HECKFIELD PARISH COUNCIL

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MINISTRY OF HOUSING, COMMUNITIES & LOCAL GOVERNMENT
OPEN CONSULTATION – PROPOSED REFORMS TO THE NPPF
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HECKFIELD PARISH COUNCIL RESPONSE

CHAPTER 3 PLANNING FOR THE HOMES WE NEED

Question 1

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

A In reality will make very little difference. Basingstoke

Question 2

Do you agree that we should remove reference to the use of alternative approaches to assessing housing need in paragraph 61 and the glossary of the NPPF?

A. As per the answer to Q1

In this respect the Government is seeking to make much more of the Dec 2023 changes than is actually the case. In 2022/23, it was important politically for some wording in the Dec 2023 NPPF to give the impression of more flexibility, but beyond the hype, the text of the NPPF overall showed that the reality did not bear this out. (Noting the NPPF has to be read as a whole.) An 'Advisory starting point' could be taken to mean anything more than this figure.

The effects of reversing the para 61 changes will in reality make very little difference but will remove an intentional ambiguity.

Question 3

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

A No. This Policy should be thought about very carefully. It means a greater proportion of housing numbers being directed to small towns and rural areas, and so more development on green fields. Noting at the same time Government is proposing to remove Character and Density Restrictions – so at the same time as removing the urban uplift, it is allowing for increasing densities in urban areas which may be contrary to local character.

ie this Policy forces more development out to the countryside and smaller towns and also seeks to remove restrictions on density in urban areas.

On balance the present 2023 NPPF Urban uplift with character restrictions in place is the better option to support Plan-led development.

NOTE: What should be removed is the permitted development rights to turn commercial buildings into housing outside the planning process.

Question 4

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

A In part. Existing character is important. Density is only one aspect of character. Plan-led development should be capable of delivering housing at greater density which seeks to respect local character. Suggest this paragraph could be re-written to emphasise the importance of local character taking into account amenity, variety, identity, sense of place.

Question 5

Do you agree that the focus of design codes should move towards supporting spatial visions in local plans and areas that provide the greatest opportunities for change such as greater density, in particular the development of large new communities?

A Yes – agree with Para 12 of the notes, and agree with localised design codes.

Question 6

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

No – Fundamentally disagree with this. Plan-led development is about achieving balance between the claims of often competing and very important land uses. In this age of Climate Emergency (noting Hart District Council has Declared a Climate Emergency) and decline in biodiversity – and the need for food security – and the importance for mental and physical wellbeing to be able to access natural green open paces as evidenced during the Pandemic – it is vital that these land uses are given sufficient weight to endure. The Framework should be clear about the primary importance of sustaining the natural environment and biodiversity.

TO NOTE that the previous Government was also seeking in the 2023 NPPF to boost housing numbers, despite assertions to the contrary.

The 2023 consultation included: Q.6 (2023): Do you agree that the opening chapters of the Framework should be revised to be clearer about the importance of planning for the homes and other development our communities need? Heckfield Parish Council's response then was: 'strongly disagree that the case for housing and development should be further strengthened at the expense of other, such as environmental, considerations. This is incompatible with declared climate and environmental emergencies.'

Question 7

Do you agree that all local planning authorities should be required to continually demonstrate 5 years of specific, deliverable sites for decision making purposes, regardless of plan status?

A No – Fundamentally disagree. It's understood that the rationale for the Housing Land Supply Policy is to ensure all Local Planning Authorities have a constant supply of identifiable and deliverable housing land sufficient to meet their Local Plan housing figures.

1. The contradiction in this approach – and which it seems inconvenient for Government to recognise – is that the penalties for falling behind the required land supply provision are damaging to the LPA and the Plan-led process, and advantageous for developers. But once planning permission is granted, the housing delivery process is beyond the remit of the LPA and subject to developer and landowner decision-making.

2. Proposed policies on housing numbers in this new NPPF apparently seek to undermined the planning system – and turn a blind eye to the reality that it is developers and the housing market which dictates housing delivery – not numbers with planning permission. Reversing these 2023 changes will have the result of facilitating unplanned development to suit developers and their consultants' profits, but not boosting delivery overall.

3. The changes regarding land supply made in the Dec 2023 NPPF recognise that reducing land supply requirements in some circumstances – for LPAs with adopted and emerging plans – supports Local Plan-making and planned (as opposed to unplanned) development.

If an LPA is unable to show sufficient housing land supply, the penalty is a weakening of its Local Plan housing policies (which are deemed to be out of date). Planning decisions default to the NPPF's presumption in favour of development; the LPA's ability to defend its planned Housing Strategy is undermined; its vulnerability is much greater to unplanned applications on green fields attractive to developers. These sites are likely to be strategically unsuitable in terms of planned infrastructure and utility provision.

