

# CCN

COUNTY COUNCILS NETWORK

# Consultation Response

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

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**September 2024**

## Revised National Planning Policy Framework

### Draft Response from the County Councils Network

#### Executive Summary

##### *Overview*

Whilst the County Councils Network (CCN) welcome the Government's emphasis on growth, and using the planning system to facilitate this, we are extremely concerned about the impact that the proposals within the updated National Planning Policy Framework (NPPF) will have when taken as a whole. CCN supports a plan-led system, and we believe the proposals outlined in this consultation will undermine Local Plans and the democracy of the local planning system.

At a time when public confidence in the planning system is at an all-time low, we believe there needs to be a fundamental rethink of the way planning reform is undertaken, working with local authorities to co-design a system that works for councils, landowners, developers and communities.

We consider that this consultation represents a significant departure from the existing planning system, particularly around planning for housing and the release of land, with little consultation with councils prior to the revised version of the NPPF. Many of our member areas are extremely concerned about the impacts that these proposals will have in their areas, particularly new mandatory targets.

New analysis from CCN shows that county and rural areas will see a dramatic increase in the number of houses built under the new mandatory targets. On average, those local authority areas will see a 56% rise in the number new homes required per year – over 64,000 properties. This is far higher than any other part of the country, and over seven times the increase for councils in England's major cities.

Our own research has shown that county areas suffer from a lack of infrastructure investment, and the proposals contained in this consultation do not provide any guarantee that county areas will be better served by infrastructure.

CCN fundamentally believe that a more strategic approach to planning for growth is needed before any changes to the way that housing is planned for, particularly in two-tier areas. We therefore welcome the Government's proposals to introduce strategic planning, but believe this should happen first, allowing strategic plans to set out an agreed vision for growth across housing and economic growth alongside supporting infrastructure.

##### *CCN survey findings*

This response has been prepared in conjunction with CCN members and following a survey undertaken with county and unitary councils during the consultation period. The key findings show:

- Seven in ten county and rural unitary councils support the principle of nationally set targets. **However, not one respondent said they supported the government's new target for their county area, and over nine in ten respondents (94%) said the targets were excessive.** Nine in ten councils (90%) cited a lack of infrastructure as the main reason they could not support the new targets, and a majority of respondents (55%) said they had a lack of suitable land for the proposed new housing numbers.

- **Over eight in ten councils (85%) said the pressure on their infrastructure was ‘excessive’ and pressures on their local roads, services, and amenities are getting worse.** In total, nine in ten councils (90%) said that pressure on their local infrastructure had got worse over the last five years.
- When asked whether they believed the new housing target **would be deliverable in their area, 58% said they were ‘not confident’ with a further 21% stating they are ‘not at all confident’.**
- With very little proposed by the government in improving infrastructure or committing more funding to local roads, schools, and services, **over eight in ten councils (85%) are not confident that the planning system is equipped to deliver the infrastructure that is needed to support the proposed increase in homes.** No respondent is confident.
- **Nine in ten county and unitary councils are concerned their areas will be more at risk of speculative development.** With the removal of protections in councils’ Local Plans, local authorities warn they will have far less powers to oppose development in unsuitable areas.

**Based on these findings, and our wider response to the questions in this submission, the keys points of CCN’s consultation are:**

- Our member councils support the *principle* of nationally set housing targets but believe these should be a starting point for plan-making, allowing planning authorities to consider their local circumstances when planning for housing. CCN believe the proposed revised standard method for assessing housing need is also flawed and does not represent true housing need, particularly in county areas. **The network urges the Government to revisit this approach and allow areas to use the number as a starting point for plan-making.**
- CCN believe the proposals to reintroduce the requirement for planning authorities to maintain a five-year land supply, even where they have an up-to-date Local Plan in place **will undermine the plan-led system and lead to increased speculative development and planning by appeal. This will ultimately deliver development that is not in sustainable locations and is not supported by adequate infrastructure.**
- **We urge the Government to consider how the delivery of infrastructure can be ramped up quickly to support new development.** Much of the physical and social infrastructure across county areas is under immense pressure, and there is no plan through these proposals that this situation will quickly be improved.
- **The proposed transitional arrangements will mean that local planning authorities are likely to lose their five-year land supply overnight.**
- **The network welcomes the commitment to take steps to encourage universal coverage of strategic planning across England.** This has long been a missing piece of the puzzle in the planning system, particularly in two-tier areas where it would help to strengthen plans for economic and housing growth, allow areas to agree a shared vision and priorities for an area and join up growth with infrastructure.
- **CCN welcome the proposals for locally set planning fees, which would help to alleviate some of the funding pressures on local planning authorities.**

## About CCN

1. The County Councils Network (CCN) represents 38 English local authorities that serve counties. The 21 county and 17 unitary authorities that make up CCN are the largest part of the local government family. They represent all four corners of England, from Cumbria to Cornwall, Durham to Kent, North Yorkshire to Suffolk, Derbyshire to Essex.
2. Our members bear differing planning responsibilities under existing planning regulations. Crucially, county councils lead on the provision of infrastructure, transport, flood risk, local nature recovery and climate change, and on economic development that supports housing and other developments in district local plans. CCN's unitary members are responsible for both development planning and infrastructure delivery.
3. The essential services our members provide touch on the everyday lives of residents and businesses across 86% of England's landmass and 47% of its population. The areas represented by our members constitute 38% of local government expenditure; 44% of total public expenditure; and generate just under half of all tax revenues. The economies of our areas contribute 38% of Gross Value Added (GVA) and 44% of employment.

