

## **National Planning Policy Framework**

### **Response to the Consultation Proposals**

#### About us

The Northern Housing Consortium (NHC) is a membership organisation that works with local authorities and housing associations across the North to advance the cause of housing. Our membership covers around 90% of all housing providers in the North. The NHC brings its members together to share ideas, and to represent their interests and to ensure they are heard at a regional and national government level. Our member organisations have contributed to this response.

#### Introductory Comments

- 1.1 The revised NPPF has been drafted as a direct response to the current housing crisis and contains many welcome revisions intended to alleviate the national shortage of homes. Where we have concerns is that with a numbers driven NPPF, there is a danger of losing key aspects that help drive place-making and quality of housing. Additionally, the revised NPPF includes a number of burdens for local planning authorities and consideration must be given to how they will cope given the pressures on their capacity over recent years.
- 1.2 We recognise that this consultation seeks only to deal with the Planning Framework, but the emphasis placed on rectifying a national housing crisis by changes to the planning regime should recognise other factors, outside the control of a planning authority - the availability of skilled labour, the availability of capital, speed of utility companies, land remediation and problems with local transport infrastructure - are currently outside the control of local planning authorities and must be addressed.
- 1.3 The NHC welcomes the greater emphasis on a plan-led approach and proposals that will simplify the planning process. While these revisions are a positive development, the effectiveness of the measures proposed varies and the revised NPPF will not be able to deliver a step-change without an increase in investment in local planning authorities and without addressing the barriers faced by councils seeking to directly deliver new social rented homes. This includes the long term impact of Right to Buy on the availability of genuinely affordable homes, given the minimal numbers of replacements achievable under current arrangements.

- 1.4 The revised Framework does not wholly tackle the limited diversity of supply. The provision of homes for social rent has been dwindling. In 2010/11 there were 35,000 starts for social rent housing units in comparison with 931 in 2015/6. Not only are there fewer social rent homes available, but those living in social rented accommodation have seen an overall decline in their living standards.
- 1.5 We would particularly like to emphasise the importance of the planning proposals to some of our current priorities in the Northern regions. Many local areas in the North are focusing on the quality of the existing housing stock, with the use of developer contributions being directed to improving and revitalising neighbourhoods where poor housing is holding back economic inclusion. We have gathered evidence of powerful examples that demonstrate how improving the quality of the existing housing in some areas not only makes better use of existing assets, but can provide a platform for sustainable growth.
- 1.6 We share the overall aim of the revisions to simplify and improve the plan making process so that it is quicker and more transparent, and ensures accountability, so that local communities have greater control over development in their area. But inclusive, sustainable growth continues to be jeopardised by the divide between those who can get onto the housing ladder and those unable to access to a safe, secure genuinely affordable home to rent.
- 1.7 The NHC is supportive of an approach to planning that helps to facilitate new homes and great places. Our local authority members are delivering plans for growth, but local planning authorities need support to be able to be part of the solution. We welcome the opportunity for continued dialogue with Government about ways to ensure both the quantity and quality of homes that we all acknowledge is needed.

## **Chapter 1 Introduction**

Q1 Do you have any comments on the text of Chapter 1

The NHC supports Chapter 1, including paragraph 6 confirming the endorsed recommendations of the National Infrastructure Commission may be material.

## **Chapter 2 Achieving Sustainable Development**

Q2 Do you agree with the changes to the sustainable development objectives and the presumption in favour of sustainable development?

The NHC welcomes the emphasis on sustainable development and the reordering of sections to reflect the plan making and decision making processes.

However, it is unclear and uncertain how the approach will address regional imbalances. There is an inherent importance of ensuring that regional economic strategies and aspirations are supported by appropriate housing

delivery. Planning for housing has a role in rebalancing the economy and reducing disparities in regional discrepancies in economic and social performance. We feel that for the NPPF to achieve the social and economic dimensions of sustainability, it should set out a clear requirement to address regional inequalities, with local plans being fully aligned with other strategies that comprise housing, economy, transport and health ensuring an holistic approach - an intrinsic and inextricable link between economic growth, productivity and housing.

Q3 Do you agree that the core principles section should be deleted, given its content has been retained and moved to other appropriate parts of the Framework?

The 'core planning principles' section in the existing NPPF is an important and useful reference point for both plan-makers and decision takers. The existing document benefits from an 'up-front' focus on principles such as "take account of the different roles and character of different areas" and "actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling".

