

**Question Number**      **Question Wording**      **HBBC response**

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***Advisory starting point and alternative approaches***

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

There is merit in standardising methodology and also, moving away from the 2014 household projections. The figures are still minima and there is a possible benefit in highlighting the text in bold to emphasize the point. A clear distinction should be drawn between the housing need and the housing requirement for individual LPAs and the HMA. Paragraphs 61 and 67 are interrelated, para. 67 as written may need further review.

“The requirement may be higher than the identified housing need if, for example, it includes provision for neighbouring areas or reflects growth ambitions linked to economic development or infrastructure investment.”

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?*

Standardisation should facilitate cross-boundary cooperation on unmet needs.

***Urban uplift***

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

Yes. The concept of an urban uplift aspired to focus development on sustainable locations and achieve economies of scale. However, the execution of this initiative was hampered as many cities were physically constrained by their administrative boundaries with little opportunity for redevelopment and were unable to cope with the scale of the uplift required. The cities in question in turn declared unmet needs which authorities across the adjoining housing market area were asked to absorb. Further delays were caused by the need to undertake capacity studies, review and test existing evidence and agree at officer and member level the overall apportionment across a housing market

Question Number      Question Wording      HBBC response

area through duty to co-operate meetings. The cumulative impact was to delay progress on local plans and many local development schemes were significantly revised more than once as a result

***Character and density***

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

Yes, if paragraph 130 was written to address potential negative aspects of urban lift in larger conurbations. However, clarification is required as to the need to adopt area wide design codes, especially across rural planning authorities, Is it mandatory or discretionary to prepare and adopt area wide design codes? Design codes could be prepared to address a hierarchy of development at different spatial scales on a partnership basis with a developer with full public engagement. The time and cost of preparing district wide design codes should not be underestimated. The work could potentially extend across more than one financial year. Confirmation of financial support for each local authority to cover longer accounting periods would be beneficial. Please note “beautiful” has been deleted from the heading for Section 12 but remains in the text elsewhere.

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?*

Please see the answer to Q.4. The decision to produce authority-wide and/or specific codes covering scales should be left to each authority’s discretion.  
<https://www.local.gov.uk/sites/default/files/documents/DLUHC%20PAS%20LURB%20Design%20Code.pdf>

However, it is noted that the LURA 2023 **requires** the following:  
***15F Design code for whole area***

Question Number      Question Wording      HBBC response

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*(1)A local planning authority must ensure that, for every part of their area, the development plan includes requirements with respect to design that relate to development, OR development of a particular description, which the authority consider should be met for planning permission for the development to be granted.*

*(2)Subsection (1) does not require the local planning authority to ensure—*

*(a)that there are requirements for every description of development for every part of their area, or*

*(b)that there are requirements in relation to every aspect of design.*

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***Strengthening and reforming the presumption in favour of sustainable development ('the presumption')***

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

Yes. The proposed amendments are supported on the understanding that the primacy of the plan led system should be maintained. It is important that the development plan policies for the area should be read as a whole. Planning applications should be assessed on a case-by-case basis on their merits. The NPPF is a material consideration in planning decisions. If the most relevant policies which would trigger the new presumption were to relate to the supply of land, then it is important to acknowledge the role of the housing market over time and especially the competition between volume housebuilders across nations and regions to prevent market saturation.

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?*

It is accepted that 5YHLS should be continually demonstrated regardless of the local plan's status to ensure the land supply.

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**Question Number**    **Question Wording**    **HBBC response**

---

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

No, we disagree that the oversupply should not be set against upcoming supply. The argument given that not doing so would dilute future ambitions is not strong enough and is short-sighted. Housing supply should be considered in a longer-term as many things can impact the deliverability of sites such as changes in the market and other exceptional factors concerning the country as a whole, such as the Coronavirus pandemic, shortages in skilled labour and materials.

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***Restoring the 5% buffer***

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?*

Yes, many authorities should be planning for more than the minimum in their local plans as best practice.

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

5% is an acceptable amount.

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

Yes.

