

## HOUSING WHITE PAPER

A response by the Campaign to Protect Rural England to the Department for Communities and Local Government consultation on the Housing White Paper.

This CPRE submission consultation has been compiled following extensive consultation with our network of 43 branches and 8 regional groups around England, many of whom have first-hand experience of how the planning system operates at a local level.

May 2017

### Summary of CPRE's response to the Housing White Paper

CPRE believes that the key objectives that the Government should pursue, in relation to planning for housing, should be:

- Ensuring every part of the country has an up to date plan;
- Maximising use of suitable land for development and more strongly enforced restrictions against building on land that is generally unsuitable, in particular Green Belts and other designated areas;
- Devising a standard approach to determining Objectively Assessed Housing Need (OAN) that is realistic in the approach to how, and how many, households will be formed across England in the coming years, and what their housing needs are;
- Reforming the proposed housing delivery test to shift the emphasis away from penalising local authorities and communities for housebuilders' failure to deliver; and
- Providing more resources for planning authorities.
- Ensuring appropriate community engagement and consultation.

### Overarching themes

CPRE welcomes the approach of the White Paper in that it acknowledges that housing problems are multi-faceted, and are not simply a matter of perceived restrictions in the availability of land, despite arguments of some developers and think tanks to the contrary.

CPRE strongly supports the principle of full coverage of **up-to-date plans**. But there are a number of ambiguities and inconsistencies in the proposals to achieve this in the Housing White Paper, which were not given adequate opportunity for a response through the formal consultation questions:

- There continues to be insufficient clarity with regard to how OAN for housing should be translated into a local plan housing requirement, in particular how this should be related to environmental and policy constraints, and to the capacity of the housebuilding industry.
- The efficacy of the plan-led system could be threatened as a result of a vacuum between the statutory strategic level of plans and the patchwork of optional neighbourhood plans: where are sensible detailed development management policies (appreciated by all actors in the development process) intended to fit in to this approach?
- The meaning of an 'up-to-date' plan continues to be unclear, especially with regard to policies that, reasonably, have a long shelf-life (including development management policies, especially those related to conservation of heritage, landscape and nature);

how realistic is the expectation of 5-yearly reviews, and what will the impact be on the 'fundamental' characteristic of the permanence of Green Belts?

- Does 'sufficiently ambitious' mean that environmental priorities (including 'footnote 9' areas) should be downgraded in the quest for more (but not better) housing?

More needs to be done to make sure that the environment is given equal footing in discussions about **sustainable development**. Despite being a topic of a number of judicial reviews, there is still confusion over the interpretation of the presumption in favour of sustainable development, and indeed the definition of 'sustainable development' itself. This is reinforced by different interpretations by planning inspectors.

Overall, CPRE is positive about proposed moves to do more to get planning permissions implemented through the measures proposed in questions 21 to 27 of the White Paper. But these will critically rely on local authorities having the resources in place to fully scrutinise planning applications and rates of development, and to challenge the claims made by developers. In addition, they also critically rely on local authorities being able to set housebuilding levels that can be serviced in a sustainable fashion, in particular by a good choice of transport modes. Current, vague approaches to **objectively assessed housing need** and housebuilding requirements tend to lead to more expensive plan-making processes as more sites have to be identified, assessed, consulted on and then examined. Therefore a clearer method of assessing housing need, which enables more realistic and less resource-intensive housing requirements than under current practice, is also critical.

There is still much in the White Paper, in particular the proposed **housing delivery test**, which appears to be based on the belief that releasing more land for development will on its own automatically result in more homes being built and that this in turn will lead to more affordable average house prices.

Such an approach has never proved workable in the experience of England, despite sustained high levels of land release for development since the 1950s. Experiences elsewhere in the English-speaking world, particularly Australia and Ireland<sup>1</sup>, show that simply allowing more planning permissions will achieve little. In England as in these other countries, developers manage the release of permissioned land to keep prices high, and the real priority for public investment should be investment in affordable housing to meet identified social need.

Our branches work closely with local planning authorities across England when development plans are being prepared, and on planning applications involving development with a significant impact (either positive or negative) on the countryside. They have highlighted a worrying, and increasing, level of **weakness in local authority staffing** and wider financial resources due to successive budget cuts as well as a wider policy climate that gives advantage to developers and land speculators.

#### **Other issues**

The ongoing and understandable quest to **reduce duplication** in planning policy (and the volume of policy of course) continues to threaten to leave gaps in policy and reduce the clarity of policy. It is already easy for different readers to interpret the National Planning Policy Framework (NPPF) in radically different ways. Information and advice needs to be more accessible, and the relationship between the NPPF and the online Planning Practice Guidance (PPG) needs to be examined again.

More needs to be said about **Neighbourhood Planning** practice. The process remains daunting for most communities to contemplate. There continues to be insufficient assurance that the activity will result in planning decisions that accord with neighbourhood plan aspirations (although the Neighbourhood Planning Bill includes some small steps towards

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<sup>1</sup> See article from University of Sydney academics dated 13 February 2017, <https://theconversation.com/why-housing-supply-shouldnt-be-the-only-policy-tool-politicians-cling-to-72586>

this). There will always be a call for a 'community right of appeal' so long as neighbourhood plans continue to be so easily overruled.

The Housing White Paper is insufficiently ambitious about **capturing increases in land values** - in fact it says very little about this at all.

The White Paper variously uses the terms **need, demand, requirement, target** and it uses them interchangeably.

#### **Format and nature of consultation**

The overall structure of the Housing White Paper is not always conducive to an effective consultation. The chapter structure of 'steps' was clear, but the relationship between the four 'steps' and the subsequent 'annex', which contained the consultation questions, was inconsistent and obscure. Unsatisfactory elements of the consultation included:

1. Proposals emboldened in the Housing White Paper text were not always associated with a consultation question.
2. The final two sections of the annex introduced ideas that were not discussed in the main body of the Paper, including policies almost entirely unrelated to housing.
3. The online survey form included questions relating to the Rural Planning Review, which was entirely separate from the Housing White Paper, and not signposted within it.

The objective seemed to be to confuse the reader as much as possible, rather than to assist their appreciation of the Government's proposals, and to sneak proposals for new or amended policies in through the back door.

#### **Next steps**

Partly as a result of the above point, but also as a matter of general good practice, CPRE considers that it is essential that there will be an opportunity for interested parties to scrutinise the final proposed wording of the NPPF (and other instruments for the implementation of the measures proposed in the Paper) before final publication. This is in order to help ensure that measures will work as intended and policies are internally consistent.

## CHAPTER 1 - PLANNING FOR THE RIGHT HOMES IN THE RIGHT PLACES

### **Q1. Do you agree with the proposals to:**

***Q1(a) Make clear in the National Planning Policy Framework that the key strategic policies that each local planning authority should maintain are those set out currently at paragraph 156 of the Framework, with an additional requirement to plan for the allocations needed to deliver the area's housing requirement?***

1. Whilst CPRE is a strong supporter of a plan led system, we disagree with several aspects of the proposals as they stand.
2. CPRE agrees with the proposal to keep the key strategic policies that each local planning authority should maintain. It is important that the priority of planning for 'climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape' is not considered as an afterthought but is central to all plan making.
3. CPRE however, disagrees with the second component of the proposal: the change in emphasis could jeopardise delivery of the right mix of homes of high quality.
4. The encouragement of the development of up to date plans is essential to a plan led system. However, the removal of the requirement to develop local plans, with emphasis instead on Strategic Plans and Neighbourhood Plan, risks creating a fragmented approach that lacks the clarity required for effective, efficient and informed decision-making. Neighbourhood Plan coverage is currently patchy whilst strategic plans do not provide clarity and for allowing the consideration of local distinctiveness as well as specific policies relating to issues such as climate change, biodiversity, green infrastructure, flood resilience, landscape and heritage.
5. We are also concerned that the use of terms such as 'up to date' and 'sufficiently ambitious' provide too much 'wriggle room', that could allow the exploitation of loopholes.
6. Local Plans provide an important opportunity to set expectations over the medium term: not every policy or proposal within a local plan needs to be, or should be, reviewed every five years such as policies that guide the design and character of new developments.
7. We are particularly concerned about the proposal on Green Belt boundaries. The requirement to regularly review forces local authorities to neglect these protective policies and their regular review is detrimental to a defining feature of Green Belt which makes it such an essential policy: its permanence. These protections should be reviewed less regularly, for example every 15 years. The NPPF should make a clear distinction between the need to regularly review local plan policies, and update where necessary, and the review of Green Belt boundaries which should only be done in exceptional circumstances. Please see our response to Question 9 and 10 for more detail.
8. Currently, regular release of data and five-year housing land supply calculations, means that local plan documents are almost constantly out of date with the situation changing through the appeals process. Whilst CPRE supports the need for regular review, and five year reviews are already good practice, the time it takes to collate, analyse and consult on the evidence base and proposed local planning documents may not be feasible every five years. The relevance of local plan documents, and whether they are assessed as being up to date, must relate to compliance with wider policy, rather than arbitrary timescales.
9. We are also concerned a 'sufficiently ambitious' plan may lead to the setting of unrealistic housing targets that cannot be met. Housing targets are currently significantly higher than past delivery rates: if the industry is unable to deliver, councils are required to then allocate more sites: this leads to loss of countryside, and does little to ensure brownfield sites are developed. Ambition should also relate to ways in which the council can protect and enhance the natural environment. Policy needs to be clear that the 'housing requirement' referred to here is the local plan housing requirement (subject to our concerns about calculating need expressed elsewhere) and not the 'raw' application of OAN.
10. It is essential that the proposals within the housing white paper, in particular the Housing Delivery Test (see also our responses to questions 28 and 29), do not undermine

the importance of local and neighbourhood plans or the time and effort that go into producing them.