Given the concerns over the presumption in favour of sustainable development as outlined above, it was useful having the practical and balanced set of principles in a prominent part of the document.

By moving the principles into the most appropriate parts of the draft revised NPPF, an unintended consequence is that the principles may not be used as often as they currently are particularly in terms of decision-taking.

Q4 Do you have any other comments on the text of Chapter 2, including the approach to providing additional certainty for neighbourhood plans in some circumstances?

Additional certainty for neighbourhood plans is welcome, however it is important that the draft revised NPPF is written in a way that allows communities and other bodies to fully understand its content and implications. With this point in mind consideration should be given to whether it is possible make any changes to paragraph 14 in order to simplify its content.

### **Chapter 3 Plan-making**

Q5 Do you agree with the further changes proposed to the tests of soundness, and to the other changes of policy in this chapter that have not already been consulted on?

We welcome the amendments to the tests of soundness particularly to make clear that a sound plan should set out 'an' appropriate strategy rather than 'the most appropriate strategy' providing that the speeding up of the production does not lead to a reduction in quality. The draft revised NPPF could include supporting guidance on the evidence likely to be needed to test the soundness of a local plan, but the need for statements of common ground

are primarily procedural matters that should not form part of the tests of soundness themselves.

Q6 Do you have any other comments on the text of Chapter 3?

The support for a genuinely plan-led system is particularly welcome. However, it is considered that the proposed changes to the NPPF, and the associated Planning Practice Guidance, especially in respect of the requirements relating to demonstrating a five year supply of deliverable housing sites and the Housing Delivery Test will result in an increased number of planning applications being determined against part (d) of the 'presumption in favour of sustainable development' set out in paragraph 11 of the draft revised NPPF. Consequently, the proposed changes to the NPPF could significantly undermine the plan-led system.

#### **Chapter 4 Decision-making**

Q7 The revised draft Framework expects all viability assessments to be made publicly available. Are there any circumstances where this would be problematic?

The NHC supports the proposed approach towards transparency and increased accountability.

In very limited circumstances specific viability information contained within an assessment may require confidentiality. This might include cases involving the care of vulnerable individuals or the education / safeguarding of children, where there are implications for commercial confidentiality or where there is some other significant public interest although this would be covered by the draft Planning Practice Guidance that 'circumstances where it is deemed that specific details of an assessment should be redacted or withheld should be clearly set out to the satisfaction of the decision maker.'

Q8 Would it be helpful for national planning guidance to go further and set out the circumstances in which viability assessment to accompany planning applications would be acceptable?

Yes. Although it is acknowledged that the draft Planning Practice Guidance provides some illustrative examples of circumstances which plan makers could identify as requiring viability assessment at the decision-making stage, it is considered that such circumstances should be clearly set out in national planning guidance.

Q9 What would be the benefits of going further and mandating the use of review mechanisms to capture increases in the value of a large or multi-phased development?

One of the main benefits would be to help ensure that the level of infrastructure that accompanies any development is maximised. Given the resource pressures on local planning authorities, especially in terms of staffing, there is no guarantee that review mechanisms would be used in all

the circumstances where it would be appropriate to do so without a mandatory requirement regarding the use of such a mechanism.

We have set out our view in previous consultations that if circumstances change and the marginality of the development improves, that the financial gains should be shared with the local community to off-set the pressures of the development.

Q10 Do you have any comments on the text of Chapter 4?

The NPPF should be amended so that it does not give developers confidence in 'arguing viability' to get out of affordable housing. This needs to be very clearly outlined in NPPF to give Councils confidence to stick with their local plan affordable housing and infrastructure requirements unless exceptional circumstances arise in decision making.

## **Chapter 5 Delivering a wide choice of high quality homes**

Q11 What are your views on the most appropriate combination of policy requirements to ensure that a suitable proportion of land for homes comes forward as small or medium sized sites?

The NHC recognises and supports the need to diversify the house-building sector, and supports small and medium sites being available. Many of our local authority members are setting up local housing companies which can more readily bring forward small sites, and they are supporting local small builders.

It needs to be recognised through national planning policy that the situation will vary in different regions with different housing market characteristics highlighting the need for a more general requirement.

The proposed requirement for at least 20% of housing sites in local plans to be small sites is considered to be too prescriptive. The approach of national policy should be to encourage local planning authorities to have a supply of housing sites in an area that facilitates diversification, rather than focussing narrowly on the inclusion of prescriptive targets for small sites in local plans.