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**Question Number**    **Question Wording**    **HBBC response**

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***Maintaining effective co-operation and the move to strategic planning***

12

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

Yes, effective cooperation on cross-boundary and strategic planning matters should be supported through the planning system. However, it is not addressed how the amendments strengthening the current duty to cooperate will actually improve cooperation, in particular in relation to housing numbers. We suggest that the duty to cooperate should be tested as a soundness issue rather than a pass/fail legal test, to allow for plans that are at different stages in production and to reflect the difficulties in reaching agreement on some issues.

13

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

Yes, we agree that the deliverability evidence requirements may be difficult for longer-term strategic proposals. As long as there are no fundamental issues preventing the delivery of a site, the detail of phasing can be dealt with through subsequent discussions once the allocation is made. An allocation within a draft/adopted plan can enhance the borrowing powers of the developer/builder/operator. Phasing is important to control cash flow within sites and across sites within a promoter's portfolio.

***The Government's proposed approach (on assessing local housing need)***

15

*Do you agree that Planning Practice Guidance should be amended to specify that the appropriate baseline for the standard method is housing stock*

The baseline for the standard method should be based on housing stock and a test household projection, especially given the recent uplift in inward international migration and the significant increase in birth rates in larger metropolitan conurbations. It is also important to note that up-to-date projections should be used rather than the 2014 projections.  
<https://researchbriefings.files.parliament.uk/documents/SN06077/SN06077.pdf>  
[Long-term international migration, provisional - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/peoplepopulationandcommunity/migrationandimmigration/briefings/long-term-international-migration-provisional)

**Question Number**    **Question Wording**    **HBBC response**

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*rather than the latest household projections?*

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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?*

Yes.

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

Yes. However, when considering including affordability measures policy should also include a requirement to deliver how genuinely affordable housing can be delivered above and beyond an increase in numbers of dwellings. Regard should also be had to where there is a significant variance in affordability within an area due to factors such as an urban/rural split of settlements.

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?*

Yes. Affordability of properties in the private rented sector correlate to other measures of housing affordability and as such form part of the overall profile of affordability within an area.

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Question Number	Question Wording	HBBC response
<p data-bbox="342 355 808 384"><b><i>Result of the revised standard method</i></b></p> <p data-bbox="342 419 808 523"><i>Do you have any additional comments on the proposed method for assessing housing needs?</i></p>	<p data-bbox="824 355 2020 531">The planning system does have a significant role in addressing the housing needs of rural (and urban) housing, but it cannot address all the complexities involved. What is clearly needed, is a strategic policy which brings together the different strands with the necessary funding to achieve the policy objectives and take account of any uplift required by additional economic growth and/or investment in infrastructure provision.</p>	
<p data-bbox="342 616 808 683"><b><i>Being clear that brownfield development is acceptable in principle</i></b></p> <p data-bbox="190 799 224 823">20</p> <p data-bbox="342 775 808 922"><i>Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?</i></p>	<p data-bbox="824 675 2020 707">Agree that it is important to encourage the principle of brownfield land being developed.</p>	
<p data-bbox="342 991 808 1058"><b><i>Delivering the right mix of affordable housing</i></b></p> <p data-bbox="190 1174 224 1198">47</p> <p data-bbox="342 1150 808 1337">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</p>	<p data-bbox="824 1050 2020 1153">Yes. Social rent plays a vital part in meeting the needs of lowest income households. However, NPPF should be revised to consider wider affordability issues on affordable housing products to ensure they meet the current and future need of those unable to access homes in the open market.</p>	

**Question Number**    **Question Wording**    **HBBC response**

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assessments and setting policies on affordable housing requirements?

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

Yes. This should be a local decision based on the needs specific to that area.

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

Yes. The provision of the proportion, if any, of First Homes should be a local decision based on the needs specific to that area. It could remain as one of the affordable housing products to be used as appropriate on suitable development sites.

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

There is no current interest in delivery of First Homes exception sites in our Borough by developers; however, the concern remains that this policy would directly impact on the delivery of traditional Rural Exception sites, which tailor the type and tenure of homes directly to identified local need. First Homes Exception Sites should therefore be removed from policy.

