



The  
countryside  
charity

## **National Planning Policy Framework: consultation proposals**

**CPRE response**

W2`

**March 2022**

### **Introduction and general comments**

CPRE has campaigned for a strong, effective and transparent planning system for nearly 100 years. During that time, the successes, merits and weaknesses of the system have ebbed and flowed, but it has always held to certain core values based around accountable decision-making and the balancing of private development interests with the provision and protection of public goods.

This response reflects the input of our network of local groups, who have had long experience of campaigning on and working with local planning policies and decisions in their respective areas.

When it was first introduced over a decade ago, the NPPF set out to streamline the English planning system and introduce a “presumption in favour of sustainable development”. Taking the NPPF at its word on the issues it aims to address, there are some aims for which we have long campaigned for and would warmly welcome positive change. For example, from CPRE’s perspective, a critical outcome is to achieve sustainable land use and minimise the unnecessary loss of greenfield land to build development, whilst improving the provision of genuinely affordable homes to create thriving rural communities.

With this in mind, we are responding to the consultation by grouping sets of questions together according to the reform objective and that relate to various campaigns and policy outputs that CPRE has worked on. These groups are as follows.

Consultation topic Objective	Relevant Consultation Questions
Reforming the 5 Year Housing Land Supply	Q. 1, 2, 3 and 4
Introducing new flexibilities to meeting housing need	Q. 8 and 9 (10 to 15 may also be relevant)
More homes for social rent	Q. 22
More homes for older people	Q. 23
More community-led developments	Q. 26, 27 and 28
More build out	Q. 32
Delivering biodiversity net gain and local nature recovery	Q. 37
Recognising the food production value of farmland	Q. 38
Climate mitigation: exploring a form of carbon assessment	Q. 39
Climate adaptation and flood risk	Q. 40
Enabling the repowering of existing onshore wind turbines	Q. 41 and 42
Introducing more flexibility to plan for new onshore wind deployment	Q. 43
Barriers to energy efficiency	Q. 44
National Development Management Policies	Q. 49, 50 and 52
Levelling Up and boosting economic growth	Q. 55
Levelling Up and booting pride in place	Q. 56

## Executive Summary

While CPRE welcomes some changes to national planning policy, we also have some reservations regarding the changes to several policies.

Firstly, in terms of the questions relating to housing supply, we agree that local authorities should not have to demonstrate a deliverable five-year housing supply. Our research has demonstrated that it has allowed developers, on too many occasions, to bypass local democracy and gain planning permission for large housing developments on greenfield land. To meet local housing needs a strategic, larger than local process should take precedence which identifies and prioritises suitable brownfield sites in urban areas. Parallel to meeting local housing needs is the need to empower local authorities to provide more genuinely affordable housing (which will mean social housing for rent) across England. We believe that the new national planning policy should emphasise the importance of building more social rent homes, as well as building new social housing into a holistic policy, alongside the government's current low-cost home ownership policy objective. In recent months, the Prime Minister and Secretary of State for Levelling Up, Housing, and Communities have stated support for green belt protections during current planning reforms. Therefore, we broadly welcome proposed changes that reflect this.

In terms of recognising the food production value of farmland, national policy on the Best and Most Versatile agricultural land has weakened since the introduction of the National Planning Policy Framework in 2012, with no governmental monitoring of agricultural losses since 2010. Research published by us found a huge uplift in hectares of BMV land planned for development in 2022, as well as BMV land around towns and cities being developed at twice the rate of the national average. Therefore, CPRE recommends the incorporation of the following guidelines in the new NPPF to ensure the loss of valuable farmland is minimised - a brownfield first policy a greater steer towards medium- and high-density new housing, and a firm presumption against development on BMV land – the higher the ALC grade, the greater the weight which should be attached to its protection. We also site-specific surveys to be mandatory on any development proposals involving more than one hectare of land unless it is clear that the site will not contain BMV land and a requirement for local authorities to identify and track development on BMV land in their district.

In our response to onshore wind and energy efficiency, we identify insufficiencies in the current proposals. However, we recognise that dealing with the future repowering of wind turbines strategically within local plans instead of ad hoc planning applications has more advantages. The issue of scaling (height) of turbines in relation to local landscape character is extremely important. There will therefore need to be careful attention to the re-design of older windfarm sites and areas (taking into account a range of cumulative impacts) such that further adverse impacts are avoided. Taking a landscape capacity approach will be vital in ensuring landscape character is protected and preferably enhanced.

Similarly, we do not advocate a moratorium on onshore wind development. But if England is to increase rates of deployment over existing levels, it is critical that developers of schemes respect landscape constraints where they exist, use less visually harmful turbine designs where possible, and are required to seek explicit community backing. Looking at energy efficiency, we have conducted research on improving energy efficiency and performance in homes and look to publish new research on rooftop energy scenarios in April to further support this. We recommend that the government goes further and brings in changes to the planning regulations governing new builds home extensions and improvements, mandating either new solar panels or further energy efficiency measures in order to provide the scale and speed of change required.

All in all, we at CPRE, the countryside charity, believe that the consultation does not go far enough. Fundamental changes to national planning policy must happen to ensure a democratic and just planning system in England, as well as providing more genuinely affordable homes and a quicker, fairer transition to net zero and tackling the climate emergency. However, we must note that at times the consultation questions and draft text NPPF have not married up at times and the wording of some questions is misleading. Therefore, we hope that future government consultations follow a clearer process to ensure the best responses from across the planning policy community.

### **Additional headline comments on chapter 7 and 8 in NPPF mini-review (spring 2023)**

Our responses (below) to the detailed questions underline and give detail on how we believe national planning policies and guidance, spatial development strategies and local plans should all integrate to address climate change. Currently the planning system is not fully enabled to deliver the radical carbon reductions required by statute and this must be addressed at speed by amendments to the NPPF, preferably in the current update. However, the actual changes proposed in this consultation are insufficient to deliver the aims cited – in particular some of those cited in Chapter 7, para.3, in respect of locational sustainability (bullet 5), integration of spatial strategies (bullet 6) and enabling renewables and regulating carbon-generating extraction (bullet 4).

In our responses to Q.39, we make clear the key role of local plans in delivering radical carbon reductions through policy and spatial interventions. The ability of a plan to bring about such reductions must be an explicit new test of soundness. Minor changes to current guidance to facilitate re-powering and finesse community support will not accelerate renewables (predominantly solar and wind) to net zero grid by 2035, as recently underlined in Mission Zero ('the Skidmore Review':

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1128689/mission-zero-independent-review.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1128689/mission-zero-independent-review.pdf)). Instead, guidance must set a clear steer towards first prioritising rooftop and brownfield deployment plus meaningful community involvement and empowerment through: deliberative pre-application engagement, enhanced packages of benefits, direct community/shared ownership and a step change in the support for community energy schemes.

Finally in terms of policies for regulating carbon-generating extraction and energy generation (bullet 4), the presumption against coal (current Framework para.217, para.220 in proposed update) should be extended to other unabated fossil fuels including conventional and unconventional extraction of oil and gas and consequent energy generation from those fuels.

## RESPONSES TO CONSULTATION QUESTIONS

### 1. **Reforming the 5 Year Housing Land Supply**

Questions	Response
<p>Q1. Do you agree that local planning authorities should not have to continually demonstrate a deliverable five- year housing land supply (5YHLS) as long as the housing requirement set out in its strategic policies is less than five years old?</p> <p>Q2. Do you agree that buffers should not be required as part of 5YHLS calculations (this includes the 20% buffer as applied by the Housing Delivery Test)?</p> <p>Q3. Should an oversupply of homes early in a plan period be taken into consideration when calculating a 5YHLS later on or is there an alternative approach that is preferable?</p> <p>Q4. What should any planning guidance dealing with oversupply and undersupply say?</p>	<p>(Q1-2) We agree. Please also refer to detailed comments below.</p> <p>(Q3) We agree. For example, CPRE representatives in the West Midlands have shown that, since the early 2000s, clearly evidenced rates of windfall development in local authorities such as Birmingham have not had sufficient bearing on subsequent housing target setting, resulting in inflated targets being then set in subsequent local plans in order to justify Green Belt release.</p> <p>(Q4) Please see detailed comments below.</p> <p>(Response to Qs 1-4) We welcome the changes in themselves but do not believe they are sufficient in themselves. CPRE has called on a range of policy changes regarding the five-year housing supply issue. Research from our 2014 report, <u>Targeting the countryside</u>, demonstrated that a “loophole in national planning policy allows developers to bypass local democracy and gain planning permission for large housing developments in the countryside.” To address this, developers should still be expected to meet local policy objectives, such as using brownfield sites before greenfield. Speculative proposals for unsuitable housing developments not allocated in plans, should also not be permitted.</p> <p>We also call for supporting planning practice guidance and the provision of data on building rates for large development sites. These can help local authorities and developers with forward planning, so that greenfield sites aren’t developed unnecessarily based on inadequate information.</p> <p>Not being able to demonstrate a deliverable five-year housing land supply is often blamed on local planning authorities even when sufficient land has been allocated in local plans. It is the private developers who are not delivering the homes in a timely manner for which they have planning permission on allocated sites. CPRE believes that the introduction of phasing policies for new housing would reduce land banking; expedite and focus the delivery of new housing on existing allocated sites; reduce unplanned, poorly located greenfield development and hence help protect the countryside.</p>