11. More needs to be done to ensure that other environmental designations are given strong protection in addition to Green Belt. Housing targets need to be based on an understanding of constraints, including environmental designations listed in footnote 9, but also other issues such as agriculture and flood risk.

***Q1(b) Use regulations to allow Spatial Development Strategies to allocate strategic sites, where these strategies require unanimous agreement of the members of the combined authority?***

1. CPRE agrees with the proposal as long as it includes clear provisions for the full engagement of local communities.
2. In some cases, it may be appropriate for strategic sites to be allocated at a strategic level. However, strategic sites can have significant impact on local communities and consultation and engagement process must be commensurate with this . Any proposals should work alongside local and neighbourhood plans, and allow for full scrutiny by the planning committee of the directed local authority .
3. Whilst the removal of duplication of proposals can help simplify the process, decisions taken at a regional level can be viewed as a top-down done deal, with local communities feeling distant from the decision, despite strategic decisions often having proportionally more impact than other developments. It is imperative that local communities are fully engaged in the allocation of strategic sites, with early engagement an indicator of how likely the community may be to support the proposal as it is progressed.
4. Additionally, it is essential developers and local communities can easily access all the information pertaining to the local plan in one location.

***Q1(c) Revise the National Planning Policy Framework to tighten the definition of what evidence is required to support a 'sound' plan?***

1. CPRE agrees that there is a need to define what evidence is required to support a sound plan as a means to provide increased clarity in the process. The decision about the strategy must be directly informed by a Sustainability Appraisal with clarity provided on the weight given to different issues within the appraisal that illustrate accordance with the NPPF. Different tests of soundness may be required for different sorts of plans.
2. However, we are still unsure about the full implications of the suggested change to allow councils to provide an appropriate plan as opposed to the best plan as mentioned elsewhere in the HWP. On the one hand, it could enable the faster adoption of local plans as a result of reducing the room for conflict between different stakeholders. However, in removing the requirement for the best plan it may remove rigorous assessment of policy proposals with councils settling for a less than best plan.

***Q2. What changes do you think would support more proportionate consultation and examination procedures for different types of plan and to ensure that different levels of plans work together?***

1. Our comments focus on the following key areas: coordination, cooperation, simplification and review.

**Coordination:**

2. An important element that often leads to frustrations and delays are the different timescales and timetables between local and regional strategies, as well as local authorities within Housing Market Areas being at different points in the local plan process.
3. More could be done to encourage councils operating within the two-tiered planning system, or councils within a Housing Market Area to coordinate review dates. This could be implemented through a Statement of Common Ground that details common timescales for the review of local plans, and by encouraging Joint Core Strategies where appropriate.

**Cooperation:**

4. The Statement of Common Ground also provides an opportunity to establish the situation with regard to constraints at an early stage. This may help to avoid a defective Duty to

Cooperate procedure delaying the adoption of local plans. The statement could also help give confidence to local authorities in defending the Green Belt, and other landscape designations.

5. Further guidance on addressing conflicts that occur as part of Duty to Cooperate is also important, and would help the process become more transparent.

**Simplification:**

6. CPRE may support changes that reduce the number of stages within the plan-making process, as long as they are not used as a means to circumvent full engagement with local communities and proper consideration of their views. Reducing the number of stages could help to provide focus points for local community engagement.
7. Defining the strategic priorities that plans should contain may help focus attention in key areas, however, it is essential that the detail required to make informed decisions is contained and consulted upon.
8. Non-technical summaries of key documents should be encouraged to enable engagement with non-planners. It is also important to ensure that local plan documents and their evidence base are accessible to the general public, and simplification could support this.
9. The use of digital tools as outlined in the Housing White Paper is welcomed, as well as social media. It is essential that these are used to improve and simplify online engagement and should not completely replace current consultation tools as this could risk excluding some members of the public from actively engaging in the process.
10. Clearer documentation illustrating changes that have been made would enable future consultations to be better targeted to the provision of new evidence, or wider comments on any modifications.
11. Simplification should also not reduce the ability of local authorities to deviate from standard methodologies to take account of local circumstances where deviation is clearly justified.

**Review:**

12. As discussed in our response to question 1, CPRE supports the principle of up to date local plans underpinned by up to date evidence.
13. Allowing local authorities to set the 5 year housing land supply for at least a year (see also our response to Question 16) could be one way in which the process around determining planning applications is simplified. However, it is important that this regular review does not lead to a complete rewrite of a local plan. Policies should be considered as up to date, unless there has been a significant change illustrated through an up to date evidence base.
14. As has been illustrated a requirement for the early (within 5 years) review of a local plan has been used on a number of occasions to enable a local plan to be found sound (Lichfields report - Planned and Deliver - found that 30% of Local Plans found sound since the NPPF have such a requirement). Housing matters was a reason cited in all of these cases and the majority of the local authorities are in areas with Green Belt or Areas of Outstanding Natural Beauty. One case study illustrates a primary concern of CPRE regarding the review every 5 years: in the Examination of Bromsgrove's Local Plan the Inspector concluded that as Green Belt boundaries can only be reviewed through the local plan, unmet housing need would need to be addressed through a Green Belt review and local plan review within five years.

**Q3. Do you agree with the proposals to:**

***Q3(a) amend national policy so that local planning authorities are expected to have clear policies for addressing the housing requirements of groups with particular needs, such as older and disabled people?***

1. CPRE supports this proposal: it is essential for housing delivery policies to prioritise different types of housing need before demand.
2. Anecdotal evidence illustrates another issue: developers are submitting applications for large 4 to 5 bedroom houses whilst a number of older people would like to be able to down-size. However, no suitable downsizing options exist. A clear policy to address identified housing requirements of groups with particular needs could help overcome this.

***Q3(b) from early 2018, use a standardised approach to assessing housing requirements as the baseline for five year housing supply calculations and monitoring housing delivery, in the absence of an up-to-date plan?***

1. Subject to satisfactory details resolved through the anticipated consultation on the standardised OAN methodology, CPRE supports the principle of this proposal.
2. Whilst the proposals could help to remove some of the uncertainty that is the focus of planning appeals, there is a danger of ignoring potential constraints on the supply of land and capacity of housebuilding sector to deliver these homes.
3. Arguments over housing numbers have been a major cause of disagreement and delay in planning applications. In principle, CPRE supports the use of a standardised approach as a means to provide clarity in the process and the uncertainty of local council's positions in planning appeals. A consistent approach could enable better cooperation across local authority boundaries to avoid double (and non) counting of the population .
4. However, the standardised approach must make a clear distinction between the two-stages of the calculation of a housing requirement: calculating the Objectively Assessed Housing Need (policy-off) and setting the final requirement (policy-on). Housing requirements must be linked to the environmental constraints and the capacity of the housebuilding industry to deliver: these must be reasonable justifications to depart from the methodology.
5. It is also important to strike an appropriate balance that encourages local planning authorities to progress the development of up to date plans, but does not place undue pressure on the natural environment. Our research has shown that recently adopted housing targets are significantly higher than household projections, meaning that councils with an adopted local plan will be placed at higher risk as a result of the proposed housing delivery test (see our response to question 28 and 29).
6. The capacity of the housebuilding industry should also be a reasonable justification to ensure that the housing requirements are realistic. CPRE research (Set Up to Fail, 2016) has shown how unrealistic housing targets place undue pressure on our countryside.
7. A transition period to a different system would be necessary to ensure that recently adopted plans, and those that are near adoption, are not affected or delayed because of the changing methodology.
8. A standardised approach to Strategic Housing Land Availability Assessments is also needed. A lack of consistency makes it difficult for strategic level plans to collate and evaluate information within them. For example, the Peter Brett Associates report on the housing deficit for Birmingham was unable to come to a clear conclusion.

***Q4. Do you agree with the proposals to amend the presumption in favour of sustainable development so that:***

***Q4(a) authorities are expected to have a clear strategy for maximising the use of suitable land in their areas?***

1. CPRE neither agrees nor disagrees with this proposal.
2. Whilst CPRE agrees with the principle of having a clear strategy for maximising the use of suitable land, this comes with a number of caveats.
3. The emphasis of a clear strategy should focus on the local plan and any neighbourhood plans. As illustrated by the legal case *East Staffordshire Borough Council v Secretary of State for Communities and Local Government & Anr.* (Case Number: CO/2856/2016 ([2016] EWHC 2973 (Admin))), the approval of developments that would be regarded as being 'sustainable' within the meaning of the NPPF that is in conflict with a local plan should be 'the exception rather than the norm'.
4. The term 'suitable land' must be defined to ensure protection of both designated and non-designated valued countryside and green spaces. One way in which this could be done is through a definition of high environmental value (see Wildlife and Countryside Link's response, to which CPRE is a signatory). It should be made clear that an assessment of suitable land is not akin to the Local Plan Expert Group's recommendation for an Assessment of Environmental Capacity, which places too high

a burden of proof on local authorities to provide strong evidence to protect both designated and undesignated open space. Whilst CPRE welcomes a greater emphasis on environmental capacity in plan making, any assessment must go further and look at where capacity can be improved through better land management and stronger protection against development. In addition, it must not be seen as an assessment of development capacity with land not of proven environmental value being considered suitable for development whilst ignoring the intrinsic value of the countryside.

5. It should be made clear that in some cases ‘maximising the use’ of suitable land could mean keeping land open, for use as farmland or to prevent flooding. It should also consider looking at efficient use of space as a means to ensure the countryside and green spaces are protected (Kent).
6. The term ‘sustainable development’ must be clearly defined as it is at the heart of planning policy.
7. A sequential approach to land release should then be applied so brownfield sites are developed first: targeted funding and clear policy is needed to realise this. The definition of brownfield must also not restrict consideration of different types of previously developed land or land which is in need of extensive work to make it shovel ready (See Question 15).