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**Question Number**    **Question Wording**    **HBBC response**

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***Promoting mixed tenure development***

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

The mix of tenure and types on large developments is currently set out in Local Plans and is failing due to the lack of capacity in the RP sector. Therefore, the consequences of introducing this policy in the current crisis should be carefully weighed. Whilst delivery of mixed communities is important, it is not currently happening as RPs development programmes are full. NPPF should consider introducing RPs as key partners in section 106 development. Policy should require developers to engage with RPs at very early stages to ensure the affordable housing can be delivered on site and is tailored to the RP's standards. This in its' turn would encourage delivery of mixed tenures.

***Supporting majority affordable housing developments***

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

Grant levels for social housing should be increased to reflect the impact social rent has on viability. For sites that are all affordable housing, developer contributions should be reduced proportionately to acknowledge the importance of high levels of affordable housing on site. Targets should be set for social rent and rural housing delivery between Homes England and Strategic Partners to ensure delivery comes forward.

Question Number	Question Wording	HBBC response
53	What safeguards would be required to ensure that there are not unintended consequences? For example, is there a maximum site size where development of this nature is appropriate?	<p>There is not a definitive maximum site size. The appropriate quantum of properties on a site will be determined by the size of the site in relation to the size of the settlement, and current affordable housing provision in that location. It therefore needs to be a local decision and be flexible enough to respond to individual circumstances.</p>
54	What measures should we consider to better support and increase rural affordable housing?	<p>There are a number of ways to improve delivery in rural areas. Increased funding specifically for rural development, including grant for rural exception sites that allows a greater level of uplift on existing use values than current levels, to encourage landowners to come forward. Many RPs are not currently developing or bidding for section 106 properties on small sites so the small rural schemes should be incentivised in Strategic Partnership agreements. The arbitrary boundaries of Designated Rural Areas should be removed and revised so that all settlements of less than 3,000 should be Designated Rural Areas and appropriate policies around delivery of affordable housing should be introduced to provide a clear and transparent method of identifying and providing affordable housing in these settlements.</p>
55	<b><i>Meeting the needs of looked after children</i></b>	<p>Yes, the additional text is welcomed. However, the assessment of the needs of looked after children over time should be a collaborative exercise between agencies and providers.</p>

**Question Number**    **Question Wording**    **HBBC response**

Do you agree with the changes proposed to paragraph 63 of the existing NPPF?

It is also dependent upon each relevant authority having an up-to-date sufficiency strategy. This would then provide an appropriate strategic context for site selection and reduce the number of speculative applications for change of use in inappropriate locations.

Travel and workforce planning would be important in ensuring that development does not harm local amenity, especially in areas significantly impacted by a reduction in public transport provision.

The practice advice note issued by the RTPI relates to the needs of children and young people in creating safe and healthy communities for them to thrive and grow. The benefits of living in a quality built and natural environment include positive impacts on health, well-being and future life chances. Good town planning aims to meet children’s needs as part of an inclusive and integrated society.

[RTPI | Children and town planning: Creating places to grow](#) (July 2021)

56    ***Delivering a diverse range of homes and high-quality places***

Do you agree with these changes?

With relation to community-led housing, it would be prudent to strengthen provisions, particularly where these accord with a Neighbourhood Plan. One key consideration is that where community led schemes are delivered outside of the Rural Exception Site policy, the level of uplift in land value expected by owners once planning permission is given and whether this should be capped for schemes led by CLTs. Likewise, the occupier of homes provided through CLTs may be discouraged from a potential purchase because of the cap on resale profits and the inability to own the freehold.

**Question Number**    **Question Wording**    **HBBC response**

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57    Do you have views on whether the definition of 'affordable housing for rent' in the Framework glossary should be amended? If so, what changes would you recommend?

The definition of affordable houses for rent could be amended to include references to community land trusts and alms-houses. Encouragement for community led developers and alms-houses should come through the route of a "light touch" registration as an RP to encourage smaller developers to come forward as affordable housing providers. Protections for homes delivered on Rural Exception Sites should remain and could be extended to Designated Rural Areas if the definition is amended to encompass all settlements less than 3,000 population.

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***Making the small site allocation mandatory***

58    Do you have views on why insufficient small sites are being allocated, and on ways in which the small site policy in the NPPF should be strengthened?

