

National Planning Policy Framework

Consultation questions

We are seeking your views on the following questions on the Government's proposal for a new National Planning Policy Framework.¹

Email responses to: planningframework@communities.gsi.gov.uk

Written responses to:

Alan C Scott

National Planning Policy Framework

Department for Communities and Local Government

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London

SW1E 5DU

(a) About you

(i) Your details

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Email Address:	emma.tucker@local.gov.uk
Telephone number:	0207 664 3049

(ii) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational response

Personal views

(iii) Are your views expressed on this consultation in connection with your membership or support of any group? If yes please state name of group.

Yes

¹ (see: <http://www.communities.gov.uk/publications/planningandbuilding/draftframeworkconsultation>)

No

Name of group:

District Councils Network

(iv) Please tick the *one* box which best describes you or your organisation:

Private developer or house builder

Housing association or RSL

Land owner

Voluntary sector or charitable organisation

Business, consultant, professional advisor

National representative body

Professional body

Parish council

Local government (i.e. district, borough, county, unitary,etc.)

Other public body (please state)

District Councils Network

Other (please state)

(v) Would you be happy for us to contact you again in relation to this consultation?

Yes

No

DCLG will process any personal information that you provide us with in accordance with the data protection principles in the Data Protection Act 1998. In particular, we shall protect all responses containing personal information by means of all appropriate technical security measures and ensure that they are only accessible to those with an operational need to see them. You should, however, be aware that as a public body, the Department is subject to the requirements of the Freedom of Information Act 2000, and may receive requests for all responses to this consultation. If such requests are received we shall take all steps to anonymise responses that we disclose, by stripping them of the specifically personal data - name and e-mail address - you supply in responding to this consultation. If, however, you consider that any of the responses that you provide to this survey would be likely to identify you irrespective of the removal of your overt personal data, then we should be grateful if you would indicate that, and the likely reasons, in your response, for example in the comments box.

(b) Consultation questions

Delivering Sustainable Development

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

1(a) – Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree or Disagree | <input type="checkbox"/> |
| Disagree | <input checked="" type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

1(b) Do you have comments? (please begin with relevant paragraph number)

<p>The DCN strongly supports the sentiment of Paragraph 13. Economic growth is essential for a sustainable future and growth can be facilitated by a positive planning system.</p> <p>However, the expectation in Paragraph 14 that development will be approved unless its adverse impacts “would significantly and demonstrably outweigh the benefits, when assessed against the policies (in the Framework) taken as a whole” causes concern that development which is inappropriate for local needs will be approved. Allowing development proposals to be assessed solely against national policy is contrary to the principles of localism.</p> <p>The Framework should be amended to make it very clear that local planning authorities rather than central government determine how the presumption in favour of sustainable development should be locally applied. The expectation in Paragraph 14 that local authorities approve all development on which their plan is silent is inappropriate and does not accord with the definition in Paragraph 5. Development should be permitted if it is sustainable. It should not be permitted simply because a plan has not anticipated a particular development proposal.</p>

Plan-making

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

2(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree or Disagree | <input type="checkbox"/> |
| Disagree | <input checked="" type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

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

The Frameworks does not clarify the tests of soundness. The tests in Paragraph 48 do not take account of the acknowledgement in paragraph 25 that 'Local Plans are the key to delivering development that reflects the vision and aspiration of local communities.' A plan could be justified as the most appropriate strategy on the basis of the local vision and aspirations.

The plan is expected to be "positively prepared" with a presumption in favour of sustainable development which is so strategically defined as to be of little use as a test.

The absence of appropriate transitional arrangements for existing local plans must be addressed with urgency and clarity. It is estimated that 30 per cent of core strategies have been adopted and the Framework's declaration that permission should be granted "where the plan is absent, silent, indeterminate or where relevant policies are out of date" is a major issue, particularly when core strategies are defined as overarching strategic documents, and are not expected to contain policies suitable, on their own, for assessing planning applications. The Local Development Framework system remains under the Localism Bill proposals. The current phrasing of the Framework potentially removes the ability of authorities with a core strategy to assess proposals against anything other than the Framework. An increase in appeal activity is likely as developers push forward to take advantage of this strategic vacuum.