## Introduction

4. The County Councils Network welcomes the opportunity to respond to this consultation. Whilst we welcome the Government's emphasis on growth, and using the planning system to facilitate this, we are extremely concerned about the impact that the proposals within the updated National Planning Policy Framework (NPPF) will have when taken as a whole. CCN supports a plan-led system, and we believe the proposals outlined in this consultation will undermine Local Plans and the democracy of the local planning system.
5. At a time when public confidence in the planning system is at an all time low, we believe there needs to be a fundamental rethink of the way planning reform is undertaken, working with local authorities to co-design a system that works for councils, landowners, developers and communities. We consider that this consultation represents a significant departure from the existing planning system, particularly around planning for housing and the release of land, with little consultation with councils prior to the revised version of the NPPF.
6. Many of our member areas are extremely concerned about the impacts that these proposals will have in their areas. As shown in the table below, our own analysis shows that CCN member areas will see a 56% increase in their areas each year. Under the government's proposals, councils in county areas will have to deliver an extra 1,245 homes per week: or 64,769 a year. Councils in county areas in the South East will have to deliver an extra 295 homes per week, authorities in the South West will be compelled to deliver an extra 194 per week, councils in the East must deliver 191 extra properties a week, and local authorities in the West Midlands must deliver 155 extra each week.
7. The increase in housing targets in CCN member council areas is much larger than any other council type and over seven times the increase for councils in England's major cities. Our own research shows that county areas suffer from a lack of infrastructure investment, and the proposals do not provide any guarantee that county areas will be better served by infrastructure.
8. In addition, our members are concerned that the proposals to reintroduce a requirement to maintain a five-year land supply, even when they have an up-to-date local plan will result in an increase in speculative development and will undermine the plan-led system.

From experience of increased speculative development, member councils are concerned that adequate infrastructure would not be delivered in their areas, adding further pressure to roads, transport, health care and leisure services.

9. CCN fundamentally believe that a more strategic approach to planning for growth is needed before any changes to the way that housing is planned for, particularly in two-tier areas. We therefore welcome the Governments proposals to introduce strategic planning, but believe this should happen first, allowing strategic plans to set out an agreed vision for growth across housing and economic growth alongside supporting infrastructure.

Council type	Old Method	Proposed Method	Difference	% Difference
County & CCN Unitary	115,617	180,386	64,769	+56
Metropolitan Boroughs	48,805	57,824	9,019	+16
London Boroughs	98,822	80,693	-18,129	-18
Unitary (Non-CCN)	42,180	52,637	10,457	+25
<b>Total</b>	<b>305,425</b>	<b>371,540</b>	<b>66,115</b>	<b>+22</b>

Table 1 – Housing targets by council type

10. This response has been prepared in conjunction with CCN members, and following the results of a survey undertaken with our members during the consultation period. The survey received a total of 23 responses, representing a 62% response rate. Our response to the individual consultation questions can be found below, and where relevant, details of survey are included in our response.
11. We would also encourage the department to read this response in conjunction with responses from our member councils.

## Response to consultation questions

### *Chapter 3 - Planning for the homes we need*

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

No, CCN does not support the proposal to reverse the changes made in December 2023. These changes gave flexibility to areas to use the housing target given by the standard method as a starting point, allowing areas to take into account constraints, local knowledge about housing needs. As a network, we welcomed these changes when they were announced, recognising that a standard method can never offer a perfect solution.

Our members are supportive of housebuilding, recognising the role they have to play in delivering the right homes for their communities, but cannot support the changes as presented in this consultation. The introduction of a revised standard method that results in a 56% increase for county areas, the proposal to require all local authorities to maintain a 5-year land supply regardless of local plan status, and the continued imposition of the Housing Delivery Test means that undue emphasis will continue to be placed on local planning authorities to deliver housing, when they are working to permit sites and have no control over the delivery of sites.

In order to properly boost housebuilding, there needs to be a whole-systems review of the current approach to housebuilding, with targeted support given to help boost supply. This includes powers and tools to local authorities to encourage faster build-out of sites, funding to support their own housebuilding programmes and to boost affordable housing supply, along with a programme of investment to support the development of skills and tackle workforce shortages that the industry currently faces.

Some of our member areas continue to be challenged by issues around nutrient neutrality which is also holding up the planning system. These need to be reviewed in the round, recognising that it is not the planning system that is holding back development. Government should work with local authorities to overcome the significant challenges before implementing further reforms to the planning system.

As we will go on to outline in this response, the majority of CCN members support the principle of nationally set housing targets but believe that they should be a starting point with the flexibility to set targets that are appropriate to their area based on a range of socio-demographic and local factors.

**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?**

CCN disagrees with this believing that a standard approach may not always be suitable. The current method utilises population projections and recognises that there are circumstances where these projections are not the most appropriate starting point for determining the level of housing need when planning for an area. This could be because the characteristics of the local population mean that the projections do not reflect likely population growth. In these circumstances housing need which differed from those derived from 'standard' household projections have been accepted by Planning Inspectors as appropriate for the purposes of planning for an area.

The proposed new standard method utilises a housing stock-based approach rather than using population projections, but exceptional circumstances to justify a different housing need may still exist. The NPPF should allow for local flexibility and should reflect that exceptional circumstances can exist and when they do authorities can take account of them., and we believe that it would be fair for the Government to ask for robust evidence to justify any deviation should be tested at examination.

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

CCN members do not agree with the principle of the removal of the urban uplift. While the urban uplift offered an arbitrary percentage by which urban areas should increase their housing targets, we believe that it was right for these areas to take a larger share of housing.

Urban areas are well served by infrastructure – public transport, shops and services and many have underutilised sites and brownfield land, where development would aid regeneration and help to deliver development in the most sustainable locations. This does not mean that county areas should not also provide new homes, but urban areas should be expected to take a fair share of housing.

The combination of the deletion of the urban uplift, as well as changes to the standard method will, we believe, result in increased urban sprawl and development on the edge of existing settlements that are not in the most sustainable locations, and which do not contribute sufficiently towards enhanced or additional infrastructure. This not only

undermines the local plan process, but risks creating unsustainable development which is entirely in conflict with the overall aims of national planning policy.