4. The present Consultation proposals encourage opportunities for a cycle of speculative applications while allocated housing land can be banked – negating the value of an arduous process of Plan-making – taking up more Planning Officer and Inspectorate resources – which in turn should be focussed on Plan-making and supporting planned development.

The same goes for the requirements for a percentage 'buffer' which only makes a bad situation worse.

The Government Website notes assert that: *'We have heard concerns that these policies are undermining supply'.* The notes don't indicate who these concerns are from.

Developers and planning consultants are the beneficiaries of the 'tilted balance' in favour of development. Government should look first to address the issue of land banking – and the number of sites with planning permission that developers choose not to build out – before encouraging more speculative applications and more land banking.

Question 9

Do you agree that all local planning authorities should be required to add a 5% buffer to their 5-year housing land supply calculations?

A No, for the reasons cited at Q7 above. Blanket enforcement of the housing land supply, and the requirement for buffers, undermines the Plan-led system and encourages speculative applications and land banking. Neither lead to increases in overall housing delivery. Neither support a Plan-led system.

CHAPTER 4: A NEW STANDARD METHOD

Question 15

Do you agree that Planning Practice Guidance should be amended to specify that the appropriate baseline for the standard method is housing stock rather than the latest household projections?

A Possibly – Arguments against the previous standard methodology were its use of out of date figures. Using housing stock is much more straightforward as a starting point and easy to update; its shortcoming is in using the past to project the needs of the future.

Question 16

Do you agree that using the workplace-based median house price to median earnings ratio, averaged over the most recent 3 year period for which data is available to adjust the standard method's baseline, is appropriate?

A No - an 'affordability uplift' - can artificially boost numbers but not actual delivery.

The premise that increasing housing figures will lead to building more houses – which will cause prices to fall – is unrealistic in a housing market where developers manage supply to ensure profit

margins. Responsibility of Local Planning Authorities (LPAs) doesn't extend to the onsite delivery process. Buildout rates are controlled – and sites with planning approval may be banked – to suit market conditions, not to meet housing targets. These issues should surely be acknowledged when formulating Policies intent on increasing numbers.

1. Comments relating to your website notes at Chapter 2: Policy objectives:

'Nowhere is decisive reform needed more urgently than in our planning system.'

Fundamentally disagree with this. The Planning system can deliver only numbers on paper. It is housing delivery that requires urgent reform. Most certainly, increasing allocated numbers will please planning consultants and developers – the latter will have more sites to pick and choose from, and so can deliver only those that give them the best profit margins. This doesn't help with good strategic planning and infrastructure delivery. The Government should look to advisers who don't have a vested interest in promoting numbers.

'By fixing the foundations of our economy we can rebuild Britain and make every part of our country better off; decisive reform to the planning system is urgently needed to achieve that'

The idea that changing the planning system will do this is illusory - on its own it will do nothing towards achieving the Policy Objectives outlined in your Chapter 2.

2. Government must take time to evaluate and factor in the holistic process for delivering housing in the UK. Most relevant here is to recognise:

Stage1 The Planning Process in which the LPA is the key player.
Stage2 The Onsite Delivery Process in which, developers, utility suppliers and the construction industry are the key players.

This NPPF Consultation Document fails to identify and resolve the major factors which are holding back the delivery of housing.

A strategy of delivery of 1.5 million homes over a 5-year period cannot be achieved by throwing more housing numbers at LPAs – and underpinning this strategy with the prospect of penalties imposed on LPAs which do not have control over the delivery process; the penalties only undermine LPA's control of the planning process.

Question 17

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

A No. The affordability weighting should be reconsidered. Playing with the numbers isn't going to achieve the outcomes you are seeking. It's the systems of housing delivery that need to be addressed to in order for more houses to be built. Ref answer to Q16 above.

Question 18

Do you consider the standard method should factor in evidence on rental affordability? If so, do you have any suggestions for how this could be incorporated into the model?

A Ref answer to Q16 and Q17 above

Question 19

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

Heckfield Parish Council's response to the 2023 NPPF Consultation noted that:

'The economically illiterate affordability concept has been rejected by the Tillingham Hall planning inquiry, the Bank of England and current market realities which all demonstrate that house prices are dependent on the cost and availability of credit.

'The NPPF should instead – clearly and explicity – provide for LPAs to calculate a locally derived, objectively assessed, and locally accountable housing figure – taking account of up-to-date data, a robust local evidence base and all local constraints.'

CHAPTER 6 – DELIVERING AFFORDABLE, WELL-DESIGNED HOMES AND PLACES

Question 47

Do you agree with setting the expectation that local planning authorities should consider the particular needs of those who require Social Rent when undertaking needs assessments and setting policies on affordable housing requirements?

A Support the delivery of truely affordable housing – for purchase and social renting – to meet needs. The rates that are actually 'affordable' should be fully evaluated and then maintained.