Even existing local plans will not be deemed sound or valid, until they have a certificate of conformity with the Framework; until then planning applications will be assessed against the Framework rather than local plans, which have been subject to full public consultation.

It is essential that local planning authorities have a realistic chance of getting up-to-date plans in place and of continuing to "save" existing robust local policies which are not out of alignment with the Framework. Chronological age of policy is not a good test of robustness.

The strategic intent of planning authorities is clear and there is need for protection until core strategies receive a certificate of soundness. It will take time for the Planning Inspectorate to visit all councils and we contend that, in the meantime, it is wholly unreasonable that councils should suffer from speculative development. The DCN proposes, therefore, that there should be protection to the point where the Planning Inspectorate accepts or rejects the local plan.

Transitional arrangements for having plans approved or certified in conformity with the Framework must be simple and streamlined and the DCN also considers that transition arrangements will operate more effectively if the Planning Inspectorate allocates a link officer to each local planning authority to act as a 'critical friend' and support effectively and timely delivery. In addition, the test should be made one of "general conformity" with the Framework to enable those locally prepared plans which do not raise major issues of conflict with the Framework to remain in place.

It is noted that Paragraphs 50 and 51, referring to neighbourhood plans are contradictory. Paragraph 50 states that these plans should be in general conformity with the local plan whilst Paragraph 51 states that neighbourhood plan policies take precedence over local plan policies, where they are in conflict.

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

2(c) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input checked="" type="checkbox"/> |
| Neither agree or Disagree | <input type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

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

With reference to paragraphs 46 and 47 the DCN notes the call by a number of bodies that there should be a duty for local authorities to prepare Strategic Infrastructure Assessments

(SIAs). Whilst the preparation of an SIA may be appropriate it should be for local authorities and their partners to decide the most appropriate way to properly address strategic issues that cross administrative boundaries.

Decision taking

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

3(a) Do you agree

- | | |
|---------------------------|-------------------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input checked="" type="checkbox"/> |
| Neither agree or Disagree | <input type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

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

The DCN supports the principles set out in Paragraph 54. However the paragraph also needs to make it clear that these principles are applied on the basis of 'delivering development that reflects the vision and aspiration of local communities'. It should also make clear the importance of quality in delivery. The references in the Minister's Foreword to "too frequent mediocrity" should be carried through into the document with the clear expectation that developers will be expected to deliver quality. There is currently much emphasis on the importance of local authorities not obstructing development and there needs to be a balancing emphasis that poor development will not be permitted as it is not sustainable.

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

4(a) Do you agree

- | | |
|---------------------------|-------------------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree or Disagree | <input type="checkbox"/> |
| Disagree | <input checked="" type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

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

There are several parts of the Framework where supplementary guidance would be of value (e.g. Paragraph 152 requiring that local planning authorities support the delivery of renewable and low carbon energy).

The DCN welcomes light touch guidance but there is an urgent need for further clarity over what will be produced, and by whom, otherwise considerable resource will be expended in resolving issues related to different interpretations of the guidance or different assumptions where clear guidance is lacking, and plan preparation will be held up.

It will also be a fertile ground for lengthy technical argument at appeals and thus lead to the opposite effect to that envisaged by ministers i.e. it will slow development. A number of professional and expert bodies are able to assist.

Business and economic development

The 'planning for business policies' will encourage economic activity and give business the certainty and confidence to invest.

5(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree or Disagree | <input type="checkbox"/> |
| Disagree | <input checked="" type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

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

The policies could facilitate economic activity but planning policies are only one of many policies that are required to create business confidence that will result in development. For many businesses supportive fiscal and monetary policies are much more likely to create confidence and encourage growth.

The DCN notes that the Framework states in Paragraph 28 that local planning authorities have to prepare a strategic housing market assessment in order to demonstrate a clear understanding of housing requirements but in Paragraph 29 the Framework does not direct local planning authorities to prepare a local economic assessment in order to demonstrate a clear

understanding of business requirements.