We recognise that the urban uplift was an arbitrary figure not based on evidence, and therefore would not advocate for the return of a blanket figure and would therefore propose that local areas are given time to assess their objectively assessed need which will give a more realistic figure about what they should deliver.

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

CCN agrees with this proposal, believing that sites should seek to maximise density where suitable. Design codes should be used to set out appropriate densities for different sites, recognising that ‘gentle density’ can help to deliver more homes whilst being in keeping with the character of the local area.

**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?**

Yes, CCN agrees with this approach. It makes sense to focus design codes on opportunities such as greater density and larger sites.

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

No, we do not agree with the proposed changes to the presumption in favour of sustainable development. As per our response below regarding the five-year land supply, changes such as this will erode the power of the local plan, and as a result the plan-led system.

**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?**

CCN strongly disagrees with this proposal, believing that this approach would completely undermine the principle of the planning system being ‘plan-led’ and would undermine every local plan that is adopted following the introduction of this revised NPPF. The five-year land supply was introduced by the 2012 NPPF to try and reduce speculative development and planning by appeal, but it has resulted in the completely opposite effect.

Local authorities have a track record of granting planning permissions for new housing in their area but have no powers to ensure that developers build out these permissions, or the rate in which build out is undertaken. As such, it has become normal for developers to ‘game’ the system by manipulating an authorities five-year land supply, even on sites that may well be in their own control. This has led to the rise of ‘planning by appeal’ whereby developers succeed at appeal putting forward sites that are not allocated with the plan, and could lead to unsustainable development that are developed in unsustainable locations without adequate supporting infrastructure.

This unfortunate position has led to increased frustration with the planning system across the board, particularly with communities, and has reduced confidence in its ability to deliver development that meets the needs of the local community whilst also providing high quality infrastructure. We would therefore urge the Government to cancel this amendment, and retain the current approach adopted by the previous Government that removed the requirement to maintain a five-year land supply where they have an up-to-date local plan.



This is the only way to ensure that the planning system is plan-led, democratic and provides the type of development, including the right type of tenure of homes, that is needed in individual areas.

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

No, we fundamentally disagree with this approach. This again penalises local authorities who have no control over the number of planning applications that are submitted, nor the build out rates of sites that have been given permission. Much like authorities would be expected to alter their plans if there had been an under-delivery of housing, they should be granted the ability to consider over-delivery in future targets.

In addition, given the volatility of the housing market, it is right that local authorities are able to consider over-delivery should there be a market downturn.

**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?**

No, we do not agree. If a local plan is tested at examination and is found sound, this will have taken into account the overall housing requirement and whether or not the plan has been adequately prepared to meet that requirement. As such, notwithstanding our view that the five-year land supply should not apply with an up-to-date plan, we believe there should be no requirement to add a buffer within calculations.

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

Please see response above.

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

CCN does not have a position on Annual Position Statements. Please refer to individual CCN member council responses.

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

CCN supports the proposed amendments to paragraph's 24 – 27 so long as they are a short-term measure. We believe the standard method as proposed will considerably increase the requirement to collaborate on cross-boundary matters, and therefore as we outline at Question 14 believe that there is an urgent need to introduce formal strategic planning into the system. Our member councils do not agree that the duty should automatically require other areas to be expected to deliver unmet housing need, believing instead that the Government or Planning Inspectorate should intervene and exhaust all options for meeting need within the council's area first before other areas are expected to deliver them.

CCN has long argued that the mechanism provided by the Duty to Cooperate to agree cross-boundary issues is insufficient and fails to properly involve county councils in two-tier areas who are responsible for strategic issues such as highways, transport, infrastructure, education and social care. Much stronger involvement of county councils is needed to ensure that development can be delivered sustainably, and to ensure that there is an understanding of shared priorities, and we believe this is where strategic planning fits in.



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

CCN would support the amendment of the tests of soundness to better assess strategic plans. This has been a stumbling block of many strategic plans for some time with the existing system unable to find strategic plans sound owing to the existing tests which are suited to local plans.

We would urge the Government to work with councils, and in particular strategic planners, to help devise and refine these tests before they are implemented.

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

CCN welcomes the commitment within this consultation to take steps to enable universal coverage of strategic planning within this Parliament, including outside mayoral areas. We also welcome the commitment to working with local leaders and the wider sector. CCN has always advocated that the introduction of strategic planning is not about taking away powers from district councils, but about filling a void that has been present in the planning system for several years now.

As acknowledged in the consultation, this process will need to consider the appropriate geographies and the right democratic mechanisms for securing agreement. This means that any mechanism introduced will need to be flexible enough to suit different areas. Generally we would advocate that, outside mayoral areas, strategic planning powers should sit at the county geography, with the relevant powers held by the upper tier authority, though some areas may have different proposals that would work better for their area, hence the need for a flexible approach.

CCN has long advocated for a stronger approach to strategic spatial planning believing the void between the local planning authority level and national policy level has led to a lack of a joined-up approach to planning across boundaries in relation to strategic infrastructure and investment. There has been no statutory strategic planning within England's planning system since 2011, when Regional Spatial Strategies were scrapped. Whilst there have been various attempts to introduce mechanisms, such as the Duty to Cooperate, the Statement of Common Ground, and most recently Strategic Spatial Development Strategies, these have largely been voluntary and have failed to effectively bridge the strategic planning gap.

Given the reintroduction of mandatory housing targets, despite us disagreeing with the proposed approach, and the need to ensure sustainable development through building homes in the best places with high quality supporting infrastructure, we believe that the reintroduction of strategic planning has never been more important. As well as providing an opportunity to think about and agree a vision and strategic priorities for an area and provide a broader canvas for development, strategic planning could also be used as a vehicle to bring together other strategic documents that are being prepared by authorities and bodies into a spatial planning document. This includes infrastructure plans and Local Nature Recovery Strategies prepared by county councils in two-tier areas and publications made by Sub-National Transport Bodies.