### **Boosting the status of neighbourhood plans**

Questions	Proposed changes
<p>Q5. Do you have any views about the potential changes to paragraph 14 of the</p>	<p>We agree with the proposed change. Plans to meet housing needs should be based, wherever possible, upon a community-led process which identifies suitable sites, located as near as possible to essential services, for inclusion in local and neighbourhood plans. Without this process,</p>

<i>existing Framework and increasing the protection given to neighbourhood plans?</i>	development is less likely to be supported and could be sporadic and unsustainable. Therefore, Neighbourhood Plans should be strengthened, with LPAs required and resourced to support and encourage their delivery.
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**Planning for housing**

<u>Questions</u>	<u>Response</u>
<u>Q6. 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?</u>	Yes, we agree. In our view, both the current and proposed draft NPPF do not sufficiently address the urgent need for more genuinely affordable housing (which will often mean social housing for rent) across England. In particular, it does not take forward the policy recommended by Sir Oliver Letwin’s 2018 Independent Review of Build Out, that would require a diversity of housing types and tenures on all large development sites. Furthermore, it does not propose to change the highly discredited definition of ‘affordable housing’, in particular that new ‘affordable housing’ can include properties for rental at as much as 80% of average market rents. (See also response to Question 22.)

### Local housing need and the standard method

Questions	Response
<p><i>Q7. What are your views on the implications these changes may have on plan-making and housing supply?</i></p>	<p>We believe that the determination of a local authority’s housing supply requirement should, essentially, be a matter for that authority to determine. It certainly should not be influenced, let alone determined, by a widely discredited ‘Standard Method’ which relies on outdated household projections and a profound misunderstanding of the way that the housing market works – building more homes does not bring their prices down. The government and new draft NPPF have not weakened green belt protections (we provide further support to this in our responses to questions 8 and 9). But our State of the Green Belt reports have emphasised that a lack of explicit stronger protections may become an issue as the current method for calculating housing need (the so-called ‘standard method’ in the Planning Practice Guidance) adds on an additional uplift to concentrate more homes in large cities and urban areas, many of which are surrounded by Green Belt.</p> <p>Therefore, we recommend that the NPPF should not enable local authorities to release green belt land to meet local housing need when plan-making, unless this is done as part of a wider, city region wide strategic policy making process and within a wider brownfield first policy. (See also response to questions 13-15.)</p>

### 2. Introducing new flexibilities to meeting housing need

Questions	Response
<p><i>Q8. Do you agree that policy and guidance should be clearer on what may constitute an exceptional circumstance for the use of an alternative approach for assessing local housing needs? Are there other issues we should consider alongside those set out above?</i></p>	<p>(Response to both questions) Yes. In our State of the Green Belt reports (most recent report <a href="#">here</a>), we have highlighted that one of the most concerning impacts of the NPPF since its introduction has been the increase in pressure to release Green Belt unnecessarily for estates of large, expensive market housing. We consider in paragraph 142 the 2nd sentence ". Green Belt boundaries are not required to be reviewed and altered if this would be the only means of meeting the objectively assessed need for housing over the plan period. " to be ambiguous and propose it is replaced with " "If the objectively assessed need for housing over the plan period cannot be met within settlements, the boundaries of the Green Belt should not normally be reviewed and altered to accommodate this." We would also like to point out that paragraph 142 of the revised NPPF only removes the need for Green Belt review in relation to housing. We believe that the situation regarding employment development (warehousing etc.) needs to be clarified</p>
<p><i>Q9. Do you agree that national policy should make clear that Green Belt does not need to be reviewed or altered when making plans, that building at densities significantly out of</i></p>	<p>During a speech on 28/07/2022, the Prime Minister said that he “would prevent local authorities from requesting changes to the green belt boundaries with planners ordered to reject any such proposal.”</p> <p>This was followed up by the Secretary of State’s letter on 05/12/2023 where he wrote that “it will be up to local authorities, working with their communities, to determine how many homes can actually be built, taking into account what should be protected in each area - be that our precious Green Belt or national parks, the character or an area, or heritage assets.” As far as we can see this is not reflected in the proposed changes to NPPF, other than Green Belt. This</p>

<p><i>character with an existing area may be considered in assessing whether housing need can be met, and that past over-supply may be taken into account?</i></p>	<p>should refer not just to Green Belt and should also include National Parks, AONBs, environmentally protected sites, valued landscapes (SPAs, SACs, SSSIs etc), ancient woodland, BMV agricultural land, chalk streams. More recently, during Prime Minister’s Questions on 25/01/2023, where the PM once again spoke about the protection of green belt land. He stated that “the recent changes in our planning reforms will ensure that we can protect the green belt everywhere.”</p> <p>Therefore, it should be explicit that green belt land should not normally be released for development in the new NPPF, <u>unless it is for one of the exceptions that the NPPF already clearly allows, such as small scale community-led affordable housing schemes. We also recommend that paragraph 179 of the NPPF (tracked change paragraph 180) should be altered to clarify that the major development test for protected landscapes should also apply to policies in local or neighbourhood plans, as well as to decision making on planning applications.</u></p> <p>We would like to be able to welcome the increased scope for local authorities to use a different method for calculating housing need in new para 61 than in the old NPPF, but this is difficult to judge without seeing what the revised corresponding planning practice guidance on assessing housing need will look like.</p> <p>The overall passage (paras 60-68) in the revised draft is still too weak on affordable housing, particularly social housing, as the clear emphasis is still on ‘affordable home ownership’. Indeed, if paragraph 65 becomes a national development management policy (NDMP) it is likely to substantially reduce the amount of affordable housing coming forward on small sites, as local authorities such as Reading have planning policies which do not follow paragraph 65.</p> <p>The lack of a strategic, larger than local, approach is still a major problem. For example, new footnote 30 gives potentially promising indications of a brownfield first approach, but does not make clear that such an approach should involve assessing capacity across a whole urban area, and not just urban land within the area of one local planning authority.</p> <p>Also, new paragraph 67 is likely to perpetuate the problem recently seen in areas like County Durham and Wiltshire of local authorities setting housebuilding targets higher than their assessed need in an attempt to raise planning gain funds to build new roads – again showing the lack of a strategic approach which is consistent with tackling climate change and pollution.</p> <p><u>CPRE recommends that there should be an explicit policy on what constitutes ‘exceptional circumstances.’ It should be clearer on the definition of local housing need and the different local contexts. The definition of affordable housing for rent should also be revised so that it can be made available to</u></p>
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	<p>people on average incomes within a local authority area. (See our response to <a href="#">question 26 below.</a>)</p> <p>In our 2013 Housing Policy Guidance note and a 2015 report, <a href="#">Set Up to Fail</a>, we recommended:</p> <ul style="list-style-type: none"> <li>• The NPPF should be amended (para 14, 47 and 159) to say that when local authorities are determining their local plan housing target, in the context of need and demand, they must take account of opportunities and constraints, as well as a realistic assessment of how many homes the housebuilding sector will be able to deliver.</li> <li>• Local authorities should prioritise planning for the numbers of affordable homes that are genuinely needed as a result of local household surveys and affordability conditions. They may plan for more to meet demand or aspiration if they wish, but it must be made clear that this is a choice.</li> </ul> <p>Our guidance recommendations are:</p> <ul style="list-style-type: none"> <li>• Planning guidance in the national Planning Practice Guidance (PPG) on SHMAs must provide a clear distinction between ‘need’ and ‘demand’ and give primacy to meeting genuine housing need.</li> <li>• The NPPG should be amended to include the following definition of housing need: ‘The number of households who lack their own housing or live in unsuitable housing and who cannot afford to meet their housing needs in the market.’</li> <li>• Surveys of local communities’ housing needs in specific areas, for example rural areas, should have a place in the SHMA process. Guidance is required concerning how these might be developed and applied.</li> <li>• Guidance is required on how housing needs of rural areas can be included into assessments: by using local housing needs surveys, for example.</li> <li>• There is a need to develop methodologies capable of generating demographic and housing projections at parish level as a counterbalance to ‘top down’ assessment.</li> <li>• It is also essential to define and distinguish between different types of housing requirements: affordable, specialised and local housing need; and housing demand, consumer preferences and aspirations.</li> </ul>
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Questions	Response
<p><i>Q10: Do you have views on what evidence local planning authorities should be expected to provide when making the case that need could only</i></p>	<p>Q10: Yes.</p> <p>CPRE will generally welcome a greater steer towards medium (which we take to be densities above 30 dwellings per hectare) and high-density new housing as it can maximise the use of brownfield land and the most sustainable locations, whilst minimising greenfield land take. Higher densities can also be a societal</p>