Paragraph 75 causes some concern as the current economic slowdown provides an opportunity for developers to submit proposals for alternative uses for employment land that maybe required when the economy starts to grow. If the protection of locally sustainable employment land is removed there may be an imperative to allocate less sustainable land in the future in order to prevent increases in out-commuting which results in significant social and environmental costs.

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

Intelligence about the local market could be very useful. However, the usefulness of local economic assessments has been limited by the lack of local economic data. The Government should ensure that data such as gross value added is readily available for the areas covered by local planning authorities.

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

6(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither agree or Disagree | <input type="checkbox"/> |
| Disagree | <input checked="" type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

6(b) Do you have comments? (please begin with relevant paragraph number)

The policies could facilitate development; but planning policies are only one of many policies that are required to create business confidence that will result in development. For many businesses supportive fiscal and monetary policies are much more likely to create confidence and encourage growth.

New office development will no longer be subject to sequential planning. Employment sites in town centres can make a major contribution to the economic vitality of a town centre. Town centres are also public transport hubs and the location of major employment sites in town centres is therefore generally more

sustainable.

Transport

The policy on planning for transport takes the right approach.

7(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | <input type="checkbox"/> |
| Disagree | <input checked="" type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

7(b) Do you have comments? (please begin with relevant paragraph number)

In Paragraph 83 sustainable transport measures are only encouraged "where practical". In reality this may mean the lowest standard of transport infrastructure will be delivered. There needs to be a balance struck between encouraging new building, and ensuring that large-scale new development comes with the infrastructure necessary to support it. The lack of such infrastructure is one the main reasons cited by those opposing development, so any measures to weaken the ability to provide it will be counterproductive.

Communications infrastructure

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

8(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | <input type="checkbox"/> |
| Disagree | <input checked="" type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

8(b) Do you have comments? (please begin with relevant paragraph number)

The DCN welcomes the wording of Paragraph 96 which makes it clear that operators must keep installations to a minimum and equipment should be sympathetically designed. However, paragraphs 97, 98 and 99 do not provide the policy to support these aims. Local planning authorities should be able to use Article 4 directions to provide specific control that will keep installations to a minimum and ensure sympathetic design. In addition, the current principle that health issues are dealt with under separate controls and are therefore not a planning matter is one of those most often cited by councils in dealing with objections from the public. This principle is restated in paragraph 172 in relation to pollution – but if it is a general principle, it should be enunciated in the opening section of the Framework.

Minerals

The policies on minerals planning adopt the right approach.

9(a) Do you agree?

- Strongly Agree
- Agree
- Neither Agree or Disagree
- Disagree
- Strongly Disagree

9(b) Do you have comments? (please begin with relevant paragraph number)

The policies do not recognise that in two-tier local government areas, the local planning authority and the minerals planning authority are not one and the same.

The reference to “demand” in Paragraph 32 should say “need”, and should have regard to the potential for recycled aggregates to meet part of the requirement.

It would be helpful if Paragraph 173 referred to noise from blasting and a ground vibration limit for hard rock blasting of between 6.0 and 12.0 mm/s at the nearest residential property as being acceptable (in line with current minerals planning guidance).

Housing

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

10(a) Do you agree?

- Strongly Agree
- Agree
- Neither Agree or Disagree
- Disagree
- Strongly Disagree

10(b) Do you have comments? (please begin with relevant paragraph number)

Paragraph 28 alternates between meeting housing need and housing demand with a resulting lack of clarity. The DCN supports the view of the Planning Officers Society that in large parts of the South East (and elsewhere) demand significantly exceeds anything that could possibly be delivered. The requirement should be to meet assessed housing need whilst taking into account the importance of encouraging competition and providing choice.

The Framework does not provide a clear explanation of the rationale behind the requirement in Paragraph 109 that the rolling five year supply of housing land should include an additional allowance of at least 20%. It is accepted that there may be genuine reasons why some allocated housing sites prove to be unsuitable for development but the requirement to provide a rolling five year supply will address this issue;, as will the availability of windfall sites (which according to the Framework can not be included as part of the rolling five year supply – a position that the DCN challenges and asks to be reconsidered).