A more general requirement for a broad mix of housing sites would be more appropriate for national policy. The definition in paragraph 69 a) of a small site at 'half a hectare or less', would on average deliver about 15 to 20 dwellings, and could increase significantly the additional work for local planning authorities. The sustainability, suitability and deliverability of sites should inform the site selection process, and not an arbitrary aspect such as size.

If a detailed prescriptive approach is to be included in the final NPPF, it should take full account of the additional work that may be required. Identifying small sites would involve additional site evaluation and sustainability appraisal work and could involve lengthy discussions at examination. A proportion of the

overall number of homes to be provided for on small sites is a logical approach, however, this approach fails to reflect local circumstances and the nature of the planning area, for example, where there are infrastructure deficits.

Q12 Do you agree with the application of the presumption in favour of sustainable development where delivery is below 75% of the housing required from 2020?

The application of the presumption in favour of sustainable development when delivery of housing falls to 75% of the target rate is not a proportionate response to a situation that is often out of the control of a local planning authority.

There is no recognition that the non-implementation of planning permissions is not in the control of local planning authorities. They have limited tools to influence the delivery on housing sites once permission is granted but will be penalised for under delivery through the Housing Delivery Test. The new test, based purely on recent residential completions, is penalising local authorities for non-delivery of housing when delivery of housing is largely in the hands of the commercial development industry.

An additional consideration, which we have set out in previous consultations, is that to deliver the number of homes that are needed across the North, new supply is only a small proportion of future supply and it will be important to continue to support regeneration of the existing housing stock, particularly in meeting the requirements for affordable housing. When considering use of existing stock consideration should be given to the extent to which existing dwellings are subject to demolition or conversion. So, for the purposes of planning numbers and meeting the test, it would be more appropriate for local planning authorities to use the gross estimates of current and future housing need rather than the net estimates of need. These net figures can then be considered against any estimates of future affordable housing supply which are derived from strategic housing land availability assessments.

The suggestion that New Homes Bonus could be linked to the Housing Delivery Test results would seem counter intuitive. Councils who are not managing to meet their targets are in need of additional resources to help deliver more homes. Removing finance will therefore restrict further their ability to influence the delivery of homes to meet the target.

The NHC has concerns about the introduction of the Housing Delivery Test in advance of the interim report on the Review of Build Out and consideration of the issues flowing from that report dealing with the barriers to delivery much of which lies outside the control of the local planning authority. The interim Letwin report describes how low build-out rates are impeding the construction of social and affordable housing<sup>1</sup>. The solution to this should

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<sup>1</sup> The Rt Hon Sir Oliver Letwin MP The Independent Review of Build Out – letter to Chancellor of the Exchequer 9 March 2018

include a combination of more housing association-delivered homes supported through direct investment, and the implementation of a set of guarantees to mitigate against developers slowing the delivery of affordable units until the rest of the site generates enough profit. Paragraph 78 seems to pre-empt the review outcome by suggesting that local planning authorities impose shorter timescales for implementation on permissions, subject to viability. Where it exists, local planning authorities will also be required to consider why previous permission on a site for major development was not implemented, although nothing is said as to how this should inform the decision-making process.

We are also concerned that the way in which the 5 year supply of housing is calculated will change. Currently sites with planning consent (full & outline) and development plan allocations are considered deliverable unless there is clear evidence to exclude them. Other sites (that do not have consent or are not allocations) can also be considered deliverable if there is clear evidence to include them. The revised NPPF provides a definition of 'deliverable' which will make it difficult for local authorities to demonstrate a 5 year supply of land and it could lead to pressure for release of green belt land (notwithstanding at the NPPF says elsewhere).

There is a need to consider the positive steps that local authorities are taking to address housing delivery, sometimes in the face of significant constraints. It should not be local authorities that are penalised in terms of housing land supply or delivery tests where they have made adequate and realistic provision for housing (as tested through the local plan) and future shortfalls are being caused by developer delays or slow build-out rates.

Q13 Do you agree with the new policy on exception sites for entry-level homes?

The proposal for an exception policy to allow for 'entry-level' homes on the edge of settlements must be carefully applied as it could be a recipe for speculative developments eroding rural areas.