<p><i>be met by building at densities significantly out-of-character with the existing area?</i></p>	<p>good in making houses more affordable, reducing the need for travel, and helping ensure facilities are within walking distances. Higher density housing also does not need to be ugly, particularly if the gentle density aspirations of this consultation are convincingly and robustly embraced.</p>
<p><i>Q11: Do you agree with removing the explicit requirement for plans to be 'justified', on the basis of delivering a more proportionate approach to examination?</i></p>	<p>However, a one-size fits all approach cannot be taken to what will clearly be a subjective test. Factors other than density, such as existing townscape, landscape and environmental constraints will vary on a case-by-case basis. Robust landscape and urban character assessments must therefore be undertaken to inform the point at which proposed densities become out-of-character with existing areas.</p> <p>Overall, demonstrating that there has been robust and effective community consultation and engagement must be put at the heart of the evidence local planning authorities should be expected to provide. These community views must then be respected.</p>
<p><i>Q.12: Do you agree with our proposal to not apply revised tests of soundness to plans at more advanced stages of preparation? If no, which if any, plans should the revised tests apply to?</i></p>	<p>Q11</p> <p>We disagree with this proposal.</p> <p>Whilst we recognise the need to ensure a proportionate approach to local plan examinations to maximise community engagement, this cannot be at the expense of necessary scrutiny.</p>
<p><i>Q13: Do you agree that we should make a change to the Framework on the application of the urban uplift?</i></p>	<p>The proposal to remove "Justified" from the examination test means the removal of the requirement to take "an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence". As recognised within the preamble to this question, it is often the case that authorities who wish to plan for more homes than the standard method provides for may do so, where they judge that is right for their areas, for example to capitalise on economic development opportunities. In such a higher growth scenario, with a conceivably much greater countryside loss, it will become significantly harder to challenge the local authority's judgment that this is the appropriate strategy for the area.</p>
<p><i>Q.14: What, if any, additional policy or guidance could the department provide which could help support authorities plan for more homes in urban areas where the uplift applies?</i></p>	<p>CPRE local groups often and successfully point to the lack of consideration of reasonable alternative strategies at examinations in such scenarios. It cannot therefore be presumed that local authorities will now suddenly always correctly judge the most appropriate strategy for its area. The test of soundness must therefore continue to recognise plans should be based on an appropriate strategy, with proportional evidence to justify them.</p>
<p><i>Q.15: How, if at all, should neighbouring authorities consider the urban uplift applying, where</i></p>	<p>Q12</p> <p>We disagree with this proposal.</p> <p>The current consultation proposals do not allow sufficient flexibility for plan making authorities or local plan inspectors to take advantage of the revisions,</p>

<p><i>part of those neighbouring authorities also functions as part of the wider economic, transport or housing market for the core town/city?</i></p>	<p>which include the ability to plan for a more appropriate housing target for that area.</p> <p>A foreseeable consequence would be for plans to unnecessarily go through the costly and timely examination process, found sound, only for an authority to opt not to adopt that plan but instead submit a revised plan which does take advantage of the revisions.</p> <p>A more pragmatic approach should therefore be taken to the transitional arrangements. This could be to allow modifications to be suggested from the pre-submission stage onwards which give regard to revised policy position, where appropriate to the circumstances.</p> <p>Q13, Q14 and Q15 combined:</p> <p>CPRE welcomes that the stated rationale behind the uplift policy is to encourage brownfield first development. It is therefore disappointing that the approach, including the process for calculating the uplift, is far too simplistic.</p> <p>Instead, a true "larger than local" strategic approach needs to be taken in identifying areas where an uplift can most suitably be applied and of what size. This need not be limited to the largest 20 urban areas as could relate to urban settlements of 'all' areas.</p> <p>Alongside such an approach there needs to be robust policies which truly encourage and incentivise both the identifying and then the delivery of appropriate brownfield development sites. This could include the imposition of the brownfield targets, accompanied by annual monitoring reports which record progress on brownfield development. For example, such was previously a requirement of the Northwest Regional Spatial Strategy in place when significantly higher levels of brownfield completions were being achieved. We refer the government to our response to Q.55 that outlines our key ask of a brownfield first planning policy.</p>
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### 3. More homes for social rent

Questions	Response
<p><i>Q22: Do you agree that the government should revise national planning policy to attach more weight to Social Rent in planning policies and decisions? If yes, do you have any specific suggestions on the best mechanisms for doing this?</i></p>	<p>Yes. The recently published National Planning Policy Framework (NPPF) prospectus states that 'local planning authorities should give greater importance in planning for Social Rent homes.'</p> <p>In many parts of the country social rent affordable housing is simply not being delivered, with developers preferring other more profitable to them affordable housing tenures such as shared-ownership. Currently the NPPF does not explicitly distinguish between the tenures limiting the extent to which this can be controlled. Also, CPRE believes that greater encouragement should be given for use of suitable small Brownfield Sites for this type of housing.</p>

	CPRE believes that the most effective mechanism to address this issue is the changes to policy recommended in paragraph 3.8 of the <u>Independent Review of Build Out Rates</u> , published by government in October 2018. This recommended change fits a stronger approach to building new social housing into a holistic policy alongside the government’s current policy objective of providing more homes for low-cost home ownership.
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4. **More older people’s housing**

**Question 23**

Questions	Response
<p><i>Q23: Do you agree that we should amend existing paragraph 62 of the Framework to support the supply of specialist older people’s housing?</i></p>	<p>Yes, we agree in principle. <u>As ageing populations increase across the country</u>, appropriate sites should be identified and allocated to create homes for older people in both rural and urban areas and a brownfield first approach should be sought throughout the process. Older people often want to downsize from larger homes but there are inadequate alternatives locally for them so they block younger and larger families from moving in, thereby creating the demand for the oversupply of four and five bedroomed homes. The building of smaller dwellings would partly reverse this major house building trend on the perimeters of towns and villages and also give opportunities for affordable starter homes.</p> <p>We are very concerned that new paragraph 63 could result in more pressure for Green Belt/ countryside release in the event that a need was established within a local planning authority area for “retirement housing, housing-with-care and care homes”.</p> <p>Homes of this kind should be located primarily in urban areas where accessibility/sustainability can be more readily secured, and access to health, social, business, shopping and leisure requirements are available in walking distance or by reliable public transport, taking into account the mobility needs of those in such homes.</p>

5. **More community-led developments**

Questions	Response
<p><i>Q26: Should the definition of “affordable housing for rent” in the Framework glossary be amended to make it easier for organisations that are not Registered Providers – in particular, community-</i></p>	<p>(Response to Q26.)</p> <p>Yes, we agree that the definition of affordable housing for rent within the NPPF should be amended. The government defines affordable housing for rent as rent that is as much as 20% below local market rents. This is a critical piece of the puzzle as research shows us that alongside rural homelessness increasing, rural house prices are also increasing. CPRE recommends that the definition of affordable housing for rent should therefore be amended</p>