More fundamentally the Framework wrongly assumes that forcing authorities to identify a larger supply of deliverable sites will result in those sites being developed. Developers are more likely to build when purchasers are able to buy i.e. can obtain mortgage finance and feel sufficiently secure in their employment to do so.

Planning for schools

The policy on planning for schools takes the right approach.

11(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input checked="" type="checkbox"/> |
| Neither Agree or Disagree | <input type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

11(b) Do you have comments? (please begin with relevant paragraph number)

Paragraph 127 does not distinguish between the need and demand for new schools and does not provide the detail or refer to the policy statement - planning for schools development.

It is not clear why schools should be particularly singled out from other community facilities which also need to modernise and be provided through new routes, such as hospitals and other health facilities and which do not appear to be mentioned at all.

Design

The policy on planning and design is appropriate and useful.

12(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | <input type="checkbox"/> |
| Disagree | <input checked="" type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

12(b) Do you have comments? (please begin with relevant paragraph number)

The section on design (paragraphs 114 – 123) is partial and takes more cognisance of the design of very large developments than that of the everyday experience of most authorities. Paragraph 19 sees amenity as a core principle for new development, but not design, which is contradictory.

While the design section emphasises the importance of design,

nothing is said of the importance of good implementation without which good design is merely empty promises. It also envisages a light touch approach which is contradicted by the detailed level of control envisaged in Paragraph 175.

Green Belt

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

13(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input type="checkbox"/> |
| Neither Agree or Disagree | <input type="checkbox"/> |
| Disagree | <input checked="" type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

13(b) Do you have comments? (please begin with relevant paragraph number)

In Paragraph 144 limited infilling in villages has to be in accordance with local plan policies, but limited infilling or redevelopment of previously developed sites does not.

In Paragraph 145 it appears that development brought forward under a Community Right to Build Order is appropriate, regardless of local plan policies, although it is hard to see how this could not have an impact on openness.

The section does not make reference to the development or redevelopment of building for employment uses that are locally or nationally significant.

The section does not state that traveller sites are inappropriate development in the Green Belt (in accordance with the draft PPS) and it should be made clear in Paragraph 143 that very special circumstances do not generally apply to traveller site development.

Climate change, flooding and coastal change

The policy relating to climate change takes the right approach.

14(a) Do you agree?

- Strongly Agree
- Agree
- Neither Agree or Disagree
- Disagree
- Strongly Disagree

14(b) Do you have comments? (please begin with relevant paragraph number)

Paragraph 151 refers to 'well designed' buildings and states that they should be granted planning permission 'unless ...the impact will cause material harm...' A well designed building by definition should not cause material harm and it is suggested that this paragraph is reworded to make clear that, whilst there will be presumption in favour of buildings with high levels of sustainability, they must be well designed and appropriate to their surroundings.

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

14(c) Do you agree?

- Strongly Agree
- Agree
- Neither Agree or Disagree
- Disagree
- Strongly Disagree

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

The policies will support delivery of renewable and low carbon energy, but evidence suggests that financial incentives will also be required to encourage development.

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

14(e) Do you agree?

- Strongly Agree
- Agree

- Neither Agree or Disagree
- Disagree
- Strongly Disagree

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

Supplementary guidance on how to support the delivery of renewable and low carbon energy would be appropriate.

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

14(g) Do you agree?

- Strongly Agree
- Agree
- Neither Agree or Disagree
- Disagree
- Strongly Disagree

14(h) Do you have comments? (please begin with relevant paragraph number)

There is no reference to the flood and coastal erosion risk management (FCERM) strategy for England.

Natural and local Environment

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

15(a) Do you agree?

- Strongly Agree
- Agree
- Neither Agree or Disagree
- Disagree
- Strongly Disagree

15(b) Do you have comments? (please begin with relevant paragraph number)

It is noted that Paragraph 165 does not explicitly encourage the

allocation of previously developed land as defined in PPS 3 (brownfield land). The use of the term 'land with the least environmental or amenity value' is open to wider interpretation.

Historic Environment

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

16(a) Do you agree?