The 10% NPPF local plan allocation expectation for small sites has been challenging. The Joint SHELAA Methodology (February 2019) for the Leicester & Leicestershire HMA does allow consideration of sites with the potential for 5 or more dwellings. Pepper potting smaller sites across rural areas can lead to higher infrastructure costs and reduce the profit margins for each unit. Small sites are normally brought forward by the market for infill or windfall sites without the need for specific allocation in a local plan. Many small sites also rely on being brought forward via Neighbourhood Plans. It is possible that an authority may have many small sites that could be part of that authority's strategy for delivering its local plan. However, bigger sites are more favourable to developers due to their capacity to deliver more housing and therefore more viable than smaller sites.

**Question Number**    **Question Wording**    **HBBC response**

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***Requiring “well designed” development***

Do you agree with the proposals to retain references to well-designed buildings and places, but remove references to ‘beauty’ and ‘beautiful’ and to amend paragraph 138 of the existing Framework?

The deletion of place making in para. 20 is not supported. Place-making is more than just promoting better urban design as it facilitates creative patterns of use, paying particular attention to the physical, cultural, and social identities that define a place and support its ongoing evolution. Public engagement in place making is critical and should be an integral part of the evolution of places over time.

Place making can take place at a variety of scales. The outcomes will impact the quality of the built and the natural environment. The perception of the quality of the outcome may well be regarded as “beautiful” by an individual. It is important to determine the success of a scheme/ project/place based on a coherent set of design principles/criteria; the judgement of those who live, work and visit the area is fundamental to the success of the outcomes especially in the creation and maintenance of space for high quality public realm.

***Changes to the NPPF to support these modern economies***

Agreed. It is important to focus on the optimisation of site selection to ensure the most sustainable development can take place over time in the most appropriate locations. The maximum benefits are normally achieved by undertaking strategic planning at a variety of scales. Aligning regional/sub-regional strategy documents to the corporate plans of other infrastructure providers can deliver

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

economies of scale and avoid duplication and also gaps in provision. These should be accompanied by appropriate testing.

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

Planning for our natural resources can also be carried out at the regional and sub-regional scale to achieve the most potential benefits. This will enhance the overall resilience of soil, water and habitats/species to withstand major challenges related to climate change and help to reduce conflicts in land use.

***Directing data centres, gigafactories, and laboratories into the NSIP consenting regime process***

Prescription of the largest schemes could be considered under the 2008 Planning Act. The RTPi has advocated a national map for England for infrastructure and services. This would facilitate cross border planning with Wales, Scotland and also protect and enhance the marine environment.

[RTPi | Map for England 2024](#)

64 Would you support the prescription of data centres, gigafactories, and/or laboratories as types of business and commercial development which could be capable (on

request) of being directed into the NSIP consenting regime?

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65 If the direction power is extended to these developments, should it be limited by scale, and what would be an appropriate scale if so?

This would normally be the subject of engagement with all infrastructure providers and stakeholders. The discretion to influence and shape the corporate strategies of publicly listed companies would normally sit with Ministers of State.

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

No

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***Public infrastructure***

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

Yes

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

Yes

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***A 'vision-led' approach to transport planning***

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

No, we do not agree with the changes. The success of a vision-led approach will largely rely on the quality and clarity of the guidance. There is ambiguity about responsibility on whether the vision and validation process should be identified is required. There will be difficulties as to how visions are to be assessed and validated through the development management process. There is ambiguity about the fallback requirements if a vision fails to materialise in practice. Additionally, we find the wording "in all tested scenarios" problematic because there is ambiguity about the amount of testing required to determine a refused planning application and the scope of analysis required. It could also possibly lead to tests done by applicants which are not agreed with the Highway Authority. Therefore, we suggested that additional wording should be added that cooperation with the Local Highway Authority is necessary in testing the scenarios.

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***Promoting healthy communities***

70 How could national planning policy better support local

Encourage development that is less car centric, move to 15-minute community model if appropriate for location. Encourage more active and sustainable travel. Provide natural green spaces/habitats for children to play. National policy could also go further in restricting availability of unhealthy food near schools and other places where young people congregate – for example clearly stating in the NPPF that hot food takeaways will not be permitted within 400 metres



authorities in (a) promoting healthy communities and (b) tackling childhood obesity?

of schools, sports centres and playgrounds.

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

No.