<p><i>led developers and almshouses – to develop new affordable homes?</i></p>	<p>so that rental levels are set based on average incomes or below within the local area where the new housing is provided.</p> <p>(Q27, Q28, Q29)</p>
<p><i>Q27: Are there any changes that could be made to exception site policy that would make it easier for community groups to bring forward affordable housing?</i></p>	<p>Yes. Please see detailed comments in response to all these three questions below.</p>
<p><i>Q28: Is there anything else that you think would help community groups in delivering affordable housing on exception sites?</i></p>	<p>To increase affordable housing in rural areas, many communities have created Community Land Trusts (CLTs) to address the longstanding lack of affordable homes in their locality. <u>Examples</u> have shown that even villages situated in the Green Belt can identify brownfield sites to situate the new affordable housing. The developments exhibit how community-led</p>
<p><i>Q29: Is there anything else national planning policy could do to support community-led developments?</i></p>	<p>developments provide affordable homes to people who may otherwise be priced out of rural destinations due to the increase in rural house prices and short-term rental properties. Another positive is the reinvestment into local community amenities. Therefore, creating viable and sustainable communities. Another benefit of CLTs is that they have proved highly successful in facilitating high quality development of affordable housing on rural exception sites. With the community leading the process there are now many examples of developments achieving outstanding design and energy efficiency, respecting local character and distinctiveness. Therefore, national policy should only incentivise rural exception sites where they provide affordable housing that is genuinely needed within the local area.</p>
	<p>We also believe that the proposed changes to the five year housing land supply rule (see questions 1-5 above) will make rural exception development more attractive by reducing expectations of hope value.</p> <p>We also would also call for new paragraph 65 <u>to be</u> deleted as CPRE is not in favour of any form of vacant building credit and refer the government to our response in Q. 22.</p>

**6. More build out**

Questions	Response
<p><i>Q32: Do you agree that the three build out policy measures that we propose to introduce through policy will help incentivise developers to build out more quickly? Do you have any comments on the design of these policy measures?</i></p>	<p>We neither agree nor disagree. The measures are welcome in that they may have some marginal effect on developer behaviour. But in our view, they are unlikely to lead to fundamental changes unless they are also accompanied with stronger policies requiring a greater diversity of housing tenures and types in new development as recommended in the <u>Independent Review of Build Out Rates</u>. Alongside stronger policies that require greater diversity of housing tenures and types for build out, particular emphasis needs to be put on developers to provide affordable and social housing on allocated development sites, we also reference the importance of housing tenures such as homes for social rent in our response to Q.22.</p>

**6. Ask for Beauty**

Questions	Response
<p>Q33: <i>Do you agree with making changes to emphasise the role of beauty and placemaking in strategic policies and to further encourage well-designed and beautiful development?</i></p> <p>Q34: <i>Do you agree to the proposed changes to the title of Chapter 12, existing paragraphs 84a and 124c to include the word 'beautiful' when referring to 'well-designed places' to further encourage well-designed and beautiful development?</i></p> <p>Q35: <i>Do you agree greater visual clarity on design requirements set out in planning conditions should be encouraged to support effective enforcement action?</i></p> <p>Q36: <i>Do you agree that a specific reference to mansard roofs in relation to upward extensions in Chapter 11, paragraph 122e of the existing Framework is</i></p>	<p>Q33 and Q34 Yes, we agree with these proposals.</p> <p>CPRE has long been vocal in our calls to encourage well-designed and beautiful development.</p> <p>In responding to the Building Better, Building Beautiful Commission interim report, we pointed to the 2020 national audit conducted by UCL for CPRE, the countryside charity, and the Place Alliance which found that:</p> <ul style="list-style-type: none"> <li>• The design quality of three-quarters of large housing developments delivered in England over the previous decade or so were 'poor' or 'mediocre' and should not have been built and 54% should not have been granted permission without significant improvements to their design having been made first.</li> <li>• There were strong benefits in designing at higher densities than is the norm, as more compact developments tend to be designed more sensitively.</li> <li>• That good design quality is generally easier to achieve on brownfield land due to being able to relate to an existing urban context.</li> <li>• Local authorities needed to use proactive design codes and design review processes for all major housing schemes. Local authorities also needed to end the current disconnect between highways design and planning aspirations when it comes to new housing areas.</li> </ul> <p>Despite the July 2021 update to the NPPF and the introduction of National Model Design Code, it remains that LPA's vary in their use of codes and briefs.</p> <p>Whilst we therefore welcome any continuation or strengthening of NPPF wording intended to encourage well-designed and beautiful development, its vital that both LPA's and communities are adequately resourced and supported to ensure these policy aspirations are actually being put into practice.</p> <p>Q35 Yes, we agree with this proposal.</p> <p>It is vital that schemes that don't meet minimum requirements should be refused on design grounds and that factors such as the need to meet housing targets, or viability arguments, are not routinely allowed to supersede such concerns.</p> <p>To support this, design codes or similar must always be prepared with full community and expert engagement (design review is likely to prove particularly valuable, based on the experience we have seen), which means there must be enough skill, resource and time within the plan-making process to enable it. They must also operate at a place-based level so as to apply to all forms of development and public realm, not just to housing development.</p>

<p><i>helpful in encouraging LPAs to consider these as a means of increasing densification/creation of new homes? If no, how else might we achieve this objective?</i></p>	<p>They must also be enforceable, which means linking them to development management policies, the existing planning enforcement system (meaning that inclusion within the terms of planning permission are likely to be most effective) and, where necessary, removal/reduction of permitted development rights.</p> <p>Q36</p> <p>As set out in our response to Q33 &amp; Q 34, the CPRE/Place Alliance research shows that good design quality is generally easier to achieve on brownfield land due to being able to relate to an existing urban context.</p> <p>The research also found strong benefits in designing at higher densities than is the norm. The government should be more prescriptive in seeking to avoid sprawling low densities, as more compact developments tend to be designed more sensitively. It should require highways design that helps to create high quality, characterful places.</p>
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**7. Delivering biodiversity net gain and local nature recovery**

Questions	Response
<p><i>Q37: How do you think national policy on small scale nature interventions could be strengthened? For example, in relation to the use of artificial grass by developers in new development?</i></p>	<p>While strategic national policies such as the Nature Recovery Network (NRN) are a positive commitment in the government's 2023 Environmental Improvement Plan, action to deliver this is undermined by contradictory cross government policy.</p> <p>CPRE responded to the Department for Environment Food and Rural Affairs (DEFRA) January 2022 consultation on 'Biodiversity Net Gain Regulations and Implementation'. In principle, Biodiversity Net Gain (BNG) is a sound and welcome step forward in planning for nature: the principle that development should leave nature measurably better is a huge leap forward. However, there are also many concerns arising in practice. <u>Recent academic research</u> suggests that use of BNG so far is not delivering the intended outcomes: analysis of six early adopter councils found "a 34% reduction in the area of non-urban habitats, generally compensated by commitments to deliver smaller areas of higher-quality habitats years later in the development project cycle". In other words, quantitative loss now compensated by the promise of qualitative gains well into the future. This is not in the spirit of BNG as a concept for increasing natural assets. We recommend that the findings of this research are properly analysed and the proposed implementation measures reviewed accordingly.</p> <p>We are very concerned that BNG requirements produce a perverse incentive to landowners and developers to deliberately degrade or hold down the ecological status of their land, so as to reduce the BNG measures needed to secure planning permission. For example, the underlying DEFRA BNG metrics are opaque and BNG calculations can be gamed by developers, sometimes giving apparent gains that are difficult to believe. There are concerns that the</p>

principle of BNG can be undermined by a misinterpretation. Some developers have claimed that their development contributes to BNG because there is more biodiversity in the number of flowers planted in a domestic garden than there is in a field of commercial crops. An example in Northamptonshire, weak policy on Green infrastructure Corridors in Core Spatial Strategies has resulted in development being permitted that has not supported any recognisable BNG and has resulted in loss of countryside. It is also of concern that developers do not always take advantage of opportunities for on-site BNG ie they resort too quickly to the option of off-site provision even when an on-site delivery of BNG may be more suitable.

Clearly, these are unplanned consequences of a mechanism that is well-intentioned in concept. But we are very concerned that the reality of BNG in implementation will be a far cry from what it promises to offer in principle.