One area that strategic planning could improve is the provision of infrastructure to support development. Whether it is roads and transport services, schools and health facilities, or parks and leisure services, these are all better considered strategically taking into account where growth is taking place.

A key issue for many member councils is the pressure that new development places on existing infrastructure. In our survey, 85% of respondents said that the pressure on

infrastructure due to housing development in their area was either 'excessive' or 'very excessive', with 90% saying that it has got worse over the last five years. Furthermore, when asked how confident they were that the planning system is equipped to deliver the infrastructure that is needed to support the proposed increase in housing, almost 87% responded that they were either 'not confident' or 'not at all confident'.

As part of our response to the Planning for the Future White Paper, CCN worked with strategic planning expert Catriona Riddell to devise a solution to fill the strategic planning void. We attach a copy of the report, *Planning reforms and the role of strategic planning*, with this submission, but in summary the work highlights the need for a more integrated approach to strategic planning, and a system that supports long term sustainable growth as well as supporting economic growth and development. To do this, the report proposes the following:

- **A new duty placed on all local authorities to support sustainable development.** These would replace or complement existing powers to promote wellbeing and should be linked to the proposed new definition of 'sustainable development'. Powers would be effected by all local authorities, working collectively with strategic partners.
- **Designated Strategic Planning Advisory Bodies (SBAP) to support sustainable development.** These would be set up across the country and at a minimum should include all local authorities (both counties and districts in two tier areas) and combined authority mayor (where relevant), Local Enterprise Partnerships, Sub-national Transport Bodies and leaders from the environment and health sectors. SPABs would come forward at locally agreed geographies but be agreed by the Secretary of State. SPABs would advise the Government on local growth priorities and how these support national objectives, and on local plan housing targets, ensuring that different spatial strategies have been fully tested and can deliver specific sustainable outcomes.
- **An Integrated Strategic Framework (ISF) prepared by local authorities in collaboration with key strategic partners.** These would be prepared by every SPAB but would not be part of the statutory development plan. However, they would play a key role in guiding local plans, particularly in testing the most appropriate spatial strategies (including distribution of growth) for delivering the shared vision and objectives, and providing a framework within which the proposed new approach to local plan allocations could be implemented. Key spatial proposals in the ISF would then be taken forward and tested fully through the planning process.
- **A ten year rolling Strategic Delivery Plan prepared as part of the ISF.** This would set out what strategic interventions (including any specific delivery vehicles) would be needed to implement the framework, when these interventions should be delivered and how key partners are contributing to the shared vision and objectives. It would also provide a basis for infrastructure funding and other strategic investment prioritisation. There would need to be clear responsibilities and accountabilities set out for all partners involved, with a robust risk management system with associated review mechanism(s) to highlight where a change in approach or intervention may be needed.

The report outlines how the proposed approach would provide a workable solution to the current strategic planning void and provide parity of role across all tiers of local government and stronger place leadership. It will also pave the way for a faster and more deliverable planning system with reduced risk of challenge and a clearer framework for developing the area-based approach set out in the Planning White Paper. Finally, it will allow for stronger

alignment between local and national priorities, and a clearer framework for allocating and prioritising national and sub-national funding. Figure 1 below sets out visually how this approach would work.

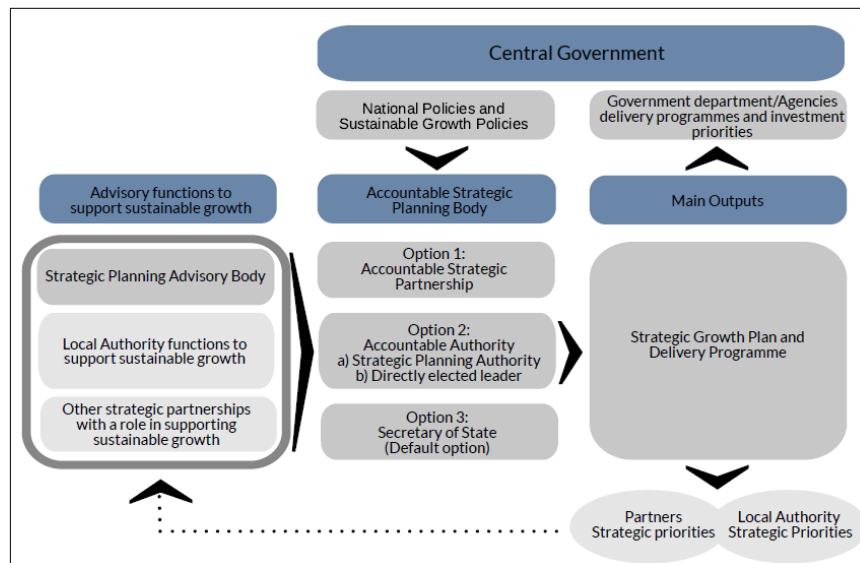


Figure 1: A new approach to strategic planning decision-making and governance

The work was developed by Catriona Riddell in conjunction with a range of planning experts. CCN supports the principles of this approach believing that they would bring partners together, allowing areas to set a vision across a broad area, and agree investment and strategic infrastructure priorities. This broader approach would help to put place-making at the heart of the planning system, whilst delivering objectives such as increased housing growth and levelling-up.

We also believe that strategic planning mechanisms could incentivise areas to come together to pool infrastructure contributions to better fund the delivery of strategic infrastructure. This would require local agreement but is being done successfully by the Greater Norwich Partnership and has proven to deliver good outcomes. CCN would welcome the opportunity to discuss the proposals with MHCLG in further detail.

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

**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?**

CCN does not support the amendment of Planning Practice Guidance to specify that the appropriate baseline for the standard method is based on housing stock. This bears no relation to housing need in an area, and the suggested method does not consider an areas ability to grow, nor the local constraints that an area has – such as Areas of Outstanding Natural Beauty or high levels of Green Belt land.