***Q4(b) it makes clear that identified development needs should be accommodated unless there are strong reasons for not doing so set out in the NPPF?***

1. CPRE disagrees with the proposal. There is a lack of clarity as to whether the proposed change in wording will strengthen protection for areas listed in footnote 9 of the NPPF as being exempt from the presumption in favour of sustainable development. Whereas CPRE has been informally advised that the proposal may be a strengthening, the proposal also appears to alter the emphasis given to the three dimensions of sustainable development as specified in paragraph 7 of the NPPF.
2. We could not support a proposal that weakens protection for important designated areas of countryside. While this may not be the intention of the change, it appears to set a higher bar than before so could result to more loss of valued open spaces. Local authorities may be burdened to produce a weight of evidence to show that policies such as Green Belt, and other environmental and landscape designations, provide a strong reason to restrict development. The proposal therefore weakens any pretence of preserving the Green Belt and countryside. There should also be greater emphasis on permanence of the Green Belt, instead of being subject to 5 yearly reviews.

***Q4(c) the list of policies which the Government regards as providing reasons to restrict development is limited to those set out currently in footnote 9 of the National Planning Policy Framework (so these are no longer presented as examples), with the addition of Ancient Woodland and aged or veteran trees?***

1. CPRE agrees with the proposal as a definitive list could provide increased assurances for local authorities to protect the landscapes therein. However, CPRE recommends that to ensure consistency and that the policy intent is clear the following changes to the presumption are made:
  - The wording in the second part (‘decision-taking’) of the presumption policy (Box 2 / para 14 of the NPPF) should be consistent with that used in the first part (‘plan-making’);
  - It needs to be clear that the policies in footnote 9 definitively provide the strong reason sought by the policy. A plan that has, correctly, taken account of the existence of land affected by those policies, and where necessary reduced its housing requirement from the objectively assessed need figure, should be judged ‘sufficiently ambitious’. The part of the NPPF that refers to sufficiently ambitious must also refer to this footnote to ensure that this is the case;
  - CPRE calls for our Best and Most Versatile land to be included within this footnote to ensure a resilient agricultural industry.
2. Government guidance on the subject must also be clear that environmental heritage or landscape policies elsewhere within the Framework should be given weight within



the plan-making and decision-taking processes to ensure that the change to a definitive list does not undermine locally important sites.

3. We support the addition of ancient woodland and aged or veteran trees into footnote 9 of the NPPF. However, this footnote is only as strong as the protections afforded to this habitat by policies elsewhere in the NPPF. We therefore also support calls by the Woodland Trust to amend paragraph 118 so that development in Ancient Woodlands is 'wholly exceptional'.
4. We also recommend that footnote 9 is given greater prominence by being elevated out of small-print at the foot of the page. Sections within the highlighted 'presumption' policy (currently NPPF para 14) should be numbered, so that 'plan-making' is '(a)', 'decision-taking' is '(b)', with footnote 9 as a new paragraph '(c)', beginning 'Policies in this Framework which are considered to provide a strong reason for development are those relating to...'.

***Q4(d) its considerations are re-ordered and numbered, the opening text is simplified and specific references to local plans are removed?***

1. CPRE supports the simplification of the opening text and the removal of reference to local plans.
2. However, the declining emphasis on local plans elsewhere in the Housing White Paper, with emphasis instead on Strategic Plans and Neighbourhood Plans, risks creating a fragmented approach that lacks the clarity required for effective, efficient and informed decision-making and reduces scope for effective local decision making. Neighbourhood Plan coverage is currently patchy whilst strategic plans do not provide clarity or allow for the consideration of local distinctiveness as well as specific policies relating to issues such as climate change, biodiversity, green infrastructure, flood resilience, landscape and heritage.
3. We also urge the government to make a clear distinction between the two-stages of the calculation of a housing requirement: calculating the Objectively Assessed Housing Need (policy-off) and setting the final requirement (policy-on) within paragraph 14 of the NPPF.

***Q5. Do you agree that regulations should be amended so that all local planning authorities are able to dispose of land with the benefit of planning consent which they have granted to themselves?***

1. CPRE agrees with the proposal that Local Authorities can dispose of land at less than best value as a potential means to encourage innovation on good quality design and affordable homes. This could also support the diversification of the sector by opening up opportunities for Community Land Trusts and Custom build schemes.
2. The delivery of affordable homes should be a key priority of any land disposed of in this way.
3. It is essential, however, that planning consents for land to be disposed of have been arrived at having followed due process in identifying the most suitable sites, i.e. through local plan processes or brownfield registers, and that consents benefit from demonstrable local support.

***Q6. How could land pooling make a more effective contribution to assembling land, and what additional powers or capacity would allow local authorities to play a more active role in land assembly (such as where 'ransom strips' delay or prevent development)?***

1. CPRE supports land-pooling as a means to support more ambitious redevelopment of complex brownfield sites with public investment focussing on the reuse of urban brownfield sites.
2. There continues to be a problem with brownfield sites that have remained difficult for develop for a decade or more. Research for CPRE, drawing on the National Land Use Database, found that in 2012 more than a third of all brownfield land classed as suitable for development had remained undeveloped for 9 years or more, even though a quarter of these sites had planning permission. (From Wasted Spaces to Living Spaces, 2014, paragraphs 2.3.9-2.3.10.) Also, land-pooling in town centres may often be more complex due to a broad range of competing interests and ownership.

3. A strategy that advocates land pooling must address the increased complexities that can come with delivering large sites. There are a number of examples where large sites have been slow to deliver, the most notable of which perhaps is Ebbsfleet.
4. Any mechanism needs to encourage landowners to participate in a project.
5. Once land has been assembled and permission granted a mechanism should be in place to encourage a range of developers to come forward to deliver new homes.

***Q7. Do you agree that national policy should be amended to encourage local planning authorities to consider the social and economic benefits of estate regeneration when preparing their plans and in decisions on applications, and use their planning powers to help deliver estate regeneration to a high standard?***

1. Yes - we support estate regeneration when it is done well and can offer an opportunity to increase density in urban areas through innovative and characterful ways to ensure that urban areas are an attractive place to live. However, the environmental benefits also need to be considered to meet the three pillars of sustainable development.
2. The regeneration of estates must also be carried out with local communities in mind and must not price out current residents out of their homes and businesses out of their premises - these have been problems in at least a few cases.

***Q8. Do you agree with the proposals to amend the National Planning Policy Framework to:***

***Q8(a) highlight the opportunities that neighbourhood plans present for identifying and allocating small sites that are suitable for housing?;***

1. Yes. We are advocates for neighbourhood planning and have campaigned for its weight to be strengthened in policy and legislation. The measures being introduced through the Neighbourhood Planning Bill, and expanded upon in the Written Ministerial Statement on the issue, improve matters slightly, and CPRE will be closely monitoring the impact that these measures have in practice, but more could be done.
2. CPRE very much supports the proposal to highlight opportunities for neighbourhood plans to take a lead on identifying smaller sites in their areas that are suitable for development in their areas; parish councils and neighbourhood forums could also be encouraged to engage with local plans and brownfield registers for this purpose, without the need necessarily to do so through the neighbourhood plan process.

***Q8(b) encourage local planning authorities to identify opportunities for villages to thrive, especially where this would support services and help meet the authority's housing needs?***

1. Yes. This is provided that the Government also recognises the importance of local authorities supporting and agreeing settlement boundary policies, and that the scale of development in relation to the existing community and the impact of the development on that community is understood. This also enables rural exception sites to come forward. At present, there appears to be a contradiction between stating that small windfall sites should be generally supported, and the proposal that intends to give stronger support to sites that provide affordable homes for local people.

***Q8(c) give stronger support for 'rural exception' sites - to make clear that these should be considered positively where they can contribute to meeting identified local housing needs, even if this relies on an element of general market housing to ensure that homes are genuinely affordable for local people?;***

1. CPRE agrees with this proposal, subject to the Government setting out its plans on this in more detail. The policy of cross-subsidisation is now well-established having been brought in through the NPPF in 2012, and research needs to be undertaken with regard to the impact this has had on the delivery of affordable homes on rural exceptions sites. The proportion of market homes for cross-subsidy to affordable homes should be no greater than 1 for 1, otherwise the development cannot reasonably be said to be an exception. Proposals should be well related in scale to

the community and the focus should be on delivering housing needs for the local community, rather than the wider area.

***Q8(d) make clear that on top of the allowance made for windfall sites, at least 10% of sites allocated for residential development in local plans should be sites of half a hectare or less?;***

1. CPRE neither agrees nor disagrees with this proposal. The recognition in the HWP of the important role played by small sites, those of less than 10 units and less than 0.5 hectare, in supporting villages to thrive is very welcome. However, the absence of any action to allow local planning authorities to secure affordable housing from sites of less than 10 units undermines the stated objectives for rural areas and leaves an inherent contradiction between the proposed amendments to the NPPF. We have also addressed this issue in our response to question 32.b.

***Q8(e) expect local planning authorities to work with developers to encourage the sub-division of large sites?; and***

1. Yes. This proposal could help to support the involvement of SME builders and so help to speed up delivery.

***Q8(f) encourage greater use of Local Development Orders and area-wide design codes so that small sites may be brought forward for development more quickly?***

1. Yes. LDOs and design codes could be useful when applied to previously developed sites (including to help guide developments using Permission in Principle on brownfield register sites) or with regard to area-wide urban intensification or estate regeneration in urban areas. Design codes in areas, such as rural areas, where built character can be quite diverse, are unlikely to result in positive design outcomes.
2. Using LDOs and codes with regard to greenfield sites that have not already been specifically identified for development through local or neighbourhood plan processes could be more problematic to implement in terms of securing community support. We would recommend that for these purposes other mechanisms, for example Neighbourhood Development Orders and Community Right to Build Orders, might be more appropriate. These could maximise the opportunity for local engagement, and reduce the risk of 'top-down' imposition of developments.