It is also important to recognise the BNG alone cannot tackle our nature crises. At the very least, we recommend that there should also be a statutory duty placed on public bodies to deliver nature recovery, and this should mandate local authorities (individually or, preferably, jointly) to implement Local Nature Recovery Strategies and Nature Recovery Networks. Small scale interventions should be integrated as far as possible into wider Nature Recovery Networks, as small patches of new BNG habitat would not achieve as much for nature connectivity. In urban landscapes, 'Green Corridors' should be pursued; as with urbanisation it would help prevent nature areas being isolated. Another suggestion is that independent local not-for-profit organisations could be developed to help facilitate the targeting of off-site biodiversity net gain credits to achieve the best outcomes for nature. This would help deliver priorities in Local Nature Recovery Strategies eg in Gloucestershire, the Gloucestershire Nature and Climate Fund is being established for this purpose. The status of Local Nature Recovery Strategies could also be strengthened by incorporating them into Local Plans.

CPRE asserts that national planning policy should encourage local authorities to develop policies in local plans to ensure that hedgerow planting is integrated in new developments and that any damage to existing hedgerows is avoided. Biodiversity net gain should never justify the removal of existing important hedgerows eg as set out in the Hedgerows Regulations (1997). We also agree that the use of artificial grass should be banned for new developments (except for designated sports pitches) because of its lack of value for wildlife.

CPRE recommends that many of the potential risks and concerns associated

	<p>with BNG implementation could be addressed through three simple and straightforward principles:</p> <ul style="list-style-type: none"> <li>• gain measures should always be proportionate to the loss, so the size of development or its brownfield/greenfield status are immaterial – if there is impact, then BNG is needed. BNG should also be in or close to the development site wherever possible;</li> <li>• there should complete parity between regular planning applications (T&amp;CP Act 1990) and Nationally Significant Infrastructure Project (NSIP) regimes – it would be perverse for larger schemes to have lower BNG requirements;</li> <li>• all beneficiary land for BNG should be on BNG registers, and we would recommend mandating Local Nature Recovery Strategies (LNRS) through a statutory ‘duty to deliver nature recovery’, such that all BNG measures can be shown to contribute to a strategic approach to nature recovery.</li> </ul>
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#### 8. **Recognising the food production value of farmland**

Questions	Response
<p><i>Q38: Do you agree that this is the right approach to making sure that the food production value of high value farmland is adequately weighted in the planning process, in addition to current references in the Framework on best and most versatile agricultural land?</i></p>	<p>No, we disagree. We support the addition of the proposed text to footnote 67 but this change will be insufficient on its own to adequately weight the value of productive farmland in the planning process.</p> <p>The consultation text refers to the government’s National Food Strategy aim ‘to broadly maintain domestic production at current levels to build the UK’s resilience to future crisis and shocks.’ The highest quality land graded 1 to 3a (BMV) is central to achieving this as it has the fewest limitations to delivering consistent high yields of arable crops. Such land underpins the most productive farming. As the government has stated: “We have some of the best performing farms in the world, with 57% of agricultural output coming from just 33% of the farmed land area.” <a href="https://www.gov.uk/government/publications/government-food-strategy">Government food strategy</a> (<a href="https://publishing.service.gov.uk">publishing.service.gov.uk</a>), 2022, p14</p> <p>The strategic national importance of particularly grade 1 and 2 soils for domestic food production and security of supply should be recognised through better protection in national planning policy. This should reflect their relative scarcity and the vulnerability of such soils to flood risk including due to climate change:</p> <ul style="list-style-type: none"> <li>- grade 1 soils are estimated at only 2.7% of England’s farmland</li> <li>- CPRE analysis shows that for England over 212,000 hectares or 59.8% of all grade 1 land is at the highest risk of flooding;</li> <li>- 48% of grades 1 and 2 land are in the highest risk category for flooding (Environment Agency zone 3).</li> </ul>

	<p>Drought related to climate change could further reduce the area defined as BMV land. These risks will be hard to mitigate making it more urgent than ever to limit development on and de facto loss of our best and most productive soils.</p> <p>The national policy on BMV land needs to be significantly stronger. Instead, it has been steadily weakened since the NPPF (2012) replaced – in respect of policy on agricultural land - Planning Policy Statement 7. There has been no local or national government monitoring of losses of agricultural land by grade, particularly since 2010 and the NPPF to assess the effectiveness of the policy.</p> <p>In 2022 CPRE published original GIS-based research in our <a href="#">Building on our Food Security report</a>, which quantified rates of built development on BMV farmland (Grades 1, 2 and 3a) from 2010 to 2022. It shows that</p> <ul style="list-style-type: none"> <li>- development of over 14,000 ha of BMV land since 2010</li> <li>- a huge uplift in hectares of BMV land planned for development in 2022</li> <li>- BMV land around towns and cities developed at twice the rate of the national average</li> <li>- a 46% appeals allowance rate on cases with BMV land against a total appeals allowance rate of 25%.</li> </ul> <p>On the basis of this research CPRE recommends that the government should:</p> <ul style="list-style-type: none"> <li>- consult on and publish a national land use strategy that provides an integrated framework for local policy and decision-making on both planning and farming. This could be developed out of work Defra is already doing to produce a land use framework to guide its land management programmes.</li> <li>- Incorporate the following guidelines in the new NPPF to ensure the loss of valuable farmland is minimised: <ul style="list-style-type: none"> <li>- a brownfield first policy</li> <li>- a greater steer towards medium- and high-density new housing</li> <li>- a firm presumption against development on BMV land — the higher the ALC grade, the greater the weight which should be attached to its protection.</li> </ul> </li> <li>-</li> <li>- Require site-specific surveys to be mandatory on any development proposals involving more than one hectare of land, unless it is clear that the site will not contain BMV land.</li> <li>- Require local authorities to identify and track development on BMV land in their district.</li> </ul> <p>To maintain transparency and confidence in the planning system and process, site soil surveys should be funded by the development applicant but be appointed and report independently (such as by the local authority).</p> <p>The 2012 NPPF weakened the test on the consideration that should be given to agricultural land from one based on 'where significant development of</p>
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agricultural land is unavoidable' (PPS7 para 113) to one where, as stands in the current version, significant development is 'demonstrated to be necessary'. In the 2012 NPPF this footnote text was in the main text, but then moved to a footnote.

Policy should therefore be strengthened by:

- Reverting the test for development of significant areas of the best quality land to one 'where such development is unavoidable'.
- Inserting new text to make clear that grade 1 land should only be developed in very exceptional circumstances, reflecting its national scarcity.
- Applying the footnote 58 also to the main text in paragraph 177 or reinserting it there so that it makes clear that the sequential test set out applies to both plan making and development decisions.

We recommend further revision to the text to further improve protection of high grade farmland, to give adequate weighting to the importance of food production, and to make the text clearer. Currently the text refers to the benefits of both stocks (natural capital) and flows of benefits from that capital which are ecosystem services. Ecosystem services are defined by government as 'services provided by the natural environment that benefit people.' so there is duplication. CPRE recommends new wording in Chapter 15 para. 177 b) as follows:

"Planning policies and decisions should contribute to and enhance the natural and local environment by:

b) recognising the intrinsic character and beauty of the countryside, and the value of critical ecosystem services (including carbon storage and climate regulation, flood and water management) provided by natural capital including best and most versatile land, peatland, trees and woodland. Best and most versatile land should be recognised for its national strategic importance for maintaining food production."

We agree that further detail should be added with respect to the consideration given to the availability of agricultural land for food production. This should consider both the national strategic value of land of the highest grades but also the value of agricultural land for food production locally, taking into account the scarcity of such land in the area of any given grade.

Policy should reflect national strategic importance of BMV land and the constraint this should place on forms of development.

Nearly 80% of Kent is estimated to be BMV Land and some districts have exceptionally high levels of nationally scarce grade 1 land under pressure: Thanet - 44.2% and Swale 22.3%. In Thanet alone, the current local plan allocates an estimated 750 hectares of BMV land to developments including 2,000 homes at Westgate and Garlinge, 1,600 homes at Birchington and 785 at Manston Green.