As we support the principle of housing targets, urges the Government to work with local authorities on a method that allows areas to arrive at a figure based on real housing need.

**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?**

CCN does not support this. County areas have some of the highest house prices in the country, with average house prices standing at over 11 times annual earnings, and our

members want to deliver housing that is affordable and meets the need of local populations. However, we do not believe that this is the solution, and will not result in the intended purpose of bringing down house prices.

The financial model that housebuilders use, as demonstrated in the Letwin review, is one that seeks to build out homes at rates that ensure house prices remain high. Without any additional tools for planning authorities to specify how quickly permissions need to be built out, this will remain the case. A better solution would be much higher levels of investment in the affordable homes programme, allowing these to be built out alongside market housing. As multiple studies have shown, sites are often built out more quickly when there is a diversity of housing tenures and on sites with a large proportion of affordable housing. We would urge the Government to revisit the Letwin review before taking any changes to the planning system forward, and consider how the recommendations set out in the review could help to diversify sites and deliver more genuinely affordable housing alongside market housing.

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

No. Please see response to Question 16 above.

**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?**

We do not believe that the supply of housing has an impact on rental rates, and therefore do not support changing the standard method to include evidence on rental affordability.

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

As mentioned, CCN surveyed its members on the proposed changes outlined in the NPPF, and this included questions around the proposed standard method. This has shown that around 70% of the respondents support the principle of nationally set housing targets, but almost 80% do not support the target that would be allocated to them, with a further 20% being unsure. No respondents stated that they supported the housing target that would be allocated to them in the consultation. Nine in 10 councils (94%) said that the target given to their area was either 'very excessive' (53%) or 'excessive' (41%).

When asked why they were not able to support the new targets, 90% of respondents stated that there is a lack of infrastructure to support new development in their areas, with 70% stating that there is a lack of capacity in the building industry to get homes built. Furthermore, 55% said there was a lack of suitable land in their areas. When asked whether they believed the new housing target would be deliverable in their area, 58% said they were 'not confident' with a further 21% stating they are 'not at all confident'.

When asked whether or not they supported the target that was given to them by the previous Government, 58% stated that they were supportive of them, with a further 26% saying they did not support them and 16% stating they were unsure.

A key issue that was highlighted in the member survey was the lack of weakened position of the local plan relating specifically to the requirement to maintain a five-year land supply. 77% of respondents said they would be more likely to support housing targets if Local Plans had more weight, and there was no requirement to maintain a five-year land supply when a plan is up-to-date. Almost 92% of respondents said they believed their area would be at more risk from speculative or inappropriate development because of the proposed reforms.

Given the responses from our member councils, we believe that the proposed reintroduction of the standard method along with the proposed formula is fundamentally flawed. CCN has consistently argued that 'tinkering' of the planning system is unproductive and will not lead, overall, to consistently better outcomes. Instead, we would urge the Government to not take forward these proposals and commit to a programme of co-designing planning policy with local authorities. We are extremely concerned that the proposals as currently set out will lead to a blight of speculative and poor-quality development that will further erode trust in what should be a democratic plan-led system.

### ***Chapter 5 – Brownfield, grey belt and the Green Belt***

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

CCN strongly supports a brownfield first approach to development, and therefore agrees with the principle of the proposed change as suggested. However, the development of brownfield land is costly and can have severe consequences on the viability of sites which disincentivises developers bringing them forward. Whilst we support the change being made, we are not convinced that this change alone will bring more sites forward nor provide they type of development that is most needed.

For example, if there is a high need for affordable housing, it is highly likely that in the current system a developer would negotiate down, or possibly out, the affordable housing element of a scheme due it making a scheme unviable. The subsequent development of market housing is therefore unlikely to meet the specific needs of the local community. CCN believes that there needs to be fiscal support to unlock and encourage the development of brownfield 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?**

CCN agrees with the proposed approach.

#### **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?**

CCN does not believe a blanket approach is sensible within the context of expanding the definition of Previously Developed Land, instead believing that local planning authorities should be able to identify suitable PDL sites that are suitable for development within the Local Plan. This would allow for local nuances to be taken into consideration, and only allocate sites where there would be low or no impact on horticultural production.

We understand that there will be a range of thoughts in relation to this, and therefore direct you to the responses from other CCN member councils.

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

We do not agree with the proposed definition, believing that it is too open to interpretation and would lead to unwarranted developments in the Green Belt, undermining the purpose of the Green Belt, and could result in piecemeal erosion of the Green Belt.

Much clearer definitions of grey belt are required to ensure that there is a clear understanding from both planning authorities and developers about what such a site is. Failure to set this out will lead to further planning by appeal.

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

CCN believes that planning authorities should be able to challenge applications that come forward on sites where evidence suggests that land has been purposefully degraded to become grey belt land. However, the onus should not be on resource-deprived planning authorities to observe the status of sites to ensure that they are not purposefully degraded to become grey belt land.

**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?**

Yes – we believe further guidance would be helpful. This should be detailed through planning practice guidance, with reference within the 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?**

CCN considers the proposed guidance to be too vague, and as above believes much stronger definitions are required to ensure that there is a clear understanding from both planning authorities and developers about what such a site is. Failure to set this out will lead to debates over guidance and definitions, which in turn will lead to increased planning by appeal.

**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?**

CCN believes that LNRS could play a role in identifying Green Belt land that can be enhanced, and urge the Government to publish the long-awaited guidance about the role of LNRS in the planning system and development management.

**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?**

We do not agree that these proposals would support the release of land in the right places, for reasons that we have already set out in this consultation response. While the notion of a sequential approach to releasing land is a good idea in principle, we believe that the changes outlined in this consultation will mean it is easy for developers to undermine the local plan and the five-year land supply and instead bring forward sites that are in less sustainable locations but 'easier' to develop.