- | | |
|---------------------------|-------------------------------------|
| Strongly Agree | <input type="checkbox"/> |
| Agree | <input checked="" type="checkbox"/> |
| Neither Agree or Disagree | <input type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

16(b) Do you have comments? (please begin with relevant paragraph number)

Paragraph 176 omits any mention of the economic value of heritage assets which is a strange omission in a document so focussed on economic development. Supplementary guidance on preparing a strategy for the conservation and enjoyment of the historic environment would be appropriate.

Impact assessment

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

17a. Is the impact assessment a fair and reasonable representation of the costs, benefits and impacts of introducing the Framework?

Definitely Not. The lack of clarity in the wording of many paragraphs the Framework suggests that the introduction of the Framework, as it stands, will result in delays and additional costs, not least through unnecessary appeals. Less detailed written guidance may mean that it takes longer to assess how a planning application fits with the Framework.

The DCN is also concerned about the assumption that there will be '(small) one-off costs associated with familiarisation with the new format / policy'. Not only officers but also councillors will not just need to be familiar with the guidance but will also need to know how the guidance should be implemented fairly and effectively, and in accordance with local policies. As pointed out above, those councils with core strategies which are truly strategic may need to reconsider their approach to policy making in order to put in place detailed local policies and avoid being judged solely against the Framework. This will be very time consuming and will involve senior management and councillors as well as officers (including officers who are not planners but have an interest in the Framework e.g. economic development officers).

As the Framework represents a major change in policy many local planning authorities may also feel it appropriate to arrange briefing meetings for parish councils, neighbourhoods and community groups

Another concern is the cost of transition arrangements for existing local plans. The timely granting of a certificate of conformity will be a key priority for local planning authorities. Time and resources will be required to make sure that a certificate is granted, rather than declined or delayed, thus causing further problems.

Planning for Travellers

18 Do you have views on the consistency of the draft Framework with the draft planning policy for traveller sites, or any other comments about the Government's plans

to incorporate planning policy on traveller sites into the final National Planning Policy Framework?

There is inconsistency between the Framework and the draft planning policy. In terms of need assessment a stronger linkage is required between the approach for assessing the need for pitches and plots and the approach for other types of housing.

The planning policy for travellers sites will be an interim policy pending incorporation into the final Framework and therefore most local planning authorities will delay implementation until it is incorporated as this process may result in some policy changes. Not least of these concerns will be if the draft policy is incorporated in full it will create an impression that the Framework places an undue weight on the provision of traveller sites.

Specific questions on the impact assessment

QA1: We welcome views on this Impact Assessment and the assumptions/estimates contained within it about the impact of the National Planning Policy Framework on economic, environmental and social outcomes. More detailed questions follow throughout the document.

The DCN is concerned about the assumptions/estimates that are made in the impact assessment and invites DCLG to test/discuss them with DCN members. We will be happy to arrange a meeting.

QA2: Are there any broad categories of costs or benefits that have not been included here and which may arise from the consolidation brought about by the National Planning Policy Framework?

Yes. The cost of transition arrangements for existing local plans. The timely granting of a certificate of conformity will be a key priority for local planning authorities. Time and resources will be required to make sure that a certificate is granted, rather than declined or delayed as stated earlier.

QA3: Are the assumptions and estimates regarding wage rates and time spent familiarising with the National Planning Policy Framework reasonable? Can you provide evidence of the number of agents affected?

No. The DCN is concerned about the assumption that there will be '(small) one-off costs associated with familiarisation with the new format / policy'. A number of officers will not just need to be familiar with the guidance but will also need to know how the guidance should be implemented fairly and effectively, and in

accordance with local policies. This could take considerable time and could involve senior management and councillors as well as officers (including officers who are not planners but have an interest in the Framework e.g. economic development officers). It will involve policy staff on an ongoing basis, with a consequential diversion of time away from the production of other local planning documents.

As the Framework represents a major change in policy many local planning authorities may also consider it appropriate to arrange briefing meetings for parish councils, neighbourhoods and community groups

The DCN is concerned about the assumptions/estimates that are made in the impact assessment and invites DCLG to test/discuss them with DCN members. We will be happy to arrange a meeting.