***Q9. How could streamlined planning procedures support innovation and high-quality development in new garden towns and villages?***

1. CPRE supports high-quality, well-planned and well-located developments. Done well with genuine local consent, garden villages and towns can be part of the solution to the housing crisis as long as investment is not drawn away from developing urban brownfield sites. However, the NPPF should be very clear that the application of the policies referred to in footnote 9 (as amended through the HWP) should mean that new garden towns and villages are very unlikely to be acceptable in those areas. It may help to focus investment in those new developments that will be most successful if the NPPF were to specify that the Government would be highly unlikely to support development that would cause harm to those areas that NPPF policies seek to protect.
2. It is essential that any stream-lining of planning procedures do not bypass effect engagement and consultation with the local community. For example, any initiatives, including 'pink zones' must be plan-led and have the support of the community.
3. Infrastructure delivery, in particular good public transport, must be an integral element of new settlements to manage current and future travel demands.
4. Development corporations for such projects need to have vision and expertise, and need to engage in partnership with their communities, rather than imposing development on them.

***Q10. Do you agree with the proposals to amend the National Planning Policy Framework to make clear that:***

***Q10(a) authorities should amend Green Belt boundaries only when they can demonstrate that they have examined fully all other reasonable options for meeting their identified development requirements?***

1. No.
2. CPRE disagrees with the proposed test in the White Paper as we believe that it will serve to weaken Green Belt protection, contrary to promises given by Ministers. Green Belt policy continues, overall, to be strongly effective in meeting its primary purposes such as preventing sprawl.
3. CPRE agrees with the Government's wider aim of providing more transparency and clarity as to the circumstances justifying alterations to Green Belt boundaries. We also welcome the references to making effective use of suitable brownfield land, optimising densities and exploring whether other authorities can meet some of the identified requirement. But CPRE believes that substantial further work is needed if these aims are to be met and the policy is to remain effective.
4. If the current proposal becomes policy it is likely to represent a practical weakening of Green Belt policy because it:
  - Fails to recognise that housing requirements are not in themselves 'exceptional' and therefore not a reason to change Green Belt boundaries even when other options have been exhausted.
  - Fails to clearly uphold the permanence of Green Belt as a result of the proposed 5-year local plan review cycle.
  - Is a weakening on current practice, whereby local authorities generally assess Green Belt land against the five purposes, and if it is necessary to release sites, the ones that are released are those that perform least strongly against the purposes. In this way the harm to the Green Belt, and the extent to which it can be avoided or mitigated, is taken into account, as set out in the key legal precedent involving Green Belt alterations - the Calverton Parish Council High Court judgment from 21 April 2015.
  - Only requires alternative options to be 'examined' rather than actively pursued.
5. In addition, CPRE is particularly concerned that the Government also needs to provide further clarification on two related issues:
  - The White Paper is concerned with the 'exceptional circumstances' test for Green Belt boundary alterations, but does not consider the 'very special circumstances' test relating to decision making on individual planning applications. For example, there have been a significant number of school developments, particularly in and around London but also in other areas such as Cheshire. We believe that the Government's approach to schools development should be consistent with its approach to housing, where it is clearly stated in the Planning Practice Guidance that unmet demand for housing is unlikely to constitute very special circumstances.
  - The 'exceptional circumstances' test for major housing development in Areas of Outstanding Natural Beauty needs to be more transparent. We have seen increasing incidences of development, particularly in Kent (the Farthingloe case due to be heard by the Supreme Court later in 2017) and Oxfordshire (the 2016 Vale of the White Horse Local Plan), being justified, at least partly, on grounds of unmet housing need. This is even though AONBs are excluded from the presumption in favour of sustainable development in the same way that Green Belts are.
6. CPRE recommends that the final NPPF:
  - retains the current commitment to the permanence of the Green Belt;
  - requires that an assessment is made, as part of the preparation of the Local Plan, of the harm to the purposes of the Green Belt arising from developments being proposed on sites currently within it, with a clear preference for retaining the Green Belt designation where a clear contribution to any of the five purposes continues to be made;
  - states that Green Belt boundaries should not be altered any more frequently than every 15 years, unless there is a need to remove land from the Green Belt which is no longer open and/or no longer fulfils Green Belt purposes;

- requires local authorities to provide written evidence of what they have done to identify, prioritise and bring forward more sustainable alternatives such as urban brownfield sites (see also response to Question 11 below);
- requires local authorities reviewing Green Belt boundaries to do so jointly with local authorities in adjoining areas, particularly those which cover or adjoin the same designated Green Belt (see also response to Question 11 below);
- states that unmet need for school places is unlikely to constitute the 'very special circumstances' justifying the grant of planning permission for a school development in the Green Belt;
- sets out that unmet housing need is not an 'exceptional circumstance' justifying any large scale housing development on a greenfield site in an AONB;
- reiterates the point that local authorities with areas of Green Belt or AONBs are not expected to meet objectively assessed housing need (OAN) in full where this would result in harm to the Green Belt or major development in the AONB. This should apply even if OAN could not be met elsewhere within the relevant housing market area. As per the Calverton judgment, development requirements should only be part of the justification for Green Belt release where there is a truly exceptional level of need for housing, and an exceptional lack of alternative sites on which to meet that need.

***Q10(b) where land is removed from the Green Belt, local policies should require compensatory improvements to the environmental quality or accessibility of remaining Green Belt land?***

1. No. The emphasis of this proposal needs to be significantly changed so that it cannot be interpreted in terms of 'compensatory improvements' being seen as justifying loss of Green Belt.
2. We have deep concerns that were this proposal to become policy without further detailed consideration, it would lead to local authorities failing to adequately value Green Belt for its planning purposes, in particular the prevention of sprawl and encouragement for urban regeneration, as well as its potential as an environmental resource for future generations. In particular it may further encourage local authorities to release land from the Green Belt in order to generate revenue to plug gaps in funding for open spaces, further adding to the perverse incentive for Green Belt development in the current New Homes Bonus. Similarly, 'compensation' should not be judged as a like for like replacement of the current environmental qualities of an individual parcel of Green Belt, unless the planning purposes of Green Belt such as preventing sprawl are also properly valued. A perverse incentive could arise for landowners to run down environmental quality in order to make the case that Green Belt land can be released for development with comparatively little needed by way of compensation.
3. The NPPF already encourages local planning authorities to plan positively for the beneficial use of the Green Belt. Further work has been done that could be used to guide how this policy is used. CPRE's 2016 report, Nature Conservation and Recreational Opportunities in the Green Belt, identified that over time the Green Belts have become a particularly important resource of woodland, local nature reserves and public rights of way. The work of the Natural Capital Committee - also referenced in our report - has also identified the creation of new woodland and wetland around urban areas, in practice often involving Green Belt land, as a particular priority.
4. CPRE recommends that the consultation proposal should be altered to require that local authorities with Green Belt should assess both the green infrastructure potential and existing assets (such as wildlife and woodland value) of the Green Belt in 15-year reviews, and identify priorities to realise this potential over the same timescale in their infrastructure planning. Such an assessment should be strictly separate from considerations of whether a site should be released for housing. Any new development within that local authority, not just that permitted in current or previously designated Green Belt, should be expected to contribute towards these priorities. Similarly, Green Belt harm should be properly understood when

considering boundary alterations, and preferably avoided where possible. Any compensation should be based on a proper understanding of the level of harm to the Green Belt rather than the environmental qualities of a given strip of land. (See response to subsection a above.)

***Q10(c) appropriate facilities for existing cemeteries should not to be regarded as 'inappropriate development' in the Green Belt?***

1. Yes.

***Q10(d) development brought forward under a Neighbourhood Development Order should not be regarded as inappropriate in the Green Belt, provided it preserves openness and does not conflict with the purposes of the Green Belt?***

1. No. The means by which development is consented is in itself not a relevant issue. Whatever the consent regime, decisions should be made in accordance with appropriate policies, including those applying to Green Belt. In CPRE's view it would be far better to encourage the use of neighbourhood planning powers for development which meets specific local community needs, for example for affordable housing which would not be supplied normally through the planning system without further specific incentives. We would accordingly recommend that the use of both neighbourhood development orders and community right to build orders should be limited, in Green Belt areas, to small-scale affordable housing to meet local community needs. The NPPF already allows this for such development where it is in accordance with policies set out in a Local Plan.

***Q10(e) where a local or strategic plan has demonstrated the need for Green Belt boundaries to be amended, the detailed boundary may be determined through a neighbourhood plan (or plans) for the area in question?***

1. No. CPRE believes that the proposal as it stands will put an inappropriate strain on the neighbourhood planning process, particularly from landowners and developers keen to profit from Green Belt boundary alterations. Green Belt policy is strategic in its function and coverage, and so the need for, and the general location of, the review of a Green Belt boundary must be identified through the Local Plan or a wider process with similar provisions for consultation and examination. Neighbourhood plans, which are usually restricted to a parish, grouping of parishes or similar areas, are unsuited to covering this issue.