The changes to Green Belt policy will open up swathes of land that have previously been protected to speculative development. If the Government is to take this proposal forward, we believe there should be much stronger protections in place for Green Belt and grey belt land, allowing local authorities to identify sites within these areas that are in the most sustainable locations and suitable for development, and 'freezing' these within local plans. Any other land within the green belt should continue to be protected.

**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?**

We agree with the proposal in principle but believe this will be achieved differently depending on the extent of the Green Belt and the areas that it is protecting. For example,

the Green Belt around London covers multiple authorities, and it should not fall on one authority to decide whether a proposal in their area in the Green Belt fundamentally undermines the function of the Green Belt across an area. This would need to be taken by a strategic review of the whole Green Belt area involving all the authorities concerned.

**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?**

We do not support this approach, given our concerns about speculative development and planning-by-appeal, and would result in uncontrolled piecemeal loss of the Green Belt. Given the proposed standard method would see a vast increase in the number of homes that county areas would need to plan for, many if not all would not be able to demonstrate a five-year land supply from the time that these changes are implemented, giving rise to potentially inappropriate development across Green Belt areas.

As we outline above, we believe that authorities should be given time to identify sites that would be suitable in Green Belt, and once these are identified there should not be any other sites considered within Green Belt areas, and therefore propose that this change is not made.

We also believe that our comments around strategic planning are relevant here, as this would bring areas together and would allow them to identify sites in the most suitable locations, limiting the amount of Green Belt release needed, unless these are the most preference and sustainably located sites.

**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?**

We do not support this approach, and our response at Question 30 applies here.

**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?**

We would agree that the same methodology should apply to traveller sites.

**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?**

CCN believes the existing methodology is sufficient to assess need, and therefore no change is necessary.

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

CCN supports the proposal to allow individual authorities to set affordable housing tenure mixes that best meets their local need, recognising that in many areas there is a vast shortfall of homes for social rent. However, we remain sceptical that the target of 50% affordable housing on grey belt sites will be delivered owing to viability arguments that allow developers to negotiate down their affordable housing quota, and this consultation offers no proposals to change this.



**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?**

Yes, we support this approach. As above, we remain sceptical that the target of 50% affordable housing on grey belt sites will be delivered owing to viability arguments that allow developers to negotiate down their affordable housing quota, and this consultation offers no proposals to change this.

**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?**

We support this approach believing that communities should reap the benefits of development.

**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?**

We support this proposal in principle, but recognise that land value differ enormously across the country and this may therefore be a difficult task to achieve, and would not be effective if a blanket approach is used across the country. Whatever is taken forward, these indicative benchmark land values should allow authorities to come forward with a differing value where there is sufficient and robust evidence. Failure to do so will result in more viability assessments, lowering the levels of affordable housing delivered and the levels of infrastructure and other initiatives of public value being provided.

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

Please see our response above.

**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?**

CCN supports the intention of this approach, but for the reasons outlined above, believe that the indicative benchmark land values may not adequately reflect site specific land values of a particular area. We support the removal of viability negotiation across the planning system, but believe this needs to be done in a comprehensive and sophisticated way.

**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?**

No we do not support this approach. We believe that, where local planning authorities consider it appropriate, they should be able to negotiate additional affordable housing 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?**

Whilst we disagree with approving schemes that are not policy compliant, we would welcome this approach as an opportunity to claw-back affordable housing and/or other infrastructure that might otherwise have been lost. This is likely to be a resource intensive

activity, and we therefore reiterate our asks for planning departments to be properly resourced.

**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?**

Our response to the questions within this section provide details of our views around the golden rules to all development within the Green Belt.

**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?**

Retrospectively applying golden rules on plans that are already at Regulation 19 could lead to delays in plan-making. We therefore agree that these proposals should apply only to new Green Belt release which follows the publication of the revised NPPF and any plans that are in earlier stages of preparation.

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

The responses contained within questions 37-41 cover the text in Annex 4.

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

We believe Compulsory Purchase has a role to play in land assembly to plan strategically and ensure that land allocated in a plan can be brought forward. This could speed up the delivery of development in the most sustainable locations, and is something that CCN would support.

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

We have no further comments.

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

**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?**

CCN strongly agrees with this approach, recognising that planning authorities will already do this when setting their affordable housing policies and required tenure mixes. Previous national policy which has dictated that policy delivers a certain percentage of a certain tenure, such as 10% affordable home ownership, can mean that policies do not best meet local need. It is vital that planning authorities have the power to set policies around affordable housing and tenure mix that allows them to deliver housing that meets the need of local communities.

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

We agree with this approach, recognising that in some areas/sites, some level of housing for affordable home ownership will be appropriate. As above, authorities should have the freedom to plan for housing that best meets the need of their communities.

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

CCN agrees with this proposal on the basis that policies around sub-market and affordable housing mix should be defined locally.

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

CCN supports the ability for planning authorities to deliver First Homes, including through exception site, where this meets a local need.

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

CCN strongly agrees with this approach, believing that authorities already do this. However, as we have already mentioned, these policies are unlikely to be realised unless there are changes to the way that viability is tested, and the way land is purchased. As it stands, developers are likely to continue to overpay for land, and subsequently try and negotiate down the affordable housing element of a development. We therefore believe that the Government should take the opportunity to reform the way that viability assessments are used in the planning system to strengthen affordable housing policy and increase the likelihood of policies being delivered.

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

As we have already outlined in this response, long-term Government investment in social rented housing through the Affordable Homes Programme is the best way to guarantee that social rent/genuinely affordable housing is delivered. As ever, viability of sites is also important and we would reiterate our ask for the Government to reform the way viability assessments are used within the planning system.

The National Housing Federation estimates that there is a need for an additional 90,000 socially rented homes. While this would require significant upfront capital funding, research has shown that overall, this would provide long-term savings to Government by reducing the reliance on expensive temporary accommodation and providing better quality accommodation, improving health and reducing the burden on the health system.

