framework, as recommended by the House of Lords Land Use Select Committee (2023), which should have nature recovery as a core tenet.

Any Green/Grey Belt that is used for development should result in enhancements to other areas of Green Belt, to compensate for losses. For example, areas of Green Belt land should be used to form habitat corridors linking designated nature conservation sites, fund the objectives of the Local Nature Recovery Strategy or act as the crucible for environmental enhancement projects that benefit both nature and people.

This would also help reinforce the cross-boundary role that LNRSs should play and reinforce the importance of areas for nature that are close to settlements.

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?

No

Please explain your answer:

As per our answers to questions 23, 24 and 26, we do not consider that the proposals will support the release of land in the right places unless the purposes of the Green Belt are revised to make nature recovery a core purpose. It is this that will enable development in the Grey Belt areas to be genuinely positive, as such proposals would then avoid areas that already make significant contributions to the natural environment and biodiversity, and require development that is permitted to support that objective by supporting environmental enhancement projects elsewhere in the Green Belt. Any presumption that previously developed land is 'biodiversity poor' is unsafe unless the applicants of proposals in such sites are required to demonstrate that this is the case.

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?

Not Answered

Please explain your answer:

This again comes back to the 'function' of Green Belts, which we strongly recommend should be reassessed to include restoration of ecosystems and climate change mitigation. If the purposes of the Green Belt were revised as we have suggested above in response to questions 23, 24 and 26 to include a new purpose to support nature restoration, then we would have much greater confidence that when Grey Belt land is used for development it will not undermine vital ecological objectives, and that the remainder of the Green Belt would also be improved and enhanced for nature and people.

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

No

If not, what changes would you recommend?:

We provisionally agree with the proposed approach, as long as our proposed new ecological purpose to the Green Belt is added, as this would mean that 'Grey Belt' land would have no ecological conflict. However, where para 152 is engaged, the financial contributions that developers are expected to make under paragraph 155 should include financial contributions towards Green Infrastructure development.

Green Belts currently lack a recognition for ecological function, and the current Green Belt model does not account for ecological importance. The Green

Belts purpose, alongside its initial intention to prevent urban sprawl should be to help achieve the UK's nature recovery targets (e.g. 30x30). The Wildlife Trust published a briefing paper - Wildbelt - which should form the basis of a new land designation in England. This would enable land that is currently of low biodiversity value to be designated for nature recovery at both small and large scale, and speed up the creation of the Nature Recovery Network. Integrating these 'Wildbelt' areas into existing Green Belts would ensure ecological restoration could take place alongside development.

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?

Not Answered

Please explain your answer:

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?

Not Answered

Please explain your answer:

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?

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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?

Not Answered

Please explain your answer:

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

Yes

Please explain your answer:

While we support securing benefits for nature and public access when Green Belt land is developed, several key improvements are needed to ensure it truly benefits nature and people.

Although the consultation emphasises the importance of nature, it lacks specific policies in Paragraph 155 of the draft NPPF, with reference to 'good quality green spaces' under proposed paragraph 155 currently containing no text to indicate that any such green spaces should be nature or biodiversity-rich. This should be amended to make clear that green spaces sought from development should also contribute to nature recovery and improving access to nature-rich places (not just 'space').

We recommend the Government introduce a "golden rule" requiring all new developments to include nature-friendly features e.g. swift bricks, bat boxes, green roofs etc..

We also recommend that the Government increase its ambition of delivering Biodiversity Net Gain beyond 10% once current delivery barriers are tackled. Additionally, we would be open to discussions with the Government on the potential for development on Green Belt land to require a higher minimum BNG value (above 10%).

Any areas where Green Belt land is developed, should result in additional areas being set aside to create or enhance natural corridors, promoting connected habitats. These areas should be identified on a level using things such as LNRSs, and should follow the recommendations of the Lawton Review 'Bigger, Better and more Joined up'.

These "golden rules" should apply to all new developments, not just in the Green Belt, alongside other key standards like affordable housing and infrastructure.

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?

Not Answered

Please explain your answer:

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

Please explain your answer:

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?

Not Answered

Please explain your answer:

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?

Please explain your views on this approach:

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?

Not Answered

Please explain your answer, including what support you consider local authorities would require to use late-stage viability reviews effectively:

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?

Not Answered

Please explain your answer:

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?