***Q10(f) when carrying out a Green Belt review, local planning authorities should look first at using any Green Belt land which has been previously developed and/or which surrounds transport hubs?***

1. No.
2. If it has been demonstrated that land needs to be released from the Green Belt, then priority should be given to the release of previously developed land. However, where no Green Belt release is justified, brownfield sites within the Green Belt should be treated as per current policy, i.e. development should preserve openness.
3. On the basis of information supplied in the White Paper cannot support including 'transport hubs' in the same policy. 'Transport hubs' are not defined in the White Paper and CPRE would not support proposals that defined a location as a transport hub purely on the grounds of having a bus stop or a railway station, especially as such facilities are important in terms of giving access to the countryside for urban dwellers. The policy should not result in development on greenfield land in the Green Belt. Brownfield land should always be prioritised for development, not just in areas of Green Belt.

***Q11. Are there particular options for accommodating development that national policy should expect authorities to have explored fully before Green Belt boundaries are amended, in addition to the ones set out above?***

1. Yes. More attention needs to be given to work with neighbouring authorities. Working with adjacent authorities does not work in and around the London

conurbation where all authorities are under pressure and unable to meet their own targets. The exercise should not merely be about trading of housing numbers. CPRE recommends that Green Belt reviews should take place preferably on a whole-Green Belt or city regional basis where possible, so that the net is cast widely for sites that can be released with least harm to the Green Belt and the most scope to achieve sustainable development.

2. CPRE also recommends that local planning authorities should be expected to proactively seek out development opportunities through looking at disused or under-used brownfield sites, rather than merely issue a call for sites to interested landowners as at present.

**Q12. Do you agree with the proposals to amend the National Planning Policy Framework to:**

**Q12(a) indicate that local planning authorities should provide neighbourhood planning groups with a housing requirement figure, where this is sought?;**

1. Yes in principle. If Neighbourhood Plans are being developed in areas where the local plan, and housing requirement, have been found sound it could help them fit into the wider picture and in some situations, it may help give increased weight to a Neighbourhood Plan.
2. However, the target could be misused by local authorities; for example council officers in Lancaster District are threatening Hest with Slyne Parish with increased housing numbers to push for a site to be released from the Green belt. It is essential that any target is attainable taking into account locally important constraints (including undesignated landscapes) as well as the capacity of the housebuilding sector to deliver homes in the area.
3. There will also be a need to balance the regular review of Local Plans with Neighbourhood Plan reviews to ensure that they are not immediately considered out of date as a result of the requirement to review local plans every 5 years. Neighbourhood Planning Forums are unlikely to have the capacity for such regular review.
4. Additionally, we are concerned about the proposed impact of the Housing Delivery Test on the weight afforded to made Neighbourhood Plans. (See response to Q17.)
5. In decision-making weight must be given to the types and tenures of housing need that have been identified for within Neighbourhood Plans in addition to an overarching target.

**Q12(b) make clear that local and neighbourhood plans (at the most appropriate level) and more detailed development plan documents (such as action area plans) are expected to set out clear design expectations; and that visual tools such as design codes can help provide a clear basis for making decisions on development proposals?;**

1. Yes. As mentioned in the Housing White Paper, good design is an essential for gaining public support. Clear design expectations within local planning documents and neighbourhood plans will help highlight important local character and distinctiveness to move away from a one-size fits all approach to new housing developments.
2. CPRE hopes that these measures will help to address problems in the quality of new homes that has come at the expense of a drive towards increasing the number of new homes. CPRE Sussex's 'Making Places' project aims to bridge the gulf that often exists between a developer's 'blueprints' and a neighbourhood's own vision for the future. They held a series of seven Place Making Workshops showing that many local people feel positive about development but they want a role in shaping the places where they live. The Campaign has produced a manual which it hopes will be used by both local communities and decision makers at all levels.

**Q12(c) emphasise the importance of early preapplication discussions between applicants, authorities and the local community about design and the types of homes to be provided?;**

1. Yes. The earlier local communities are involved in identifying sites and their potential design the more likely they are to support it. CPRE calls for paragraph 66

of the NPPF to be strengthened so that pre-application discussion with affected stakeholders become standard practice for major developments.

2. Toolkits such as the BIMBY toolkit could be widely advertised as a means for this involvement.

***Q12(d) makes clear that design should not be used as a valid reason to object to development where it accords with clear design expectations set out in statutory plans?; and***

1. No.
2. Good design is an essential component of creating places that are appropriate to their locality and popular. A key barrier to achieving the step change in development delivery that the Government is seeking is that developers are not incentivised to design and build high quality environments, and this is a major factor in local opposition to development in many cases. Whenever the odds are stacked against councils refusing poor quality developments, as they currently are because of the political emphasis on planning not being a barrier to the delivery of housing and infrastructure, developers will fail to raise their game on design, and public cynicism towards new development will continue to rise.
3. Councils should be empowered, and indeed encouraged, to refuse proposals on design grounds, but it is agreed there should be a context within which they can do so. In this respect, design standards and guidelines in any local policy document (whether statutory or not, i.e. including supplementary planning documents and other guidance, so long as it is in the public domain) should be applicable to the determination of planning applications, and this should not be affected by how 'up-to-date' the policy is, since design that is appropriate to an area does not change over time, or the extent to which housing targets have been met, since it is always possible to design well, however desperate the need for housing is. In addition, even where no published design guidance is available, design should be capable of being a reason for refusal in designated landscapes and with regard to proposals affecting heritage assets or their settings, having regard to their character and significance.
4. It is not acceptable for poorly designed development to be implicitly supported by national planning policy simply on the basis that a council has not been able to develop 'clear design expectations' in its 'statutory plans', especially in the context of the paucity of resources in local planning authorities which results in councils not being able to employ their own design or heritage officers who could undertake such work.
5. Proposals elsewhere in the Housing White Paper suggest that 'statutory' plans will be more strategic in nature and would not necessarily provide the granularity of local detail that is necessary for good design guidance; there is a conflict between these proposals.

***Q12(e) recognise the value of using a widely accepted design standard, such as Building for Life, in shaping and assessing basic design principles - and make clear that this should be reflected in plans and given weight in the planning process?***

1. Yes. Policy will need to balance improved standards with rising costs of housing.

***Q13. Do you agree with the proposals to amend national policy to make clear that plans and individual development proposals should:***

***Q13(a) make efficient use of land and avoid building homes at low densities where there is a shortage of land for meeting identified housing needs?;***

1. CPRE agrees with the proposal.
2. Increasing urban density is an important way to avoid encroachment of the countryside. It is important that land is not wasted in any instance, not just where there is a shortage of land for meeting identified housing needs in order to ensure that plans look beyond their plan period and provide for future generations. The carbon footprint per capita is much less in modern well-designed higher density development.



3. It is imperative, however, that a drive to higher density does not compromise living standards and the quality of design of Neighbourhoods and groups of buildings; nor should it threaten valued local open spaces. Development should reflect the character of the area. High density should not come at a cost of creating an attractive place to live. There may be situations where lower density housing is more appropriate, particularly in more remote rural areas.
4. More perhaps needs to be done to illustrate and encourage good high density development, the alleviate fears of high rise, sunlight blocking, view destroying development. High density creates an opportunity for eco-developments to lead the way in good design.

***Q13(b) address the particular scope for higher density housing in urban locations that are well served by public transport, that provide opportunities to replace low-density uses in areas of high housing demand, or which offer scope to extend buildings upwards in urban areas?;***

1. Yes. There is significant scope for encourage public transit orientated development. The 2016 report in CPRE's Housing Foresight Series, *Making the Link*, joint land use and transport planning could have both economic and environmental benefits when done well.
2. Any drives to encourage development around transit hubs should not lead to encroachment in the Green Belt and this should be clearly reflected within planning policy.

***Q13(c) ensure that in doing so the density and form of development reflect the character, accessibility and infrastructure capacity of an area, and the nature of local housing needs?;***

1. Yes. It is important that local housing targets reflect the capacity of an area in order to not place on due risk of damaging a local area's character; in some cases high density developments will not be in character or reflect a the type of homes that need to be built.
2. Accessibility and infrastructure should focus on public transport and active transport such as cycling and walking.
3. The policy also should recognise that many rural locations need provision for car parking spaces as they are poorly served by public transport and may not be inhabited by 'active' people - for example elderly people.

***Q13(d) take a flexible approach in adopting and applying policy and guidance that could inhibit these objectives in particular circumstances, such as open space provision in areas with good access to facilities nearby?***

1. No. All places need high quality informal and formal good quality open spaces. A flexible approach may inhibit higher density development, leading to poor design and a lack of new open space provision. Some guidance on density could remove vagueness in the system and make it easier to monitor whether new developments are rising to the challenge.
2. It is important that Neighbourhood Plans are given weight in the decision.

***Q14. In what types of location would indicative minimum density standards be helpful, and what should those standards be?***

1. Everyone should have access to a decent home with housing that supports their needs. It is essential that any standards recognises this and ensures that drives to increase density do not result in the development of homes that are too small to encourage a high quality of living: many new homes are already much smaller than our international counterparts which could lead to issues in the future.
2. Relaxation of daylight rules could lead to a backlash against urban intensification in the long run. Nonetheless, it is important that density levels are increased for the reasons set out in the Housing White Paper, and not least because better use of land helps to protect the countryside.
3. The Case for Space publication by Royal Institute for British Architects (RIBA) could be used in developing evidence on this.

***Q15. What are your views on the potential for delivering additional homes through more intensive use of existing public sector sites, or in urban locations more generally, and how this can best be supported through planning (using tools such as policy, local development orders, and permitted development rights)?***

1. There is significant untapped potential for the development of brownfield sites, particularly in urban areas, as illustrated by a range of studies (see for example JLL Car parks study).

**Brownfield registers:**

2. Brownfield registers provide an opportunity for local authorities to identify all brownfield sites in their local area, and not just public sector sites, and evaluate their suitability for development. It is essential that the guidance to accompany the regulations clearly calls for local authorities to publish a list of all brownfield sites in an Annex to the Brownfield Registers to ensure a comprehensive and transparent approach. This will also enable a long-term approach to be taken to unlock more complex brownfield sites, such as targeting funding to sites. Local authorities should also be guided to carry out a proactive search and analysis of brownfield land in their areas.