**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?**

We believe that there could be risk of not providing adequate infrastructure on sites that require significant subsidy, and so continue to support a mixed tenure approach to delivering housing.

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

There are several measures that we consider would help to better support and increased the delivery of affordable housing in rural areas. The main thing is that the delivery of affordable housing should be prioritised in national policy rather than commuted sums for off-site delivery. The availability, and cost, of land makes delivering affordable housing using commuted sums unviable and therefore affordable housing in rural should be delivered on-site.

Another initiative is the removal of the criteria that prevents development of under 10 houses from providing affordable housing, unless there are exceptional circumstances that a developer can provide.

Rural Exception Sites have been used successfully for a number of years to deliver affordable housing, and work could be undertaken to understand how rural areas could be empowered to bring forward more of these sites.

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

We agree with the proposed changes.

**Question 56: Do you agree with these changes?**

We agree with the proposed changes.

**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?**

CCN is cautious about any proposed amendment to the definition of affordable housing for rent in the Framework glossary. The existing policy of limiting affordable housing to a registered provider means that there is then a body of legislation that safeguards the affordable housing provision. Allowing community-led schemes, who are not registered providers, to provide affordable housing would risk adding complexity as they would be unregulated.

**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?**

CCN believes there are a number of reasons why small sites are not being allocated. Firstly is the resource intensive exercise to identify small sites, and subsequently assess their suitability and viability to be included in the development plan. At a time when planning authorities are under-resourced and grappling with constant change, it is often not cost effective to use time to assess small sites.

As identified in the submission by the Planning Officers Society, authorities have traditionally used a criteria-based policy approach with some councils developing Supplementary Planning Documents to set out clear guidance for small infill and redevelopment sites in suburban areas. Government should look at best practice and consider what national advice could assist in helping SME builders to perform better in this area.

**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?**

CCN does not have a strong view on the removal of references to beauty and beautiful, but believe it essential that authorities are able to set out expectations for the design of new development within area design codes. The National Development Management policies should not be used to override these.

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

We broadly agree with this proposal in general, but believe that authorities should set out in local plans or design codes where upward extensions may not be suitable. This will particularly apply to rural settings where they could considerably alter the character of an area.

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

CCN has no further comments.

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

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

CCN strongly supports these changes.

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

We believe that planning for freight infrastructure could benefit from support via the planning system, given the importance of freight to businesses and the national economy.

**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?**

We broadly agree with this approach.

**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?**

A judgement would need to be made on the cumulative impact that a development would have in order to assess the appropriateness of scale. Road capacity, provision of housing, and the subsequent impact on infrastructure should also be considered. The provision of commercial sites should not result in a drive for excessive house building but rather work in a complementary basis with local communities.

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

CCN has no further comments.

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

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

Yes, we broadly support the proposed changes.

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

Yes, we broadly support the proposed changes.

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

We broadly support the changes proposed regarding vision-led transport planning, but would urge the Government to reintroduce strategic planning as quickly as possible, particularly in two-tier areas where the county council is the Highway Authority. Too often counties have to react to planning proposals rather than be proactively involved in them, meaning they may have modelled and be prepared for alternative scenarios. Playing an equal role in plan-making, they can be fully involved in decisions and plan accordingly, and negotiate Section 278 agreements.

Highways England also needs to play a more proactive role in supporting and delivering improvements to the national network to support development.

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

National planning policy can play an important role in achieving this outcome, but local authorities also need the resources to be able to play the role of ringmaster and enforce the standards that are sought at national and local level. A key part of this is good design, and delivering walkable neighbourhoods where active travel is at the heart with attractive public realm and open spaces.

Design codes will help to achieve well designed neighbourhoods and should reinforce the principles of healthy neighbourhoods with high quality open space and public realm. The role of the urban designer will also be critical to help achieve healthy communities, but many planning authorities do not have the resources to employ a specialist in this field. Properly funded planning departments will therefore also be necessary to achieving this aim.

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

CCN has no further comments.

***Chapter 9 – Supporting green energy and the environment***

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

Yes, we support this approach.

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

We broadly support this approach. County areas will be key to delivering this policy given their rural nature, and we therefore welcome the confirmation that proposals will be subject to the policy requirements set out in the framework alongside other environmental safeguards. It will be important to allow them to consider the cumulative impact on such development, and balance these against other development needs.

**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?**

Additional protection to land that provides high carbon sequestration would be welcomed. We also believe that areas of high food production should also be protected to preserve the long term self-sustainability of the country.

**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?**

No – we believe that any onshore wind project that comes forward should be consented through the NSIP regime.

**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?**

No – we believe that any solar project that comes forward should be consented through the NSIP regime.

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

As above, we believe that any onshore wind or solar project that comes forward should be consented through the NSIP regime.

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

National planning policy can play a much stronger role in ensuring that future development is zero carbon, allowing local planning authorities to require this as part of planning applications. This will also require changes to Building Regulations to make sure it is deliverable.

We also believe good design that helps promote active travel and healthy, walkable, neighbourhoods is key.

**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?**

We do not believe that there is currently a nationally accepted method for accurate carbon accounting in plan-making and planning decisions and would welcome a nationally accepted approach.

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

CCN considers that the current approach to flood risk based on mitigation is not clear enough, and wider focus needs to be given to the implications of flooding on a new development in its entirety and not just on the housing inside it. This also applies to run off that could potentially flood neighbouring areas, where better evidence is also required.

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

We believe that planning policy could be much stronger on net zero more generally, taking a holistic approach that considers how development can help to deliver a net zero world, rather than it being an add on. As we have outlined earlier in this consultation response, we have serious concerns over the impact of the proposed reforms to housing, believing that these will lead to Greenfield development not supported by adequate infrastructure.

This will cause even more reliance on private transport and will not lead to sustainable development. National, strategic and local planning policy must all put the delivery of net zero at the front and centre of the planning system if we are serious about achieving this, and this requires strong leadership from national government, giving local authorities confidence in requiring developers to deliver this.