We support a policy which allows affordable home ownership but have concerns about the inclusion of discounted housing to meet overall affordability targets. Social rent homes will be affordable in the long-term, unlike entry-level homes which will eventually become market housing. All new supply and regeneration proposals should guarantee that there will be no net loss of social rented housing and a net increase in affordable housing alongside any plans for homes for sale and for market rent.

Discounted market housing which will become open market housing is different to most other forms of affordable housing which either remains as affordable, or if sold, have any grant-funding or the capital recycled.

Support for discounted housing is to be welcomed but we would not wish to see the crowding out of the delivery of social rented housing or other housing with 'in perpetuity' restrictions designed to promote a wider social mix within communities.

To ensure that exception sites serve their purpose, the NPPF could set limits to the proportion of market housing which can be included – for example maximum of 25%. Otherwise, there may be a risk that exception sites could become another loophole in the planning system, allowing speculative development of unaffordable homes to be imposed on local areas.

It needs to be confirmed that these are exceptions for planning applications in suitable circumstances, and particularly where including a “very” high proportion of entry levels, which must be well related to local housing needs.

Q14 Do you have any other comments on the text of Chapter 5?

The whole emphasis of the draft revised NPPF has shifted greatly towards the delivery of additional housing but there is more to tackling the UK housing crisis than building more homes. The planning system should play a critical role in directing development to sites that have been judged at the local level to be the most appropriate to develop. These may not, however, be the most profitable for the developer.

A focus of the Framework should be on the quality of homes and the infrastructure that supports them and the communities they house. The proposed Framework is silent on growth, employment and its connection to housing and productivity. The use of net annual housing additions to measure housing delivery is a disadvantage to those areas which need to focus solutions on place making, on building communities and the provision of supporting physical and social infrastructure to serve these revitalised communities.

There are different barriers to house-building in different places. In many parts of the North, regeneration is still a vital component in a drive to create the type of housing offer that will support economic development. It's wholly necessary, and comes with its own complex challenges: the cost of the assembly of land in fragmented ownership, site remediation and infrastructure costs.

We have commented previously on the approach of a standard methodology, and while we support an approach which will save local planning authorities time and expense, we believe the standard methodology will create challenges with the alignment between housing need and economic growth and regeneration in the North.

For example, in the North East, delivering only the standard methodology requirement compared to the current local authority-produced assessments of housing need could lead to less land being allocated for housing delivery which could translate to around 1,370 fewer homes being built each year. The biggest reductions would be in Darlington (60%), Middlesbrough (37%) and Newcastle upon Tyne (36%). The economic implications of this shift are potentially substantial. A reduced level of housing growth would not support



the jobs' growth sought in the two Local Economic Partnership (LEP) areas; they currently aim to create 25,000 new jobs in the Tees Valley by 2026 (Tees Valley Strategic Economic Plan (SEP) and 100,000 in the north east LEP area by 2024 (North East SEP).

## **Chapter 6 Building a strong, competitive economy**

Q15 Do you agree with the policy changes on supporting business growth and productivity, including the approach to accommodating local business and community needs in rural areas?

This is generally supported but should allow for local discretion to be maintained.

Q16 Do you have any other comments on the text of chapter 6?

NHC welcomes this chapter, which will assist in promoting sustainable areas and communities. Paragraph 83 c) mentions the need for policies to seek to address barriers to investment such as inadequate infrastructure. Although contributions can be secured from developments to address infrastructure requirements arising from a scheme, it is difficult for local planning authorities to address infrastructure barriers to development without significant external funding or intensive partnership working.

## **Chapter 7 Ensuring the vitality of town centres**

Q17 Do you agree with the policy changes on planning for identified retail needs and considering planning applications for town centre uses?

Yes, these policy changes are broadly supported representing a positive future of town centres

Q18 Do you have any other comments on the text of Chapter 7?

The expanded text in paragraph 86 g) explaining what to do in circumstances where town centres are in decline is supported. Many town centres are under threat and supporting a diversification of uses may go some way in maintaining the offer in town centres.

## **Chapter 8 Promoting healthy and safe communities**

Q19 Do you have any comments on the new policies in Chapter 8 that have not already been consulted on?

Paragraph 94 states that planning policies and decisions should consider the 'social and economic benefits of estate regeneration' (which can include better homes, improvements to neighbourhoods, new community facilities, training and employment and more). The draft Framework also states that

local planning authorities should use their planning powers to help deliver estate regeneration to a high standard.