QA4: Can you provide further evidence to inform our assumptions regarding wage rates and likely time savings from consolidated national policy?

The DCN would like to discuss with DCLG an appropriate methodology for the collection of evidence. It does not want to inconvenience its members by asking them to collect evidence the basis of which DCLG may challenge.

QA5: What behavioural impact do you expect on the number of applications and appeals?

Simplified planning policies will not alone increase the number of applications. The market demand for development will be the prime determinant of the number of applications (DCN members can provide evidence of the reduction in planning applications since 2008.).

Making something shorter does not necessarily make it clearer. There is vagueness around some of the key concepts in the Framework, such as the presumption in favour of sustainable development, which may be subject to clarification through the appeals and the courts. Therefore the DCN expects the number of appeals to increase; thereby increasing uncertainty, exacerbating delays and increasing costs – all of which the Framework is designed to avoid or reduce.

QA6: What do you think the impact will be on the above costs to applicants?

The impact assessment states that 'where policy has been streamlined to include less detail, there is a risk that this could lead to uncertainty over the direction of national planning policy'. Applicants may therefore decide to employ additional consultancy support to increase the certainty of a successful planning application. This will result in additional costs for applicants.

QA7: Do you have views on any other risks or wider benefits of the proposal to consolidate national policy?

The Framework's declaration that permission should be granted "where the plan is absent, silent, indeterminate or where relevant policies are out of date" is a major issue. An increase in appeal activity is likely as developers push forward to take advantage of this strategic vacuum.

QB1.1: What impact do you think the presumption will have on:

- (i) the number of planning applications;
- (ii) the approval rate; and
- (iii) the speed of decision-making?

With reference to previous answers:

- I. Simplification is not a major determination of number of applications.
- II. Lack of guidance and criteria may slow the speed of decision-making and the approval rate.
- III. Lack of guidance and criteria may slow the speed of decision-making

QB1.2: What impact, if any, do you think the presumption will have on:
(i) the overall costs of plan production incurred by local planning authorities?
(ii) engagement by business?
(iii) the number and type of neighbourhood plans produced?

- I. Costs could increase due to a desire to use detailed local policy to mitigate the perceived imperfections of the Framework.
- II. No change; the lack of clarity in the Framework means that the assumption that there will be a greater approval rate of planning applications is not justified. There is a strong possibility that a lack of clarity will result in an increase in planning appeals. During a period of economic uncertainty the risk of delays and additional costs are unlikely to encourage businesses to bring forward development.
- III. It is difficult to assess but many neighbourhoods will be interested in detailed local policies to mitigate the perceived imperfections of the Framework.

QB1.3: What impact do you think the presumption in favour of sustainable development will have on the balance between economic, environmental and social outcomes?

The presumption upsets the balance as the Framework does not clearly set out a requirement for applicants to minimise harm or address potential harmful impacts.

QB1.4: What impact, if any, do you think the presumption will have on the number of planning appeals?

It will increase them due to the overarching definition of sustainable development and the difficulty of assessing applications against it.

QB2.1: Do you think the impact assessment presents a fair representation of the costs and benefits of the policy change?

No. Removing office development from a 'Town Centre First' policy will not alone stimulate economic development. There must be a demand for additional office space.

Office rent costs may be lower outside town centres but because UK land values are generally higher than in continental Europe, rents are still likely to be higher than office

rents in comparable locations in continental Europe.

The assessment does not take account of the likely displacement of office jobs from town centres and the consequent impact on the vitality of town centre retail and leisure businesses.

QB2.2: Is 10 years the right time horizon for assessing impacts?

Do you think the impact assessment presents a fair representation of the costs and benefits of the policy change?

Yes. It is interesting to note that this section of the assessment acknowledges the importance of local planning authorities having full information about the impact of a development and that the cost of providing this information falls on the developer.

The need for a developer to provide evidence of the sustainability of development should be added to the Framework sections about sustainable development and viability and deliverability.

QB2.3: How much resource would it cost to develop an evidence base and adopt a local parking standards policy?