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**Supporting green energy and the environment**

Yes

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

***Supporting renewable deployment***

73 Do you agree with the proposed changes to the NPPF to give

Yes

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greater support to renewable and low carbon energy?

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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?

Yes, the same should be applied to maintaining biodiversity.

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***Setting the NSIP threshold for solar generating stations and onshore wind***

Yes.

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75

Do you agree that the threshold at which onshore wind projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50 megawatts (MW) to 100MW?

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76 Do you agree that the threshold at which solar projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50MW to 150MW?

No. The threshold should align with that of onshore wind at 100MW.

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

N/A

***Tackling climate change***

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

National planning policy could do more in the promotion and use of active and sustainable modes of transport over vehicle-based journeys. This would lower the number of emissions that are generated by the transport network.

79 What is your view of the current state of technological readiness and availability of tools for accurate carbon accounting in plan-making and planning decisions, and what are the challenges to increasing its use?

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We do not have a view on the technological readiness but would welcome national work and guidance to enable the wider use of carbon assessments.

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

No.

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

No.

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***Revision of the local plan intervention policy criteria***

Yes

87 Do you agree that we should we replace the existing intervention

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policy criteria with the revised criteria set out in this consultation?

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

Yes, either option is acceptable.

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***Proposed fee increase for householder applications***

Yes

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

90 If you answered No to question 89, do you support increasing the fee by a smaller amount (at a level less than full cost recovery)

agree with proposed £528

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and if so, what should the fee increase be? For example, a 50% increase to the householder fee would increase the application fee from £258 to £387.

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91 If we proceed to increase householder fees to meet cost recovery, we have estimated that to meet cost-recovery, the householder application fee should be increased to £528. Do you agree with this estimate?

Yes

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***Proposed fee increase for other planning applications***

92 Are there any applications for which the current fee is inadequate? Please explain your reasons and provide evidence on what you consider the correct fee should be.

Yes – Prior approval application fees set at £120 are well below levels of cost recovery. These should be aligned with the same fees for a single dwelling and change of use of land - £578

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***Fees for applications where there is currently no charge***

93

Are there any application types for which fees are not currently charged but which should require a fee? Please explain your reasons and provide evidence on what you consider the correct fee should be.

Yes – listed building consent applications. It is acknowledged that a high level of listed building consent applications have a low cost recovery element, however some take additional specialist advice, which is currently provided with no fee. A set fee of £120 would contribute towards this.

94

***Localisation of planning application fees***

Do you consider that each local planning authority should be able to set its own (non-profit making) planning application fee?

Accept the current nationally set planning fees

95

What would be your preferred model for localisation of planning fees?

N/A

Full Localisation – Placing a mandatory duty on all local planning authorities to set their own fee. Local Variation – Maintain a nationally-set default fee and giving local planning authorities the option to set all or some fees locally. Neither Don't Know

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***Increasing fees to fund wider planning services***

96

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

We do not consider planning fees should be increased to cost recover costs outside of development management. Instead, an increased fee should be charged for retrospective applications, at 100% above current fees, to assist in funding planning enforcement services, and funding should be provided through separate streams for planning policy services.

103

***Transitional arrangements for emerging plans in preparation***

We consider that providing only one month is detrimental to authorities who have invested a large time and resources in their Reg 18 consultations and would then be required to start all over again due to the changes taking place from this consultation. The previous NPPF changes took force 1 year after the consultation and it was meant to be published in the Spring rather than the Winter of 2023.

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

Therefore, we do not consider it unreasonable to not allow authorities who have already started work on their Local Plan to continue under the current NPPF and the new changes should apply to Authorities who are just about to start working on their local plan at the time of publishing the changes. It is shortsighted that the changes from the NPPF should affect plans that are being currently progressed and there is no consideration for the efforts and the resources put into plans being made under the current system.

For transitional arrangements for Local Plans currently at or beyond Regulation 18 stage at the time of publication of the NPPF, a period of 1 year post NPPF publication should apply for Local Plans to be submitted to the Secretary of State for Examination under the current NPPF. Further, direct Government funding support should be provided to all Local Planning Authorities at this stage of Regulation 18 or beyond at the time of NPPF publication, not just to those where a 200 dwelling gap applies.

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***Further plan-making reforms***

No.

Do you agree with the proposed transitional arrangements?

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