It is clear that the intention is to link estate regeneration to improved health outcomes and improved living standards in communities. However, the draft does not currently place sufficient emphasis on delivering quality as well as quantity. We would like to see a much stronger focus aligned to public health outcomes and overall quality. Positive public health outcomes also need to be safe-guarded when considering higher density development.

There is inconsistency in the Framework on engagement and consultation processes and the proposals could benefit from greater prescription. The need for close engagement with the community is absent on estate regeneration, in contrast to, for example, draft paragraph 153 b) footnote 40 which proposes that wind energy development cannot progress unless it has community backing.

Q20 Do you have any other comments the text of Chapter 8?

Schemes such as the NHS Healthy New Towns programme, which is working with developers to create healthy neighbourhoods through smart planning, is an example of how a better appreciation of the wider value a development can bring to help unlock higher standards and key messages on shaping new towns, neighbourhoods and communities to promote health and wellbeing, prevent illness and keep people independent could be aligned to this Framework.

The draft revised NPPF does not introduce any new requirement for Health Impact Assessments (HIA) to accompany planning applications. However, from experience we know that local planning authorities are increasingly making HIAs an application validation requirement for a range of development proposals. It is expected that the number of local planning authorities that require the health implications of proposed developments to be assessed at application stage will rise further, as more post-NPPF plans are adopted.

## **Chapter 9 Promoting sustainable transport**

Q21 Do you agree with the changes to the transport chapter that point to the way that all aspects of transport should be considered, both in planning for transport and assessing transport impacts?

The NHC is supportive in principle of the NPPFs objectives to promote sustainable transport, reduce emissions, reduce the need to travel, promote a healthy lifestyle and facilitate economic growth.

It is vitally important that transport should be considered from the earliest stages of development proposal due to the relationship between housing,

transport, and jobs and the collective impact these have on the outlined economic objectives of sustainable development.

Many areas of the North have developed strategies to strengthen their economic growth through investment in innovation and employment. Employment growth will have to be complimented by strategically placed housing growth and the transport links to join the two. Research shows that reducing average commutes to work by one minute across the North of England could improve productivity by up to £1bn a year<sup>2</sup>. The role of transport in this sense is to allow as large a labour market as possible to access jobs by shortening commuting times. Similarly, and as the Government's Transport Investment Strategy (July 2017) has highlighted, transport investment can play a key role in helping unlock a housing development by providing the infrastructure to aid the movement of materials and workers to support the construction industry.

Q22 Do you agree with the policy change that recognises the importance of general aviation facilities?

The role of aviation facilities in regional development should not be understated and the NHC supports the policy change. Airports act as a hub for both national and international trade and encourage job growth nearby. For example, the site of Manchester Airport is home to 300 businesses employing 22,200 people directly. 45,000 jobs in the wider economy are described as being reliant on the use of Manchester Airport (GMCA).

Similarly, Newcastle International Airport delivers multiple benefits to the North East economy, including national and international connectivity for business growth and tourism and support for 12,000 jobs and generation of £581m in GVA annually (North East LEP).

Q23 Do you have any other comments on the text of Chapter 9?

No further comment

## **Chapter 10 Supporting high quality communications**

Q24 Do you have any comments on the text of Chapter 10?

No further comment

## **Chapter 11 Making Effective Use of Land**

Q25 Do you agree with the proposed approaches to under-utilised land, reallocating land for other uses and making it easier to convert land which is in existing use?

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<sup>2</sup> Mace Insights National infrastructure, local benefits

The key principles behind the revisions are supported. It is however not considered that in practice the impact in terms of additional housing supply will be high.

Land viability in the North continues to be of great concern and support in terms of investment is required to ensure land with marginal viability could be deployed to boost housing supply.

Q26 Do you agree with the proposed approach to employing minimum density standards where there is a shortage of land for meeting identified housing needs?

The move toward setting minimum density standards is welcomed as it allows better use to be made of the finite land resource.

However, a shortage of land should not drive and potentially over-ride how the most suitable density of development is considered.

Paragraph 123 a) of the revised draft NPPF is currently inflexible as it sets out that the minimum standards should 'seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate.' No information is provided regarding what could be considered a 'strong reason'.

It is important to optimise the use of previously developed and well situated sites in the most sustainable locations, but building at high density can have negative impacts on the character and appearance of areas, as well as on local infrastructure. Open space within developments is also important to local character, amenity and recreation and this needs to be recognised. Therefore, any change in national policy should retain flexibility to reflect local circumstances

It is additionally questioned whether the development industry is fit for purpose to deliver good quality higher density development. There is currently not a competitive market of house-builders who are ready to diversify away from standardised, predominantly small, 'family' homes at fairly low density even in locations very well served by public transport (for example).