Considerable resource will be required and this a good example of a policy area where separate guidance would be appropriate.

QB2.4: As a local council, at what level will you set your local parking standards, compared with the current national standards?

Do you think the impact assessment presents a fair representation of the costs and benefits of the policy change?

The level at which local parking standards would be set would be determined following appropriate research and consultation.

The assessment does not acknowledge that an increase in parking spaces may result in the loss of other amenities such as public open space.

QB2.5: Do you think the impact assessment presents a fair representation of the costs

and benefits of the policy changes on minerals?

N/A. County councils rather than district councils are the mineral planning authorities

QB3.1: What impact do you think removing the national target for brownfield development will have on the housing land supply in your area? Are you minded to change your approach?

It is accepted that brownfield land can cost more to be developed and in some parts of the country there is a shortage of brownfield land. However the Framework should explicitly encourage brownfield development in preference to greenfield development. Brownfield development can potentially provide greater environmental and social benefits.

QB3.2: Will the requirement to identify 20% additional land for housing be achievable? And what additional resources will be incurred to identify it? Will this requirement help the delivery of homes?

The DCN challenges the requirement to identify 20% additional land. It is accepted that there maybe genuine reasons why some allocated housing sites prove to be unsuitable for development but the requirement to provide a rolling five year supply will address this issue; as will the availability of windfall sites.

Allocating more land than that which is required will result in communities mistrusting the soundness of the planning system. A sound planning system should be based on a strong evidence base and the requirement to allocate 20% additional land will undermine the evidence base.

QB3.3: Will you change your local affordable housing threshold in the light of the changes proposed? How?

Any decision to change a local affordable housing threshold would be made following appropriate research and consultation.

QB3.4: Will you change your approach to the delivery of affordable housing in rural areas in light of the proposed changes?

The DCN agrees that a flexible approach to rural housing is important. However it can not understand the need to remove the rural exception sites policy which can be used as part of a flexible approach.

The impact assessment cites the example of Cornwall's innovative draft affordable housing policy so it is clearly not the case that the rural exception sites policy 'discourage(s) delivery of a more diverse range of housing'.

The rural exception sites policy will remain important in areas where there is a significant need to prioritise affordable housing but significant restraints remain on land.

QB3.5: How much resource would it cost local councils to develop an evidence base and adopt a community facilities policy?

The evidence base for local plans already identifies important community facilities and many local plans already include policies to protect important community facilities.

QB3.6: How much resource would it cost developers to develop an evidence base to justify loss of the building or development previously used by community facilities?

The normal practice of developers is to market the community facility for a period of time to demonstrate that there is no interest in buying or letting the property for its current use.

QB3.7: Do you think the impact assessment presents a fair representation of the costs and benefits of the Green Belt policies set out in the Framework?

Community Right to Build may be promoted by developers who prefer to spread risk by developing a number of smaller sites rather than a single large site. The assessment does not include the risk that developers may use Community Right to Build as a vehicle to promote development in the Green Belt. Therefore it is important that the Framework is amended so that a Community Right to Build Order must conform to local plan policies.

QB4.1: What are the resource implications of the new approach to green infrastructure?

The evidence base for local plans already identifies important

green infrastructure and local plans already include policies to protect important green infrastructure.

QB4.2: What impact will the Local Green Space designation policy have, and is the policy's intention sufficiently clearly defined?

The policy will be beneficial and the policy's intentions are clearly defined.

QB4.3: Are there resource implications from the clarification that wildlife sites should be given the same protection as European sites?

The evidence base for local plans already identifies important wildlife sites and local plans already include policies to protect important wildlife sites.

QB4.4: How will your approach to decentralised energy change as a result of this policy change?

Any decision to change an approach to decentralised energy would be made following appropriate research and consultation.

QB4.5 Will your approach to renewable energy change as a result of this policy?

Any decision to change an approach to renewable energy would be made following appropriate research and consultation.

QB4.6: Will your approach to monitoring the impact of planning and development on the historic environment change as a result of the removal of this policy?

Any decision to change an approach to monitoring would be made following appropriate research and consultation.