**Densification:**

3. In addition to identifying brownfield land, local planning authorities should be guided to identify opportunities for densification of all previously developed land in urban areas with good public transport links.

**Sequential approach:**

4. A sequential approach is needed in policy to unlock brownfield sites before greenfield sites and the focus of the release of public sites for development should be on brownfield sites in good locations such as hospitals, rather than some former military bases for example that are not well located. At present, more land is allocated for new homes than the housebuilding industry has capacity to deliver within the next five years. This leads to greenfield sites being cherry-picked over brownfield sites, many of which may lie idle for many years. (See response to question 6 above.) Whilst we support the presumption in favour of development on brownfield sites within the Housing White Paper, the policy could go further to expect that planning applications on greenfield sites are refused where there are suitable brownfield sites.
5. CPRE research has shown that once brownfield sites have permission, they are developed 6 months quicker than greenfield sites. This, combined with evidence that suggested that 1.1 million homes could be delivered on suitable brownfield sites, illustrates the huge contribution such a policy could make to the faster delivery of new homes.
6. Innovative approaches to delivering new homes could include further support for the development of homes above local shops.

## CHAPTER 2 - BUILDING HOMES FASTER

***Q16(a) where local planning authorities wish to agree their housing land supply for a one-year period, national policy should require those authorities to maintain a 10% buffer on their 5 year housing land supply?;***

1. CPRE strongly disagrees with the proposal. Whilst we support the proposal for local authorities to fix their housing land supply on an annual basis, the proposed additional 10% buffer is unnecessary, is likely to create a disproportionate burden on local authorities and lead to increased countryside loss.
2. The buffer penalises local authorities who can prove a short-term housing supply and does not take into account potential constraints on housing land supply, including Green Belt and environmental designations or the other uplifts that may have already been applied by local authorities, for example to take account of past under-supply.
3. Additionally we are concerned that confirming the situation for just 1 year is likely to be impractical unless such an approach can be agreed upon, as it is unlikely that an agreement will be reached between developers and councils. The position should be fixed for a period of longer than 1 year to provide greater certainty for the council, particularly after a recently adopted local plan, and a chance to monitor development rates and undertake any action before being open to speculative development.
4. Policy also needs to make clear that 'fixing' the five-year supply calculation applies to councils that have a five-year supply; where a council does not, then identifying other sites (through a local plan review or granting planning permissions) should be added to the supply within the 'fixed' period.

***Q16(b) the Planning Inspectorate should consider and agree an authority's assessment of its housing supply for the purpose of this policy?***

1. CPRE disagrees with the proposal as it stands.
2. Agreeing each local planning authority's housing land supply status on an annual basis will be resource intensive and having the Planning Inspectorate (PINS) as the arbitrator may not work in practice. Further details about how PINS should be involved need to be answered before CPRE supports this proposal:
  - How will PINS arbitrate - what process would be used?
  - How will agreement be reached?
  - How will differences between councils, communities and developers be concluded?

***Q16(c) if so, should the Inspectorate's consideration focus on whether the approach pursued by the authority in establishing the land supply position is robust, or should the Inspectorate make an assessment of the supply figure?***

1. CPRE withholds its full judgement on this proposal in anticipation of the consultation on the standardised assessment of housing requirements. Further comments are also in our response to Question 21.
2. If the Planning Inspectorate is to evaluate the approach pursued by local authorities, clear national policy and guidance on the matter is needed to support local authorities and PINS.
3. PINS should not allow land supply to just become a short term issue: need to ensure infrastructure and housing go hand in hand.

***Q17. In taking forward the protection for neighbourhood plans as set out in the Written Ministerial Statement of 12 December 2016 into the revised NPPF, do you agree that it should include the following amendments:***

***Q17(a) a requirement for the neighbourhood plan to meet its share of local housing need?;***

1. CPRE withholds its full judgement on this proposal in anticipation of the consultation on the standardised assessment of housing requirements. Whilst it is important that Neighbourhood Plans fit into the wider picture and a local housing figure could help support this, and give additional weight to positively prepared Neighbourhood Plans, we have some concerns about the practical implication of

local authorities providing a housing target and the relationship between local and neighbourhood plans.

2. The target could be misused by local authorities (particularly those that are known to be discouraging of the neighbourhood plan process): it is essential that any target is attainable and protects the local environment taking into account locally important constraints (including undesignated landscapes) as well as the capacity of the housebuilding sector to deliver those homes.
3. There will also be a need to balance the regular review of Local Plans with Neighbourhood Plan reviews to ensure that they are not immediately considered out of date as a result of a review of the local plan - there is a suggestion that they could be out of date within just 2 years of being adopted. Neighbourhood Planning Forums are unlikely to have the capacity for such regular review.
4. In decision-making weight must be given to the types and tenures of housing need that have been identified for within Neighbourhood Plans in addition to an overarching target.

***Q17(b) that it is subject to the local planning authority being able to demonstrate through the housing delivery test that, from 2020, delivery has been over 65% (25% in 2018; 45% in 2019) for the wider authority area?***

1. CPRE strongly disagrees with this proposal; please also see our response to question 28 and 29.
2. The proposed Housing Delivery Test fails to address the underlying issues of low housebuilding: that developers are not bringing forward those sites that have been allocated and whether or not there is capacity to deliver on these sites. The proposed extension of this part of the Housing Delivery Test to areas covered by Neighbourhood Plan punishes local communities who have put their own time and resources into producing a neighbourhood plan by opening up these areas to speculative planning applications.
3. Neighbourhood Plans that have planned positively to meet a local housing target need to be reassured that their efforts were not wasted. The Housing White Paper already cites a study that shows that Neighbourhood Plans allocate land for 10% more homes than the local authority, and it seems unfair to then disregard these plans.
4. Resources should be targeted to bring forward those sites allocated within local and neighbourhood plans.

***Q17(c) should it remain a requirement to have site allocations in the plan or should the protection apply as long as housing supply policies will meet their share of local housing need?***

1. Site allocations are important part of illustrating a positively prepared Neighbourhood Plan. However, the process of site identification can be onerous and therefore CPRE advocates that the protection should apply as long as their housing supply policies will meet their share.
2. Neighbourhood Plans are often positive towards development that focusses development with the existing urban area or contributes to organic growth of the urban areas. Such Housing supply policies within Neighbourhood Plans should still hold weight in the decision-taking process as they have been democratically voted on in a referendum with developers encouraged to bring forward proposals that meet such requirements rather than put in speculative applications that do not meet these criteria.
3. There may also be circumstances whereby a Neighbourhood Planning Group is unable to allocate specific sites for new homes, if, for example, it is surrounded by Green Belt (e.g. Churchill and Blakedown Neighbourhood Plan in Worcestershire). There may also be situations where a range of small sites may be present and the identification of them would be far too onerous, as is often the case for Housing and Economic Land Availability Assessments.
4. As in part b) in decision-taking weight must be given to the types and tenures of housing need that have been identified for within Neighbourhood Plans in addition to an overarching target.

**Q18. What are your views on the merits of introducing a fee for making a planning appeal? We would welcome views on:**

**Q18(a) how the fee could be designed in such a way that it did not discourage developers, particularly smaller and medium sized firms, from bringing forward legitimate appeals;**

1. Introducing a fee may not be the best solution but it could prevent the current approach whereby some land speculators put in planning applications for sites outside the development plan and attempt to push them through by the appeals process.
2. Any fee structure should take into account the significant costs of appeals to local planning authorities and reflect the scale of the development.

**Q18(b) the level of the fee and whether it could be refunded in certain circumstances, such as when an appeal is successful; and**

1. Fees should only be refunded if the appeal is withdrawn at an early stage before the council has done much work on it.

**Q18(c) whether there could be lower fees for less complex cases.**

1. Householder or community appellants could be charged less. The fee could be based on number of dwelling units or square footage - perhaps linked to the application fees for commercial development.

**Q19. Do you agree with the proposal to amend national policy so that local planning authorities are expected to have planning policies setting out how high quality digital infrastructure will be delivered in their area, and accessible from a range of providers?**

1. CPRE agrees with the proposal. We note however that local planning authorities are already under resourced. Despite the potential to increase resourcing of planning departments elsewhere in the Housing White Paper it is unlikely that this will result in spare capacity to undertake the development of policies on digital infrastructure. Additionally, digital infrastructure already benefits from permitted development rights and highly permissive national planning policies.

**Q20. Do you agree with the proposals to amend national policy so that:**

**Q20(a) the status of endorsed recommendations of the National Infrastructure Commission is made clear?; and**

1. CPRE neither agrees nor disagrees with the proposal. We support giving more attention to matching housing growth with appropriate infrastructure. However, an increased role for the Commission risks creating distance between decision-making processes and local engagement in these decisions.

**Q20(b) authorities are expected to identify the additional development opportunities which strategic infrastructure improvements offer for making additional land available for housing?**

1. CPRE disagrees with the proposals as it stands.
2. As mentioned in part a, CPRE endorses strategic planning that considers infrastructure alongside housing development. If funding is targeted towards areas of greatest demand such as southern England, the proposal could perpetuate a vicious cycle of unsustainable growth that takes no account of the natural environment. Instead, infrastructure funding should focus on areas that can most benefit from unblocking difficult or stalled brownfield sites where growth is needed for economic development - this would be helped by ensuring the local authorities are guided to record all previously developed land.