	<p>CPRE considers BMV land to be an asset of great importance and recommends that it should be added to the list of ‘areas or assets of particular importance’ in para 11 b) i) footnote 7 that the NPPF policies recognise as giving ‘a strong reason for restricting the overall scale, type or distribution of development in the plan area’.</p> <p>Conversely, some localities have little land of the higher grades 1 to 3a, so its relative value locally for certain forms of production should be assessed. In such areas, grade 3b land for example may also then have relatively greater value for arable production and require stronger protection. Consideration should also be given to what area is determined to be ‘significant’ by taking into account the local scarcity of such land (within a wider understanding of its national scarcity).</p> <p>As noted above, CPRE is calling for mandatory site-specific surveys on development proposals above one hectare of land, unless it is clear there will be no BMV land present on the site. Such detailed field surveys were provided by MAFF until 1999. This proposal would help remedy the current weak ALC evidence base:</p> <ul style="list-style-type: none"> <li>-the national coverage mapping of ALC available on <u>MAGIC</u> relies on reconnaissance based provisional mapping from 1977 at a 1:250,000 scale and not detailed field survey.</li> <li>-These maps predate and so do not reflect the 1988 subdivision of grade 3 into 3a and 3b.</li> <li>-MAGIC also includes other more detailed field survey mapping (typically 1:10,000 scale). Post-1988 but over a limited area around large towns and cities.</li> </ul> <p>So, where local plan allocations or development proposals and decisions are not located in such areas, the publicly available evidence base for assessing the ALC grade within this 3a / 3b class is lacking. An improved evidence base is needed to underpin sound decision making under the revised NPPF and the proposed government Land Use Framework.</p>
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**9. Climate mitigation: exploring a form of carbon assessment**

Questions	
Q39: <i>What method and actions could provide a proportionate and effective means of undertaking a carbon impact assessment that would incorporate all</i>	<p>Please also refer to our headline comments on this chapter of the NPPF in the opening section of the full response.</p> <p>This question focuses on how to undertake (proportionately and effectively) a carbon impact assessment that can be used in plan-making and planning decisions. We believe that a number of local and regional authorities are already showing the way in using readily available carbon data to plan and take strategic local action aimed at meeting radical carbon reductions. Examples include West Yorkshire (<a href="https://www.westyorks-">https://www.westyorks-</a></p>

<p><i>measurable carbon demand created from plan-making and planning decisions?</i></p>	<p><a href="https://www.leedsclimate.org.uk/leeds-carbon-roadmap">ca.gov.uk/media/7430/west-yorkshire-climate-and-environment-plan.pdf</a>), Leeds (<a href="https://www.leedsclimate.org.uk/leeds-carbon-roadmap">https://www.leedsclimate.org.uk/leeds-carbon-roadmap</a>) and Plymouth and South Devon’s Local Plan (See pp.295-297: <a href="https://www.plymouth.gov.uk/sites/default/files/JLPAdoptedVersion.pdf">https://www.plymouth.gov.uk/sites/default/files/JLPAdoptedVersion.pdf</a>). In addition, Local Area Energy Plans (LAEPs) are an established method that can provide data and the evidence base both for operational reduction of carbon in local neighbourhoods and help in devising further measures in spatial plans and policies (<a href="https://es.catapult.org.uk/tools-and-labs/our-place-based-net-zero-toolkit/local-area-energy-planning/#:~:text=Local%20Area%20Energy%20Planning%20(LAEP,its%20local%20net%20zero%20target)">https://es.catapult.org.uk/tools-and-labs/our-place-based-net-zero-toolkit/local-area-energy-planning/#:~:text=Local%20Area%20Energy%20Planning%20(LAEP,its%20local%20net%20zero%20target)</a>). Thus, the assessment of carbon is not the barrier, rather the widespread lack of holistic implementation and oversight of carbon reduction in local plans.</p> <p>We published research in 2022 (<a href="https://www.cpre.org.uk/wp-content/uploads/2022/03/climate-emergency-and-local-plans.pdf">https://www.cpre.org.uk/wp-content/uploads/2022/03/climate-emergency-and-local-plans.pdf</a>) that highlighted that national planning policy was behind the curve in terms of enabling local plans to get to grips with greenhouse gas emissions. What is missing is a strategic approach to reducing greenhouse gas emission (and not just carbon). We recommended that the Government should amend the National Planning Policy Framework (NPPF) to clearly stipulate the scope of local plans on this issue.</p> <p>We therefore welcome the intention in this consultation to properly embed carbon assessment into plan-making and planning decisions. As our research and the NPPF consultation document now recognises, ‘some local authorities have already made significant progress’ and it is now time to spread best practice. However, CPRE research also clearly showed that the majority of plans do not properly integrate carbon reduction into policies or spatial strategies. There is therefore an urgent need (especially in the light of radical reductions needed by 2030) to boost action. In summary, we recommend that the NPPF should be altered so that:</p> <ul style="list-style-type: none"> <li>• All local plans should contain a robust strategy for delivering the council’s net-zero carbon target integrated across the plan as a whole, and this should be an additional test of soundness at examination; in the case of relatively recently adopted plans, a partial review is recommended to speed implementation of radical carbon reductions.</li> <li>• All new developments demonstrate a measurable reduction in net carbon emissions over the life of the development.</li> <li>• All transport interventions demonstrate how they will deliver a reduction in private car mileage.</li> <li>• Any above-baseline targets to boost the amount of housing and employment development must also be justified on the basis of the additional carbon reductions they will deliver.</li> <li>• Decision-makers have policies that empower them to refuse planning applications which do not contribute to these requirements.</li> </ul>
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	<p>Similar research by APSE and the TCPA (See section 5.1 ‘Recommendations for national governments’: <a href="https://tcpa.org.uk/wp-content/uploads/2022/05/Rising-to-the-climate-change-challenge-The-role-of-housing-and-planning-within-local-councils-with-annex-FINAL.pdf">https://tcpa.org.uk/wp-content/uploads/2022/05/Rising-to-the-climate-change-challenge-The-role-of-housing-and-planning-within-local-councils-with-annex-FINAL.pdf</a>) also highlighted the enabling role of national government, through enhanced planning guidance and planning frameworks; the need for better resourcing; upskilling across all sectors; stricter oversight by planning inspectors; and more strategic powers for local authorities. We endorse their recommendations fully.</p> <p>We would urge that a robust requirement for carbon assessments be introduced for all development as soon as possible given the climate emergency. All new developments should assess, and minimise, the carbon emissions due to both onsite activities and the carbon emissions associated with manufacture (bricks, concrete steel etc). There are good examples where the embedded carbon is reduced and carbon is actually stored in the building (see for example: <a href="https://www.greencoreconstruction.co.uk/portfolio/springfield-meadowssouthmoor/">https://www.greencoreconstruction.co.uk/portfolio/springfield-meadowssouthmoor/</a>). This is important as we continue to see proposals involving (for example) major demolition which require carbon auditing. The government also has a role to develop carbon capture and storage and so reduce the carbon emission from energy use in manufacturing. In construction the carbon consumption in steel, concrete and brick production and even oil/bitumen refinement contributes a major part of carbon emissions associated with construction. Thus, monitoring embedded carbon and full carbon life assessment in development is vital to reaching net zero as quickly as possible. Such assessments should also include other greenhouse gases.</p> <p>We also need the government to provide local authorities with more powers and resources for retrofitting existing buildings and infrastructure to enable de-carbonisation. . Incentivising demolition through permitted development rights and 0% VAT rates for new build runs counter to this objective (retrofit and re-use).</p> <p>Until new low carbon development management provisions are in place, and monitored post-construction as to their effectiveness, the planning system will continue to miss crucial opportunities to tackle the climate emergency, emissions will not fall, and time for action will be lost. In this light, we note the intention in the current consultation to amend policy (new para.161) on energy efficiency (energy performance) and comment on that below.</p>
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10. **Climate adaptation and flood risk**

Questions	Response
<p><i>Q40: Do you have any views on how planning policy could support climate</i></p>	<p>Yes. Nature based solutions of multi-functional benefit such as green and blue infrastructure ought to be a stated policy preference. New development must be planned to be adapted to climate change and not add to the burden of resilience of areas lower down the water catchment area as a consequence.</p>

<p><i>change adaptation further, including through the use of nature-based solutions which provide multi-functional benefits?</i></p>	<p>We to support natural flood management activities as an additional approach to managing flood risk on watercourses where properties are susceptible to flooding.</p> <p>This planning policy should also ensure that such development is planned and delivered.</p>
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**11. Enabling the repowering of existing onshore wind turbines**