Q27 Do you have any other comments on the text of Chapter 11?

The welcome objective of increasing density around transport hubs should not outweigh other policies in the NPPF, in particular the exemptions to the general presumption in favour of sustainable development – including Green Belts and nationally designated landscapes. Development should be well designed to avoid 'town cramming' and have space for movement by foot and cycle. Local open spaces and the existing character of neighbourhoods should be protected.

## **Chapter 12 Achieving Well Designed Places**

Q28 Do you have any comments on the changes of policy in Chapter 12 that have not already been consulted on?

This Chapter provides a welcome focus on place-making. There is nothing we would object to other than to say it is fairly brief for such important issues as design and place making. This has huge implications for people's health and well-being and can make the difference between successful places and unsuccessful which links to so many other parts of the NPPF including sustainable development and transport.

Providing places that people want to live with high quality design and amenity needs great emphasis.

Q29 Do you have any other comments on the text of Chapter 12?

No further comments

### **Chapter 13 Protecting the Green Belt**

Q30 Do you agree with the proposed changes to enable greater use of brownfield land for housing in the Green Belt, and to provide for the other forms of development that are 'not inappropriate' in the Green Belt?

NHC notes the continued strong protection of the Green Belt and welcomes the clarity around the criteria which should be satisfied before 'exceptional circumstances' are used to change Green Belt boundaries.

We would agree that many brownfield sites in the Green Belt can contribute to meeting development needs, and that neighbourhood plans should continue to have the opportunity to identify sites for development to meet specific local needs, especially for affordable housing. But it remains essential both that decisions are locally led and that development would not undermine the openness of the Green Belt or the purposes for which it was originally designated. The revised NPPF should make clear in this connection that development should be restricted in Green Belt areas. Developers arguing for the release of peripheral greenfield sites, incorporating a significant amount of market housing on the basis of it being needed to cross-subsidise the delivery of affordable housing in brownfield sites will lead to unsustainable patterns of development.

While recognising the need for best use of brownfield land there are fundamental issues of development viability which could inhibit the appropriate re-use of brownfield land. The complexity of such sites should be reflected in national policy with the need for flexibility by landowners on the real value of sites in order for developers to viably provide sufficient infrastructure and affordable housing.

Q31 Do you have any other comments on the text of Chapter 13?

No further comments

## **Chapter 14 Meeting the challenge of climate change, flooding and coastal change**

Q32 Do you have any comments on the text of Chapter 14?

The Framework includes the provision that weight should be given to “outstanding or innovative designs” which promote high levels of sustainability or help raise the standard of design more generally in an area. This is welcome in itself but introduces a subtle change from the existing policy meaning that support for a new types of low carbon development may be watered down by being restricted only to “outstanding or innovative designs”.

The Framework does not wholly clarify powers of local authorities to help meet carbon targets. Building Regulations are a complex area, interpreted differently by local providers. If local planning authorities are to move forward collectively and consistently the consultation offered an opportunity to clarify interpretation on the scope of local authority powers to incentivise green homes, and in driving low and zero carbon homes through the planning system.

The drive to build more homes should not come at the expense of quality, low carbon housing and local councils need to have greater clarity on how to encourage greener developments.

The revised Framework has lost the emphasis that makes tackling climate change the ‘golden thread’ that should weave through the implementation of all NPPF requirements, that is, tackling climate change “is central to the economic, social and environmental dimensions of sustainable development” as stated in the current Framework.

Q33 Does paragraph 149b need any further amendment to reflect the ambitions in the Clean Growth Strategy to reduce emissions from buildings?

Further amendment to Paragraph 149b of the draft revised NPPF is not required, since it is likely that the Government’s ambition to reduce emissions from buildings will be delivered primarily through Building Regulations, rather than through planning policy.

## **Chapter 15 Conserving and enhancing the natural environment**

Q34 Do you agree with the approach to clarifying and strengthening protection for areas of particular environmental importance in the context of the 25 Year Environment Plan and national infrastructure requirements, including the level of protection for ancient woodland and aged or veteran trees?

No further comments

Q35 Do you have any other comments on the text of Chapter 15?