CHAPTER 9 – SUPPORTING GREEN ENERGY AND THE ENVIRONMENT

Question 74

Some habitats, such as those containing peat soils, might be considered unsuitable for renewable energy development due to their role in carbon sequestration. Should there be additional protections for such habitats and/or compensatory mechanisms put in place?

A Additional and strong protections for all ecologically sensitive habitats including those important in carbon sequestration.

Question 78

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

A Ref Q 74 above: Give much greater weighting in the Planning process to protecting established natural habitat – which should include both landscape scale areas and linking smaller sites and corridors – and creating new wetland areas. The importance of natural habitat for carbon sequestration, cooling and flood prevention should be giving as great a weight in the planning system as planning for houses – to consider the relative importance of each for the medium term.

Question 80

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

A See Q 80 above. Include land management Polices that require restoration of the natural path of watercourses / re-vegetate vulnerable hillsides and establish / re-establish wetland areas. Minimise non-porous hard standing in new developments, prevent use of artificial grass.

Question 81

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

A Policies should solar panels in all new builds including commercial – and carbon neutral buildings. Also include within the equation the carbon generated by the build process and materials. Require native planting and trees throughout all new developments. As Q 74 and 78 above, give much more weight to protecting and restoring natural habitat and creating new wetlands.

Question 82

'22. We... propose removing the following text from the footnote:

"The availability of agricultural land used for food production should be considered, alongside other policies in this Framework, when deciding what sites are most appropriate for development."

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

A No. Given the importance of food security, there is no obvious benefit from removing this text.

Question 83

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

A Give greater weight in the NPPF to protecting agricultural land and food production. A presumption in favour of development should not be applied to applications for agricultural land. Seek to plan for local small scale food production – community schemes and allotments - within planned new developments.

Question 84

Do you agree that we should improve the current water infrastructure provisions in the Planning Act 2008, and do you have specific suggestions for how best to do this?

A Water provision must be balanced against first ensuring the health of rivers and aquifers.

Ensure Water companies are fully engaged in the planning process.

Support Plan-led development. Avoid Policies likely to lead to the weakening of Local Plan Housing policies and so lead to speculative unplanned applications / development – achieve via the NPPF tilted balance – which water companies / utilities cannot plan for in advance.

Question 85

Are there other areas of the water infrastructure provisions that could be improved? If so, can you explain what those are, including your proposed changes?

A A Policy requirement that development results in NO deterioration in water quality of rivers and status in aquifers. Policies that allow for deterioration within a quality band are unacceptable. Policies should require developer contributions to improve the health of rivers and aquifers.

CHAPTER 12 – THE FUTURE OF PLANNING POLICY AND PLAN MAKING

Question 103

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

A NO. (Other than agree that Plans at Examination by the cut-off date should continue.)

1. LPAs with plans at Reg 19 have been several years in the making and have an up-to-date evidence base and deliverable Spatial Housing Strategy – in place and consulted on – to meet their current standard method needs. This has taken many 100s of officer hours in preparation and residents' hours responding to consultation. They have done everything right according to planning requirements and legislation.

2. The same can be said to a not-much-less degree for Plans at Reg 18 which have a Spatial Housing Strategy in place with allocated sites to meet the current standard method need.

Are you then going to going to throw away all the resources and money spent – so that these LPAs can scrap their current Plans and go back to the drawing board?

Please consider the merits of all Reg 19 – and Reg 18 – Plans proceeding to examination under the Planning rules under which they have been developed thus far. This would make best use resources already spent, avoids the massive disruption and ensure planned deliverable sites are in place.

This is the Planning System delivering as it should. It's up to Government to work out a system to require developers to build out sites they have permission for. One suggestion has been to require all developers to pay Council Tax on sites they have held for a year without starting to build.

3. LPAs with a shortfall of less than 200 in their annual figures may be allowed to go ahead, those with a shortfall of may than 200 will not. How much difference in terms of actual housing delivery in the first five year of the Plan is this going to make? Those with a shortfall of more than 200 may feel forced to scramble for new sites at short notice – which is bad planning - or be forced back to a Call for Sites – effectively have to start the process again – when they could be proceeding to submission.

It is hard to see that either of these scenarios will boost housing delivery over the next five year; the new Standard Method figures will in any case be planned for in preparation for the Five-year review. Is there any point in higher numbers on paper but no means or liklihood of achieving greater delivery? Rather than supporting a Plan-led approach, the proposed transitional arrangements are a recipe for many LPAs to be much longer without a Local Plan – and potentially without a required land supply. Back to the scenario that planning permissions achieved then are likely to be a result of speculative applications.

At least please take the time to evaluate how much difference in terms of housing delivery your proposed transitional arrangement will make, rather than looking to only theoretical figures.