Questions	Response
<p><i>Q41: Do you agree with the changes proposed to Paragraph 155 of the existing National Planning Policy Framework?</i></p> <p><i>Q42: Do you agree with the changes proposed to Paragraph 158 of the existing National Planning Policy Framework?</i></p>	<p>(Q41 and Q42) No, we disagree. There is insufficient detail in the current proposals. We recognise that it is advantageous that future re-powering be dealt with strategically within local plans, rather than be subject to <i>ad hoc</i> applications. As new para.157 makes clear, this must still be judged on the basis of landscape and visual impacts. However, most wind farm re-powering projects replace smaller, older turbines (e.g., 55m height to tip) with a reduced number of larger turbines (say 200m to tip). Although this may increase energy capacity significantly (up to four times or more), the visual impact – despite the reduced number of turbines – could be increased significantly. Where turbine size is not increased, we suggest concrete bases are re-used.</p> <p>The issue of scaling (height) of turbines in relation to local landscape character is extremely important and it may be the case that increases in turbine height, even if the number of turbines is reduced, could exceed landscape capacity and cause significant, adverse visual impact. There will therefore need to be careful attention to the re-design of older windfarm sites and areas (taking into account a range of cumulative impacts) such that further adverse impacts are avoided. Taking a landscape capacity approach will be vital in ensuring landscape character is protected and preferably enhanced.</p> <p>We fail however to understand the need for the term ‘maintenance’ to be added (new para.157 a)), unless it is a synonym for continuity of presence rather than servicing (maintenance of performance)? We suggest this is re-phrased to be more readily comprehensible. Leading on from this, in respect of the implication of continuity (maintenance) of generation, it should be recognised that developer arguments in respect of the ‘temporary’ nature of such energy generation impacts should finally be recognised as null and void. Any development that exceeds generational turnover (~20 years) should be regarded perceptually (and in reality) as permanent.</p> <p><u>(Question 42)</u> The new text at para.160 c) is clearly consonant with point 4 of the signalled changes in the NPPF that the Government announced by way of the written ministerial statement (WMS) of 6 December (HCWS416). However, by our reading, unhelpful elision of text (including new amendments) in footnote 63 appears to suggest that the claimed ‘...more localist approach’ may not operate in relation to re-powering applications</p>

	<p>(i.e., they will not be subject to the criteria of ‘satisfactorily addressing’ impacts nor receiving community support, howsoever defined). We take this up further in our response to Q.43 below.</p> <p>The second sentence of new 160 c) text is also problematic in respect of defining the current landscape baseline as including the existing development of onshore wind turbines and solar developments. This pulls at the thread (see above answer to Q.41) as to whether windfarms are temporary development or not. Research by Cardiff University (<a href="https://www.rtpi.org.uk/blog/2020/december/why-time-limited-planning-permissions-on-wind-farms-need-to-be-rethought/">https://www.rtpi.org.uk/blog/2020/december/why-time-limited-planning-permissions-on-wind-farms-need-to-be-rethought/</a>) suggests most wind farm consents to date were granted time-limited permissions (commonly 25 years) with applications commonly highlighting their temporary and reversible nature. As the research states, this raises expectations in adjacent communities of the removal of the development when the permission lapses. This raises a legal question as to the correct baseline for assessment. This needs to be resolved. CPRE recommends that where planning permission was issued on a time-limited basis, then the baseline must be the landscape prior to the original site being developed.</p> <p>Please note that in the new para.160 a) the word ‘significant’ appears in the last line (and is not in the current 2021 NPPF para.158) but is not shown as a proposed change. We presume this is an editing error.</p>
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## 12. **Introducing more flexibility to plan for new onshore wind deployment**

Questions	Response
<p><i>Q43: Do you agree with the changes proposed to footnote 54 of the existing National Planning Policy Framework? Do you have any views on specific wording for new footnote 62?</i></p>	<p>No. There is insufficient detail in the proposals as currently worded to know how this would work in practice. CPRE supports the fact that the current wording of footnote 54 emphasises a requirement that for a proposed onshore wind development to be accepted it must be both supported by local planning policies and demonstrate that: "the planning impacts identified by the affected local community have been fully addressed and the proposal has their backing." We do not advocate a moratorium on onshore wind development. But if we are to increase rates of deployment over existing levels, it is critical that developers of schemes respect landscape constraints where they exist, and are required to seek explicit community backing. Our 2012 policy guidance note on onshore wind turbines provides more detail on how we think these issues should be addressed: <a href="#">Policy Guidance Note: Onshore wind turbines - CPRE, the countryside charity</a></p> <p>Community led schemes consisting of smaller turbines are more likely to be appropriate than large scale commercial developments, but the proposed change provides no means of differentiation between the two. Government promised to give local communities a stronger voice and definite say on developments that affect them and the currently proposed changes – without</p>

clarity on how they would operate – appear to be relaxing that approach. New renewable development, whether onshore wind, solar or any other technology, should be subject to genuine democratic control, from community input shaping commercial developments right through to much greater policy and market support for community-led schemes.

We would also strongly oppose any proposal, which according to recent reports (Lower energy bills for people near wind turbines considered - BBC News 24/03/2022) may be under consideration, to facilitate development, whether for wind turbines, solar or anything else, through goodwill payments to homeowners neighbouring a proposed scheme. This would fundamentally undermine the legal and public interest basis of planning policies and decisions. Decisions should be made only on relevant planning grounds and line with development plan policies.

In detail we presume this question in fact refers to the proposed new footnote 63. We presume the new text is in support of the proposed changes (points 1 and 2) to the NPPF signalled in HCWS416. We take the changes in the order they come in the footnote. We acknowledge that identifying suitable areas for wind energy development in a Supplementary Planning Document (SPD) may be a faster route than spatial allocations in a Local Plan but an SPD is not part of the Local Plan, so is not subject to the same degree of oversight and consultation. This also calls into question the potential use of other sub-local plan mechanisms, such as Neighbourhood Plans and we deal with this below.

In terms of community support, the amended text in the second half of fn.63 goes someway to dispelling the erroneous notion that one objection would be sufficient to refuse consent. However, it is still far from clear what ‘satisfactorily addressed’ means in practice; which ‘local community’ is relevant; or what the difference is between ‘the proposal has their backing’ and ‘the proposal has community support’. Going back to the WMS, we presume that the phrase ‘using new digital engagement techniques’ (in point 1) implies some form of local referendum? We would wish to know far more about the practical application of these policies before supporting any changes. We also note the intention to issue revised planning practice guidance on these matters but this should be consulted on before changes are made to the Framework. We also need to understand more about the Government’s much-signalled approach to community benefits before we can conclude our views.

We are unclear as to the merits of using local orders to encourage further uptake of wind energy without seeing further detail. In particular it is unclear how the general policy aims of a more localist approach (as stated in the WMS) is consistent with the use of Local Development Orders (LDOs), which can currently be adopted with a fairly minimal consultation route that may not meet the community support criteria identified in fn.63. Moving to Neighbourhood Development Orders (NDOs), this may seem – at first glance – a better vehicle, though currently Environmental Impact Assessment (EIA) development (which wind turbines commonly are) is excepted. Finally in respect of Community Right to Build Orders (CRtBOs), we see some

	<p>advantages of this route if made available to community energy schemes, where the test of community support is likely already met. In summary we support a CRtBO and NDO route for community wind only but do not support the use of LDOs as outlined.</p> <p>Finally, we note that the WMS NPPF amendment aspiration (point 3) regarding supporting ‘communities to have a say on the necessary infrastructure to connect wind farms to the grid’ does not appear to have been explicitly addressed. Clarification is required on this point as to whether grid connection falls with the general ambit of ‘satisfactorily addressed’ and therefore gaining ‘community support’. “</p>
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### 13. **Barriers to energy efficiency**

Questions	Response
<p><i>Q44: Do you agree with our proposed new Paragraph 161 in the National Planning Policy Framework to give significant weight to proposals which allow the adaptation of existing buildings to improve their energy performance?</i></p>	<p>Yes.</p> <p>CPRE has conducted research on the issue of improving energy efficiency and performance in homes, and we are also developing further research on renewable energy scenarios which we expect to publish by April. We want to see a huge increase in the the use of roofs of buildings in the UK to maximise our solar PV capacity, and Department of Energy &amp; Climate Change (DECC) UK Solar PV Strategy found that in principle, there is 250,000ha of south facing commercial roofs that if solar panels are installed on could amount to around 50GW of installed capacity – half of the UK’s total energy demand in 2050 and almost all of even the highest scenario solar targets.</p> <p>Additionally, local amenity and heritage value is important to CPRE’s aims, and we would support an amended framework that allows for a better way of improving insulation and energy efficiency to reduce carbon emissions. However much clearer advice will be required in respect of heritage buildings on what constitutes appropriate retrofitting measures; “take into account” is not specific and will perpetuate the wide-ranging levels of discretion applied by conservation officers. Simply referring to Chapter 16 (Historic Environment) of the Framework is insufficient and further clarification should be provided on public benefit and the weight that should be given to alterations to heritage assets in the balancing exercise. Further guidance on good design of solar PV is also key: see CPRE solar guides/top tips – <a href="#">‘Ensuring place-responsive design for solar voltaics on buildings’</a> and <a href="#">‘Solar Design Tips’</a>.</p> <p>We do welcome the strengthening of the weight to be attached to the need for improved energy efficiency but, as currently proposed in para.161, this would only bite when some form of change to the extant consent were to be proposed. As we stated in answer to Q.39, a much stronger policy framework</p>