**Q21. Do you agree that:**

**Q21(a) the planning application form should be amended to include a request for the estimated start date and build out rate for proposals for housing?**

1. Yes. We believe it is vital that planning applications and consents include detailed estimates from the start date to completion. It is important that local planning authorities are provided with the necessary powers to ensure that developers build out their planning consents so that councils are not unduly placed under the pressure of falling foul of their 5-year Housing Supply (5YHLS) Rule with all of the damaging consequences that this entails.
2. We suggest a monitoring scheme be put in place to control the build out of a planning consent from start to completion, which would include both the start date and the build out rate within the following phases:
3. Planning consent should specify the phasing of the build-out in time intervals appropriate to site circumstances over the entirety of the delivery of the consent.
4. The first phase would have a duration appropriate for the preparation of the site and incorporation of necessary infrastructure (roads, utilities, etc); for a very large site or a highly contaminated brownfield site, this might be as long as 3 years, but one or two years would be more usual depending on the size of the site. Subsequent phases would have durations appropriate to the number of units to be completed, typically three years, until the consent is fully delivered.
5. If at the end of each phase progress were unsatisfactory and the developer was unable to provide an acceptable explanation for the delay, the local planning authority would be empowered to exercise an appropriate sanction. Possible sanctions are specified in section 2.39 of the Housing White Paper, and we believe that others are possible, but we do not have the capacity to specify them here; the ultimate sanction would be withdrawal of the planning consent.
6. Throughout the entire duration of the build-out, the land associated with the development would remain in the estimate of the housing land supply. At present, if the consent refers to a large number of units, after five years the land associated with the un-built units is excluded from the estimate of the housing land supply. Thus, in order to remain compliant with the 5YHLS rule, the local planning authority must allocate the equivalent amount of land, often putting at risk the unnecessary development of further greenfield or Green Belt land. We regard it as essential that local planning authorities are empowered to stop this irrational process.
7. Local planning authorities must be given the resources required to implement this monitoring and control function.

**Q21(b) that developers should be required to provide local authorities with basic information (in terms of actual and projected build out) on progress in delivering the permitted number of homes, after planning permission has been granted?**

1. Yes. This would be a welcome step that would increase transparency and confidence in the planning system. Were the scheme outlined adopted then the relevant developer would be obliged to provide relevant information pertaining to each phase of development.

**Q21(c) the basic information (above) should be published as part of Authority Monitoring Reports?**

1. Yes. Monitoring helps gauge how well local plan policy is performing and how it should potentially be refined going forward. Additionally, by providing this information, local people and those considering whether to engage with the planning process will be more encouraged to do so.

**Q21(d) that large housebuilders should be required to provide aggregate information on build out rates?**

1. Yes, in line with the scheme proposed in the answer to question 21(a).

**Q22. Do you agree that the realistic prospect that housing will be built on a site should be taken into account in the determination of planning applications for housing on sites where there is evidence of non-implementation of earlier permissions for housing development?**

1. CPRE neither agrees nor disagrees. While a prior record of non-implementation is certainly worth consideration, this should not permit developers or local authorities

to side-step brownfield development that may be more difficult to build-out in favour of nearby available greenfield sites that offer more lucrative returns.

***Q23. We would welcome views on whether an applicant's track record of delivering previous, similar housing schemes should be taken into account by local authorities when determining planning applications for housing development.***

1. The fact that the developer has a backlog of extant permissions in a given housing market should be a significant material consideration for a local planning authority assessing the application.
2. Care needs to be taken to ensure that this proposal would not undermine brownfield development and sites identified in local and neighbourhood plans. This would most likely result in councils being forced to identify new sites for development.
3. In addition the policy approach would need to recognise the difficulty of demonstrating poor delivery and the possibility of consented sites being traded between 'good' and 'bad' developers.

***Q24. If this proposal were taken forward, do you agree that the track record of an applicant should only be taken into account when considering proposals for large scale sites, so as not to deter new entrants to the market?***

1. No.
2. It might be too easy for such an exception to be exploited through trading in permissions. The track record of an applicant would be a material consideration which the local planning authority could take into account or choose not to, so a size limit for an exception would be arbitrary. See also response to Q23.

***Q25. What are your views on whether local authorities should be encouraged to shorten the timescales for developers to implement a permission for housing development from three years to two years, except where a shorter timescale could hinder the viability or deliverability of a scheme? We would particularly welcome views on what such a change would mean for SME developers.***

1. CPRE supports this proposal in principle, provided it includes sufficient flexibility to take local circumstances into account such as the difficulty in bringing some brownfield sites forward. We previously supported reforms to reduce the life of planning permissions from five years to three, originally proposed in the 2001 Planning Green Paper. More recently, our 2015 Housing Foresight paper Getting Houses Built argued that local planning authorities should be given further powers to shorten the life of planning permissions.
2. A distinction needs to be drawn between time limits for locally supported and sustainable development sites (e.g. brownfield sites and those that were promoted or preferred by the community through local and neighbourhood plans), where a longer timescale would be appropriate, and on the other hand permissions granted on appeal against community wishes and/or harming interests of local importance, for speculative development in the context of housing targets not being met in the short term; the latter type of development consent should be given the shortest timescale for implement.

***Q26. Do you agree with the proposals to amend legislation to simplify and speed up the process of serving a completion notice by removing the requirement for the Secretary of State to confirm a completion notice before it can take effect?***

1. Yes.
2. CPRE supports the principle of reducing the requirement for local planning authorities to seek confirmation from the Secretary of State before a completion notice can take effect. This will streamline the process and put more power into the hands of local councils.
3. However, we are not convinced that completion notices on their own will be effective without the power being combined with other measures, such as streamlined compulsory purchase procedures, to enable councils expediently to complete the site (or commission others to do so), where appropriate. Without such measures, issuing a completion notice will merely result in the need to identify yet more land for development.

***Q27. What are your views on whether we should allow local authorities to serve a completion notice on a site before the commencement deadline has elapsed, but only where works have begun? What impact do you think this will have on lenders' willingness to lend to developers?***

1. CPRE supports this proposal in principle.
2. However, we are not convinced that completion notices on their own will be effective without the power being combined with other measures, such as streamlined compulsory purchase procedures, to enable councils expediently to complete the site (or commission others to do so), where appropriate. Without such measures, issuing a completion notice will merely result in the need to identify yet more land for development. As with planning permission time periods, different approaches need to be taken with locally supported developments than with speculative permissions.

***Q28. Do you agree that for the purposes of introducing a housing delivery test, national guidance should make clear that:***

***Q28(a) The baseline for assessing housing delivery should be a local planning authority's annual housing requirement where this is set out in an up-to-date plan?***

***Q28(b) The baseline where no local plan is in place should be the published household projections until 2018/19, with the new standard methodology for assessing housing requirements providing the baseline thereafter?***

***Q28(c) Net annual housing additions should be used to measure housing delivery?***

***Q28(d) Delivery will be assessed over a rolling three year period, starting with 2014/15 - 2016/17?***

1. CPRE fundamentally disagrees with the principle of the 'housing delivery test' as proposed. This is because it seeks to hold local planning authorities accountable for the build out of planning permissions for housing, which are largely in the gift of private sector developers.
2. It is also not possible to comment on this element in full until we have seen the Government's proposed new method for assessing housing need. CPRE has long been concerned that the Government's household projections, as well as the modelling of them for local areas used by many planning consultancies, are prone to significant error and in particular exaggeration of the amount of households that are actually likely to form. Household formation is influenced primarily by wider economic and social constraints such as the availability of supporting finance for purchasing a home, the availability of social housing where ownership is not an option and funding for social care of elderly people. That said, in certain cases the proposed use of household projections as the interim baseline may be preferable to the current situation of developers being able to win planning appeals on the basis of their own, usually significantly exaggerated, calculations of local housing demand.
3. CPRE agrees, however, with the proposal for action plans and the move to strengthen the status of adopted Local Plan policies, reducing the scope for these to be challenged through speculative appeals. This is on the proviso that action plans make clear where responsibility for delivering new housing lies primarily with a private developer rather than a local authority.

***Q29. Do you agree that the consequences for under-delivery should be:***

***Q29(a) From November 2017, an expectation that local planning authorities prepare an action plan where delivery falls below 95% of the authority's annual housing requirement?;***

1. No. Policies in the NPPF are already resulting in local authorities having to set exaggeratedly high housing targets, and requiring targets to be higher still is fundamentally misplaced. Local authorities do not deliver the vast majority of new



- houses built, and developers should not have promoted a site for inclusion within the five year land supply if it is not immediately deliverable.
2. Local authorities should not be required to carry out a further, often controversial and expensive, exercise of being forced to bring forward an additional 20% worth of housing land. Further land releases should not be required where either (i) a local authority has chosen to set an aspirational target based on economic growth, rather than merely seeking to meet identified local need, or (ii) a slump in the property market reduces the scope for house purchases and sales.
  3. Within this wider point, however, CPRE agrees that action plans could usefully shed light on how much land is coming forward through the planning pipeline of housing sites. We recommend that a lower bar of between 50% and 75% should be set, in order to reduce burdens on local authorities and because private developers are responsible for the vast majority of new houses.
  4. It may be argued that the range of other new powers proposed in the White Paper, in particular greater scope to use completion notices and to take a developer's track record into account, would help give local authorities the necessary power to achieve more onerous housebuilding targets. However, there is no guarantee that all these powers will be introduced or, if they are, whether all local authorities will have the skills and/or favourable economic conditions needed to be able to use them immediately.
  5. CPRE recommends that:
    - (a) Element (b) of the housing delivery test is not introduced until other new powers for local authorities have been introduced and shown to be effective.
    - (b) Local planning authorities are encouraged to reduce housebuilding targets after three years if there is a significant gap between planned requirements and actual delivery, and responsibility for delivery on particular sites is largely outside the local authority's control.