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

CCN disagrees with the removal of the text from the footnote as suggested. With a growing population, the UK is going to need to be able to feed itself in a future where a combination



of climate change and global insecurity mean that the availability of foods globally are at risk. Good food producing land needs to be protected by planning policy, and should not be used for conversion into housing or any other land use.

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

CCN has no further comments, other than it being vital to protect existing agricultural land for food production.

**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?**

CCN agrees with the proposed approach.

**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?**

CCN would support clear requirements for water recycling and water storage where appropriate to prevent flooding built into developments at an early stage.

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

We have no further comments to make.

***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?**

We broadly agree with the revised criteria as set out in the consultation. However, as we have set out in this consultation, we believe the changes as proposed will significantly weaken the status of a local plan. We would request that Government set out clearly that adopted Local Plans cannot be overridden to ensure that they maintain weight and stature in the planning system.

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

CCN would not support this approach, believing clearer criteria is a sounder approach.

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

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

We fully support this proposal.

**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.**

Not applicable, as we support full cost recovery.

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

Individual planning authorities will know how much full cost recovery would cost for them, and therefore should be able to set fees locally.

**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?**

As above, we believe that individual planning authorities will know how much full cost recovery would cost for them, and therefore should be able to set fees locally.

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

Please see above response.

**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.**

We believe that the fees for applications for Prior Approval are too low and do not allow local authorities to recover the costs of processing them. This is particularly the case for applications that change the use of an existing building, such as office to residential conversions where the authority has numerous complex considerations to assess such as highways impacts and contaminated land. We therefore believe that the fees should at least be the same for the equivalent fee for full planning permission.

In addition, we believe the fee should be revised for Section 73 applications for some amendments to minerals and landfill permissions such as time extensions, greater working depth or increase in height of landfilling. The fee for these should be capped, but the current fee of £284 is considerably below the costs of processing these types of application.

**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.**

CCN believes that all applications, regardless of scale and size should attract a fee that is commensurate to the cost to the local authority of processing it. We do not have evidence of what the correct fee should be and urge the department to work with planning authorities to reach an agreement over what the fee should be. As above, we believe that individual planning authorities will know how much full cost recovery would cost for them, and therefore should be able to set fees locally.

**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.**

CCN strongly agrees with this proposal.

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

Local variation - One way to ensure that this isn't too much of an administrative burden on planning authorities would be to work with them to agree a nationally set default fee, and then allowing authorities to set all or some fees locally. This gives the best of both worlds.

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

This is an interesting question, and there are areas of the planning system that would benefit from greater funding, but question whether it is right for users of the service to cover these. Areas such as enforcement and planning policy are vital to a well-functioning planning system, and these activities need to be funding properly,

In the case of enforcement, we believe that authorities should be able to recoup the full costs of the enforcement action from the offending developers or landowners. In terms of planning policy, we believe that central Government funding should be increased to allow recruitment of planning policy offers and ensure that policy teams have the capability and capacity to prepare local plans in a timely manner.

**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?**

Not applicable.

**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?**

At present, Statutory Consultees do not receive any funding from Planning Applications outside of pre-application. Local Highway Authorities, who have statutory duties under the Highways Act 1980 and Traffic Management Act, should be able to charge for responding to applications and receive this funding directly. Highways involvement is essential but the cost of meeting these duties is not met by the developer.

In some cases, the LHA requires Signals, Road Safety, Traffic, Public Rights of Way Officers and Public Transport Officers prior to making a recommendation. It is essential that the authorities providing these responses have their development management services safeguarded and a level of income to support the work that is required to ensure that the LHA can meet its own statutory duties. The above also applies to other county council matters including Ecology, Lead Local Flood Authority, education, Public Rights of Way.

**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?**

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.**

As we have stated throughout this response, we believe planning authorities should be able to recover full costs for all relevant services and applications.

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

We believe that there should be no limitations set in regulations or guidance in relation to local authorities' ability to recover costs. There are well established principles of cost recovery for Building Control and the same regulations could be used for planning.

**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.**

Pressures on local authority budgets, and the reduction of central government funding, has meant that the planning service has been cut to the bare minimum. There is also a shortage of public sector planners, making recruitment very difficult. Full cost recovery, as we have advocated for in this response, rather than partial recovery, would help planning authorities to deliver consistent high quality planning services to communities and developers.

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

CCN has no further comments to add.

### ***Chapter 12 – The future of planning policy and plan making***

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

CCN does not agree with the proposed transitional arrangements and believes that the proposed trigger where the new standard method and current housing target is greater than 200 homes per annum is arbitrary. A better and more proportionate approach would be to set a percentage difference instead.

We do not agree with the removal of the tool for local planning authorities to set a four-year housing land supply where their plans are at an advanced stage. This gives some certainty to authorities that speculative development would be reduced, and we urge the Government to reintroduce this back into the system.

We welcome the point that there will be direct funding support to authorities that will need to undergo additional unforeseen work and that will need to reopen engagement with communities and with landowners on additional calls for sites. Urgent clarity is needed to be given to authorities to understand what funding is available, and how this can be accessed.

Finally, we would like to set out that, for our unitary member authorities who are preparing plans over areas that have previously been covered by new local plans, the proposed timescales within the transitional arrangements are unrealistic. We urge the Government to work with these authorities to understand how they differ from smaller planning authorities and devise arrangements with them that are realistic.

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

CCN broadly agrees with the arrangements, notwithstanding our points in the response to the previous question around the scale of the local plans prepared by our unitary authority members. This should be taken into consideration when setting future deadlines for transitional arrangements.

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

CCN has no further comments.

**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?**

We believe the Government should undertake their own assessment of the impacts of these proposals on people with protected characteristics. This should be published alongside the consultation to allow groups and bodies to respond to.