	<p>is required, both nationally and locally, to ensure rapid introduction of zero carbon buildings, the roll out of deep retrofits (domestic and industrial) and further action to reduce embodied and operational carbon in new build. We would also urge more stringent inspection for new builds, retrofits and extensions. The ‘performance gap’, i.e. the difference between planned and actual energy (and water) use of new housing is widely recognised and Local Authorities need to have more resources to put into testing and monitoring of building standards.</p> <p>In CPRE’s view, changes to policy alone are unlikely to be sufficient. We recommend that the government goes further and brings in changes to the planning regulations governing new builds home extensions and improvements, mandating either new solar panels or further energy efficiency measures in order to provide the scale and speed of change required.</p> <p>We cannot stress enough how a stronger focus on carbon reduction delivered through planning (via NPPF review and enabling more strategic and holistic local authority action – see Q.39) is a vital part of addressing the climate emergency.</p>
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**14. National Development Management Policies**

Questions	Response
<p><i>Q49: Do you agree with the suggested scope and principles for guiding National Development Management Policies?</i></p>	<p>(Response to Q49) No. National Development Management Policies (NDMPs) represent a potential ‘power grab’, with the assumption that ‘one size fits all’.</p> <p>(Response to Q50/51) The principle that locally set and democratically agreed development management policies take precedent over national policies has underpinned the English planning system since the Town and Country Planning Act 1990. However, the Levelling Up &amp; Regeneration Bill as currently drafted intends to give primacy to national development management policies (NDMPs) over local development plans, and transfer significant policymaking powers directly to the Secretary of State. In other words, it’s a policy that allows a SoS to create, modify or revoke unilaterally, and can decide who, if anyone, to consult about doing so.</p>
<p><i>Q50: What other principles, if any, do you believe should inform the scope of National Development Management Policies?</i></p>	<p>This centralisation of planning powers is an unprecedented power grab that would mean that if there were a tension between a national policy and a local one there could be no assessment of balance – the national policy would always win out, despite this policy not having been given democratic scrutiny. The decision-maker’s scope to make a locally appropriate decision is therefore removed.</p>
<p><i>Q52: Are there other issues which apply across all or most of England that you think should be considered as possible options for National Development Management Policies?</i></p>	<p>Why this matters, is that locally evidenced and agreed policies are currently able to go beyond what would otherwise be a national minimum standard if that’s what the local evidence requires. For example, in Kent many Local Planning Authority’s (LPAs) are adopting a 20% biodiversity net-gain target rather than the nationally mandated 10% target as that is what the local evidence shows is required. Likewise, in Reading, the LPA was able to evidence that affordable housing should be sought on sites of less than 10 units despite the apparent conflict this would have with the NPPF whilst in Merton, the Borough Council has pioneered the setting of higher</p>

<i>Management Policies?</i>	<p>targets for renewable energy generation in new housing developments than contained in national building regulations.</p> <p>Under the new regime, locally-produced development plan policies will only be permissible and/or relevant insofar as they do not conflict with central government policies. The consequence would be local innovations such as those described above falling away.</p> <p>Q52</p> <p>Notwithstanding our overriding position, we recognise the advantages of certain development management policies being drafted in template form at the national rather than the local level. This could include national policies on Net Zero, rooftop renewables, brownfield first, protection of ancient woodland, green belt, flooding etc. We also recognise that in some circumstances local policies may actually undermine better national ones, although there are already plenty of existing legal and policy safeguards that can prevent this from becoming a problem.</p> <p>The key consideration must however be an ability for local authorities to either opt in or opt out/customise any nationally drafted template policies to fit local circumstances. For instance, paragraph 131 already makes reference to ensuring that “new streets are tree-lined” – when in fact, they are only appropriate where they’re appropriate. This might exclude, for instance, development in historic villages.</p> <p>Such an approach could be more akin to a modern version of the former Planning Policy Guidance (PPG / PPS) statements.</p>
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**15. Levelling Up and boosting economic growth**

Questions	Response s
<i>Q55: Do you think that the government could go further in national policy, to increase development on brownfield land within city and town centres, with a view to facilitating gentle densification of our urban cores?</i>	<p>Yes Our earlier report “<a href="#">State of Brownfield 2022</a> “, sets out our key ask - a brownfield first planning policy. This involves prioritising the development of suitably located urban brownfield sites over greenfield for large scale housing development, both in terms of public investment and in local planning policies to control the sequence of (or ‘phase’) developing sites allocated for housing in plans. Also, greenfield development on sites not allocated in local plans should not be permitted if suitable and available brownfield sites exist in nearby urban areas.</p> <p>The report showed once again that there is capacity for 1million homes on brownfield sites, and we want to see clear policies in the NPPF which prioritise developing on this land to protect the green belt and wider countryside where possible. The Planning White Paper (2020) set out how the government plan to use the £1.8bn investment in brownfield and infrastructure projects to unlock the delivery of up to 160,000 homes across England, but based on our research this can clearly be pushed even further. Therefore, we believe the government can go further in national policy to</p>

	increase development on brownfield land, in particular in cities like London, where there is currently space for just under 400,000 houses on brownfield land alone.
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16. **Levelling Up and boosting pride in place**

Questions	Response
<p><i>Q56: Do you think that the government should bring forward proposals to update the Framework as part of next year's wider review to place more emphasis on making sure that women, girls and other vulnerable groups feel safe in our public spaces, including for example policies on lighting/street lighting?</i></p>	<p>Yes. We agree that everyone should feel safe in public spaces and that national and local planning policy should consider this when determining planning applications. The question is whether additional lighting/street lighting is always the solution to increased feelings of safety and reducing crime. For example, research published in 2015 by the London School of Hygiene &amp; Tropical medicine did not find a correlation between reduced street lighting and increased crime and road accidents. The study was based on 14 years of data supplied by 62 local authorities in England and Wales who had implemented street lighting strategies, including switch off or part-night (commonly between midnight and 5am) lighting schemes, dimming or installing new energy efficient lighting.</p> <p>We are not saying there should be no artificial light at all, but it should be well designed lighting and only used where and when it is needed. We want to see more done to ensure that our communities are lit in a responsible way.</p> <p>CPRE's own research of 83 local authorities in 2014 also found no clear link between reduced lighting and crime. Where councils are considering either part night lighting or street light dimming schemes, the impact of lower light levels is a common, and understandable, concern for residents. It is a contentious issue, which has led to political and academic debate. The evidence submitted by local authorities to the CPRE survey did not show a clear link between crime and lighting levels. No local authority respondents said there had been an increase in crime in areas where street lights had been switched off. Instead, crime has fallen slightly. The councils are in close contact with police forces in their areas to monitor any incidents and will re-light any area at the request of the police.</p> <p>However, the 'fear of crime' is an important issue that needs to be addressed which is why, community engagement is vital when local authorities are considering part-night lighting and switching off street lighting. We also found that the main reason for considering reduced street lighting is energy and cost saving, with the reduction in light pollution coincidental.</p> <p>Local authorities have a vital role in the management of lighting, both in planning terms and in the management of street lighting and will have a significant impact on the night-time environment and use of public spaces. CPRE recommends that decisions about lighting in an area should be taken at the local level, so that it is the right fit for the location. Councils should develop policies to control light pollution in local plans that will ensure that</p>

	<p>existing dark skies and intrinsically dark landscapes are protected, and that new developments do not increase local light pollution.</p> <p>Darkness at night is one of the key characteristics of rural areas and is an important feature that differentiates them from urban areas. Light can spread for miles from a source; blurring the distinction between town and country. Apart from the impact on people's experience of the countryside, there is increasing awareness of the effect light pollution can have on wildlife. Advances in lighting technology mean that upward light pollution can be minimised without compromising road safety or increasing crime.</p>
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**END**