***Q29(b) From November 2017, a 20% buffer on top of the requirement to maintain a five year housing land supply where delivery falls below 85%?;***

***Q29(c) From November 2018, application of the presumption in favour of sustainable development where delivery falls below 25%?;***

1. No, and we would reiterate our recommendation in response to (b) above.
2. CPRE recommends that the sustainable development presumption should not apply for schemes outside the Local Plan, for example through making use of suitable brownfield land or there is clear evidence of local support for the scheme. The latter point would be consistent with the Government's approach to onshore wind energy development, discussed elsewhere in the White Paper.

***Q29(d) From November 2019, application of the presumption in favour of sustainable development where delivery falls below 45%?; and***

1. See comments on (b) and (c) above.

***Q29(e) From November 2020, application of the presumption in favour of sustainable development where delivery falls below 65%?***

1. See comments on (b) and (c) above.

***Q30. What support would be most helpful to local planning authorities in increasing housing delivery in their areas?***

1. CPRE believes that more support can and should be given to local authorities to build more housing themselves. Historical trends show that the private sector is unlikely to increase build rates itself significantly beyond current levels, but at present many local authorities lack the resources to initiate a large-scale building programme. The Government should implement those White Paper measures which taken together would help private sector sites to be built out more quickly, and to reduce the scope for additional sites to be released to speculators outside the Local Plan process.

## **AFFORDABLE HOUSING**

**Q31. Do you agree with our proposals to:**

**Q31(a) amend national policy to revise the definition of affordable housing as set out in Box 4?;**

1. CPRE neither agrees nor disagrees. As stated in our response to the NPPF Consultation (February 2016), we are concerned that discounted market housing products can crowd out more traditional forms of affordable housing that have perpetuity arrangements in place. While our concerns have to some degree been assuaged - with the Government not pressing ahead with its initial requirement for 20% of all new developments to be starter homes, we are still wary that social and affordable housing may be allocated less funding resource by Government than should be the case.
2. Greater provision of affordable rented homes is required in rural areas which have less affordable housing stock than urban areas. Including private lets within the definition of affordable should help landowners to bring forward developments on rural exception sites.

**Q31(b) introduce an income cap for starter homes?;**

1. Yes. An income cap for starter homes is sensible to ensure that it remains a policy that can genuinely provide homes for people in housing need. It should be noted however that the Housing and Planning Act 2016 permits local planning authorities to exclude starter homes from rural exception sites, a point that would be useful to reiterate within the policy arising from the Housing White Paper.

**Q31(c) incorporate a definition of affordable private rent housing?;**

1. Yes.

**Q31(d) allow for a transitional period that aligns with other proposals in the White Paper (April 2018)?**

1. No comment.

**Q32. Do you agree that:**

**Q32(a) national planning policy should expect local planning authorities to seek a minimum of 10% of all homes on individual sites for affordable home ownership products?**

1. Yes. This is a positive step to ensure that the needs of people in the 'middle' who are not quite able to access the housing market can begin to be addressed, as long as this requirement does not replace or reduce the requirement to meet more pressing social housing needs.
2. We would welcome this approach although the balance of market and affordable housing to be built on new developments must be underpinned by a more nuanced understanding of housing need, which we hope will be elicited through the Government's consultation on a new approach to calculating objectively assessed need (OAN).

**Q32(b) that this policy should only apply to developments of over 10 units or 0.5ha?**

1. CPRE neither agrees nor disagrees with the proposal.
2. It is likely to be impracticable in every case to require provision of affordable home ownership products on small sites in addition to responding to other potentially more pressing needs. Councils could still be encouraged to seek such provision on smaller sites. 10 units is often an appropriate threshold consistent with other policy distinctions.
3. We propose that local authorities are provided with the opportunity to set their own thresholds for seeking affordable housing contributions based on evidence of need and viability in rural areas. This would respond to the facts that most sites in rural communities are less than ten. At present, too many villages are having to fight

developments that are coincidentally nine homes or less and bring no affordable homes to the community at all.

4. Additionally, small scale incremental development should also be monitored. For example, where a builder delivers four houses and subsequently obtains a succession of a further three consents to add one more house on each of the three adjacent back gardens, thus developing seven houses but not making any Section 106 payments .

***Q33. Should any particular types of residential development be excluded from this policy?***

1. Yes. This is particularly the case if the policy is to be applied to sites of under 10 units. In these cases CPRE recommends that proposals that are primarily aimed at delivering social or other affordable housing for rent (especially rural exceptions sites), specialist housing including sheltered housing, student housing, or housing to meet particular workers' needs, such as agricultural workers, should generally be exempt.

## **SUSTAINABLE DEVELOPMENT AND THE ENVIRONMENT**

***Q34. Do you agree with the proposals to amend national policy to make clear that the reference to the three dimensions of sustainable development, together with the core planning principles and policies at paragraphs 18-219 of the National Planning Policy Framework, together constitute the Government's view of what sustainable development means for the planning system in England?***

1. No. Our overall perception is that in terms of local planning, 'sustainable development' and 'sustainability' have become weak and widely-abused terms, and carry little weight in improving the quality of new development. CPRE does not believe that the NPPF is in itself adequate as a statement of what sustainable development is, or how it should be achieved. The 2005 UK Sustainable Development Strategy had flaws, but it also had useful elements in terms of policies and indicators seeking effective protection of the environment and a more efficient, long term approach to land use for new development.
2. CPRE recommends that, over the medium term (within the next three years), DCLG should work with other relevant Government departments to prepare a national strategy for land use (see our March 2017 report Land Lines), which includes consideration of development patterns but also their interaction with agricultural and forestry uses of land that lie outside the planning system.
3. CPRE recommends that, in the short term, decision makers should give more weight to paragraphs 8-10 of the NPPF, not just paragraph 7. This would put greater emphasis on seeking gains and positive impacts from new development, as well as taking local circumstances into account. Major developments that are clearly contraventions of adopted development plan policies should generally be refused unless there is clear evidence of local support for the scheme in question.

***Q35. Do you agree with the proposals to amend national policy to:***

***Q35(a) Amend the list of climate change factors to be considered during plan-making, to include reference to rising temperatures?***

1. Yes, CPRE agrees with this proposal.

***Q35(b) Make clear that local planning policies should support measures for the future resilience of communities and infrastructure to climate change?***

1. Yes, CPRE agrees with this proposal in as far as it goes but we would recommend that the final NPPF or PPG provides more detail.
2. We consider that there should be significantly more integration with policies on good design of new development (see response to Q13). New developments should, where possible, incorporate climate change mitigation features such as domestic renewable energy (e.g. solar panels, ground/air source heat pumps), grey water recycling, porous-paved hard surfaces, passive solar gain features, green walls. Climate change adaptation measures should also be included in new development. For example developers should consider including passive air conditioning in blocks of flats, solar shades for south facing properties to prevent summer overheating. New properties that may be at risk of flooding should not be built at all, but if they are, then they should incorporate flood protection measures as standard.

***Q36. Do you agree with these proposals to clarify flood risk policy in the National Planning Policy Framework?***

1. Yes. We have been particularly concerned at the growing amount of housing development permitted through planning appeals, where there is not the same rounded consideration of cumulative flood risk and other environmental issues than there would be in the Local Plan process. CPRE would support the incorporation in the NPPF of paragraph A138 of the White Paper, which recognises that 'in areas susceptible to flooding even small alterations can affect flood risk within or beyond the site, and changes of use can result in occupation or use by parties which are more vulnerable than the previous occupants/users to harm from flooding.'

2. CPRE also recommends that the final NPPF should give a much more emphatic steer that cumulative impacts should be considered in both plan making and decision making on individual applications, using well established processes such as river catchment management. The use of development contributions to address such impacts should also be encouraged.

***Q37. Do you agree with the proposal to amend national policy to emphasise that planning policies and decisions should take account of existing businesses when locating new development nearby and, where necessary, to mitigate the impact of noise and other potential nuisances arising from existing development?***

1. We partially agree. We believe that the final policy should place more of a responsibility on promoters of individual schemes to show how they have sought to engage neighbouring businesses and, where necessary, provide an appropriate scheme of mitigation.

***Q38. Do you agree that in incorporating the Written Ministerial Statement on wind energy development into paragraph 98 of the National Planning Policy Framework, no transition period should be included?***

1. Yes, CPRE agrees with this proposal.

## RURAL PLANNING REVIEW CALL FOR EVIDENCE

**Q39. Should the thresholds set out in Part 6, Class A of the Town and Country (General Permitted Development) Order 2015 (as amended) be amended, and if so:**

- **What would be appropriate thresholds including size and height;**
  - **What prior approvals or further conditions would be required; and,**
  - **Are there other changes in relation to the thresholds that should be considered?**
1. No. Our intelligence shows that permitted development rights lead to sporadic, unplanned development in the countryside. In particular, any alteration to the regulations allowing the replacement of an agricultural building by a house (as opposed to the conversion of an existing building of substantial construction) would be a clear weakening of current NPPF Green Belt policy which currently classes such activity as inappropriate development. It is important that permitted development of agricultural buildings complies with relevant Neighbourhood and Local Plans.
  2. Additionally, farm complexes are beginning to sell off or develop buildings as a result of the increasing likelihood that farmers, and landowners are combining their business with only one administrative centre being required. These applications at present fall outside what a Neighbourhood Plan or Local Plan can consider. There is a case for agricultural Permitted Development Rights being made to conform with other development criteria. And further, there is no way of ensuring that development brought forward in this manner will be responding appropriately to local need.

**Q40. Do you consider that this proposal would be effective in creating more homes for rural workers, and if so:**

- **How should the right be framed to best ensure homes are available to meet local need; and,**
  - **Should the new right have similar conditions to the existing Class Q right?**
1. No comment.

CPRE  
May 2017