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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

Yes

Please explain your answer:

Yes, The Government should conduct a review and subsequent overhaul of the Green Belt system, and expand their purpose to ensure that they are delivering more effective land management.

Green Belts currently lack a recognition for ecological function, and the current Green Belt model does not account for ecological importance. The Green Belts purpose, alongside its initial intention to prevent urban sprawl should be to help achieve the UK's nature recovery targets (e.g. 30x30). The Wildlife Trust published a briefing paper - Wildbelt - which should form the basis of a new land designation in England. This would enable land that is currently of low biodiversity value to be designated for nature recovery at both small and large scale, and speed up the creation of the Nature Recovery Network. Integrating these 'Wildbelt' areas into existing Green Belts would ensure ecological restoration could take place alongside development.

A clear ecological reference is needed when identifying 'Grey Belt' Areas for development. They should not be assumed to be ecologically unimportant. The current definition does not include this, and could result in important areas for biodiversity being lost unknowingly. The definition of Grey Belt needs to include locally important sites (SINCs, Local Wildlife Sites, Sites of Historic Importance, Geological sites etc.).

Green Belts were initially designed to prevent urban sprawl but currently provide significant benefits for people and nature. A review of Green Belts, and an updated designation including a purpose to support ecological restoration is required for them to continue to be fit for purpose in the 21st Century, where combatting nature degradation and climate change are the utmost priority.

Although BNG itself is a move in the right direction, there are serious concerns, based on emerging evidence, that the 10% requirement for BNG will in fact only achieve a "no net loss"¹³ of biodiversity. We recommend Government to redefine the exemption list to create a statutory minimum gain for biodiversity for exempt applications and those below the de minimus threshold, and to actively encourage and support local authorities to go beyond the minimum 10% net gain requirement on new developments (as some already are) with a view to increasing the minimum to 20% once developers, local

planning authorities and other stakeholders are more familiar with the process.

Chapter 6 – Delivering affordable, well-designed homes and places

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?

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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

Not Answered

Please provide any further comments:

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

Not Answered

Please explain your answer:

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

Please explain your answer:

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?

Please explain your answer:

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

Please explain your answer:

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

Not Answered

Please explain your answer:

56 Do you agree with these changes?

Not Answered

Please explain your answer:

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?

Not Answered

If Yes, what changes would you recommend?:

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?

Not Answered

Please explain your answer :

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?

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

Chapter 7 – Building infrastructure to grow the economy

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

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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?

Not Answered

Please explain your answer:

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?

Not Answered

If Yes, what would be an appropriate scale? :

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

Yes

Please explain your answer:

Infrastructure development should further prioritise green and blue infrastructure, sustainable development that delivers nature-based solutions should always be the preferred route development takes. This requires far more extensive engagement with stakeholders from the Government, so that future developments can ensure ecosystem restoration, climate change mitigation and food security are addressed on an integrated basis, and as core components of the process.

There is a need for more proactive engagement from regulators such as Natural England and the Environment agency during the strategic planning process to ensure that any plans brought about by local authorities generate positive results for the environment. CIEEM members are aware of examples where the environmental mitigation needed to facilitate housing delivery has not been embedded with Local Plans prior to their adoption, and has subsequently proved to be difficult for developers to bring forward. If matters like this were addressed more thoroughly at the Local Plan consultation and examination stages, with the active involvement of Natural England and the Environment Agency, then delays to housing delivery would be reduced and outcomes for the environment would be better. This also can only be effectively completed if the Government addresses another serious issue throughout the planning process, capacity. Capacity is a major issue within local authorities, and the lack of necessary resources within these organisations must be addressed by the Government so that they are able to contribute effectively to the planning process. The Government must ensure that local authorities and regulatory bodies are effectively supported and capable of delivering their responsibilities for nature.