No comments

### **Chapter 16 Conserving and enhancing the historic environment**

Q36 Do you have any comments on the text of Chapter 16?

No comment

### **Chapter 17 Facilitating the sustainable use of minerals**

Q37 Do you have any comments on the changes of policy in Chapter 17, or on any other aspects of the text of this chapter?

Minerals planning is one way in which planning contributes to economic growth and the NHC welcomes the recognition of its role.

Whilst these proposals do not directly relate to housing provision, they provide a critical element in the delivery of waste management infrastructure and the construction material supply chain so that housing and associated developments can be delivered. The development of more houses and the infrastructure to support them will require a greater amount of construction materials. Minerals flow all over the country and it seems that there is a danger of multiple Statements of Common Ground being required between mineral supply and demands areas that may add a layer of complication.

Q38 Do you think that planning policy on minerals would be better contained in a separate document?

No comment

Q39 Do you have any views on the utility of national and sub-national guidelines on future aggregates provision?

No comment

### **Transitional arrangements and consequential changes**

Q40 Do you agree with the proposed transitional arrangements?

NHC is concerned regarding the inclusion and implementation of the Housing Delivery Test, prior to further more considered thoughts about housing delivery that will flow from the Letwin report and conclusions.

Q41 Do you think that any changes should be made to the Planning Policy for Traveller Sites as a result of the proposed changes to the Framework set out in this document? If so, what changes should be made?

No. The Planning Policy for Traveller Sites changed the definition of Travellers, resulting in a need for new accommodation need assessments to be carried out across the country. The need to do this work inevitably delayed the taking forward of planning policy at the local level for the provision and allocation of sites. It would be more helpful to leave national policy unchanged to avoid the need for further assessments, undermining the work currently being undertaken at the local level to allocate sites.

Q42 Do you think that any changes should be made to the Planning Policy for Waste as a result of the proposed changes to the Framework set out in this document? If so, what changes should be made?

No comment

## Glossary

Q43 Do you have any comments on the glossary?

### **Affordable housing -**

**a) Affordable housing for rent** – ‘Social rented housing’ and ‘affordable rented housing’ have been merged in to one definition of ‘affordable housing for rent’ which also encompass ‘Build to Rent’ schemes. The definition of affordability at 80% of market rents is simply unaffordable for a large number of people on medium and low incomes. Many of our members consistently say that the priority for affordable housing should be housing vulnerable households and low income workers who are unable to access the market. Genuine affordability would therefore be set according to income levels rather than a proportion of market price.

### **b) Starter homes**

### **c) Discounted market sales housing**

From a developers perspective the expansion of the definition of affordable housing will be welcome as it offers greater flexibility in respect of the composition of the affordable housing to be provided and may overcome difficulties in relation to viability, particularly for smaller scale developments. However such tenures may not provide acceptable affordable housing in local areas to meet the local need.

Affordable home ownership should not be prioritised over all other forms of affordable housing. Social rented housing should be retained in the definition of affordable housing. Otherwise, the supply of truly affordable homes needed to accommodate those who are unable to access these definitions or to tackle homelessness will decline further.

**d) Other affordable routes to home ownership** - This catch-all description includes shared ownership, relevant equity loans and “other low-cost



homes for sale and rent to buy". This represents a move away from affordable rental properties and also represents a challenge to registered providers who face the prospect of fewer rental properties being provided by developers.

**Deliverable** - the definition of 'deliverable' has been amended to sites with outline planning permission, permission in principle, allocated in the development plan or identified on a brownfield register and should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years. The effects of this re-definition could mean local authorities will no longer be able to automatically conclude that sites with outline permission are 'deliverable'. By placing the onus back on authorities to provide clear evidence that such sites will deliver housing in the five year period may impede some local authorities' ability to demonstrate a five year supply.

The full impact of infrastructure and services for new housing, including roads, health services, schools, as well as utilities and broadband provision must be tackled if development is proceed positively through the planning process. For example, it is not clear how the Framework will capitalise on new housing developments, and the digital infrastructure attached to them, to enhance broadband coverage for local communities and nearby residents.

The Framework fails to develop the wider range of complementary measures set out in the Housing White Paper that would provide a comprehensive approach to boosting the supply of housing and open up access to housing.

More needs to be done to ensure that highways development and utilities planning keeps pace with house building by aligning investment in infrastructure with local development plans that set out where houses will be built in order to eliminate barriers and ensure connections for new homes.