The public sector plays a crucial role in achieving nature restoration and climate action goals. They coordinate and implement restoration projects, enforce environmental protections, support environmental data centres, and engage local communities and the private sector. However, relevant Government agencies and local authorities currently lack adequate resources to work effectively to restore nature and have seen an alarming loss of experience and scientific expertise. Government must prioritise funding to ensure that experienced and expert staff are retained, and that junior staff are

valued and incentivised to stay and develop within its agencies. In particular, pay parity must be addressed across the government's nature conservation agencies. Government should strengthen the ability of regulatory bodies, including the Office for Environmental Protection, to take enforcement and legal action by building their capacity to do so. We further recommend reestablishing the necessary distance between these bodies and Defra. Furthermore, funding must be made available for local authorities to consistently implement and enforce policy and legislation, such as the Biodiversity Duty on public bodies and Local Nature Recovery Strategies. This funding must be long-term, allowing public bodies to plan beyond single year budget cycles. For example, all local authorities need to be supported so that they have sufficiently skilled and competent in-house ecologists to identify opportunities to fulfil the strengthened biodiversity duty. Biodiversity considerations are an important part of the planning decision-making process, and we welcome the Government's manifesto commitment to fund more planning officers but further urge the Government to include provision for local authority ecologists and biodiversity officers in that provision, to facilitate a streamlined planning process.

Chapter 8 – Delivering community needs

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

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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

Please explain your answer:

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

Not Answered

Please explain your answer:

Chapter 9 – Supporting green energy and the environment

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

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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?

Yes

Please explain your answer:

Yes, there should be additional protections for habitats such as peat soils, due to their important role in carbon sequestration and climate mitigation. Existing protections such as SAC, SPA, SSSI must not be undermined. Additional protections should also be provided to habitats which provide important ecosystem services alongside carbon sequestration, such as flood defence, pollination, water filtration etc. Areas designated as important for nature e.g. irreplaceable habitats (as included in the BNG regulations) should receive stronger and more exact protections under the NPPF, the list of which should be updated and expanded.

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?

Not Answered

Please explain your answer:

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?

Not Answered

Please explain your answer:

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

Please explain your answer:

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

Please explain your answer:

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?

Please explain your answer:

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

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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

Yes

Please explain your answer:

There are multiple pressing demands on the limited land available, including housing, infrastructure development, food production and space for nature. A new land use framework, to which the new Government has already committed, is needed to join up spatial planning across these demands in a holistic and strategic way. Infrastructure and development planning, food production, climate resilience and adaptation planning, Local Nature Recovery Strategies, Environmental Land Management Schemes, designated nature conservation sites, and Biodiversity Net Gain delivery must be brought together to enable strategic planning for the benefit of people and nature. Government priorities for economic development, food security and biodiversity recovery can work together, and do not need to conflict with or block each other.

The Government's stated intention to focus on the redevelopment of so-called 'grey belt' land, for example, could lead to enhancement projects elsewhere in the retained Green Belt. An area that is currently not meeting its significant potential for contributing to nature recovery. Government must ensure that a nature strategy using the Lawton Principles – "bigger, better, more joined up" – is at the heart of the nature recovery aspects of the new land use framework, which is underpinned by high-quality data and evidence.

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?

Not Answered

Please explain your answer:

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?

Not Answered

Please explain your answer:

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

Yes

Please explain your answer:

We are supportive of the ambition to deliver accelerated infrastructure for climate change, such as renewable energy sources. However, developing this new infrastructure should not come at the cost of important sites for nature. Protecting existing habitats that store carbon and provide vital ecosystem services is a vital part of achieving net zero.

Any approach to green infrastructure must incorporate nature recovery. This would allow the Government to deliver nature restoration and climate change mitigation simultaneously.

Chapter 10 – Changes to local plan intervention criteria

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

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

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

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

Not Answered

Please explain your answer:

90 If you answered No to question 89, 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.

Not Answered

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

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?

Not Answered

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

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.

Not Answered

Please explain your answer:

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.

Not Answered

Please explain your reasons and provide evidence on what you consider the correct fee should be:

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

Not Answered

Please explain your answer:

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

Not Answered

Please give your reasons in the text box below:

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

Not Answered

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? :

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

Please explain your answer:

Planning fees could be used to help pay for Local Planning Authority Ecologists, and the delivery of District-wide BNG.

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?

Not Answered

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.

Please explain your answer:

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

Please explain your answer:

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.

Please explain your answer :

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

Not Answered

Please explain your answer.:

Chapter 12 – The future of planning policy and plan making

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

Not Answered

Please explain your answer:

104 Do you agree with the proposed transitional arrangements?

Not Answered

Please explain your answer:

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

Not Answered

Please explain your answer:

Chapter 13 – Public Sector Equality Duty

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?

Please explain your answer:

Chapter 14 – Table of questions

Chapter 15 – About this consultation