

CONSULTATION RESPONSE

PROPOSED REFORMS TO THE NATIONAL PLANNING POLICY FRAMEWORK

MARCH 2026



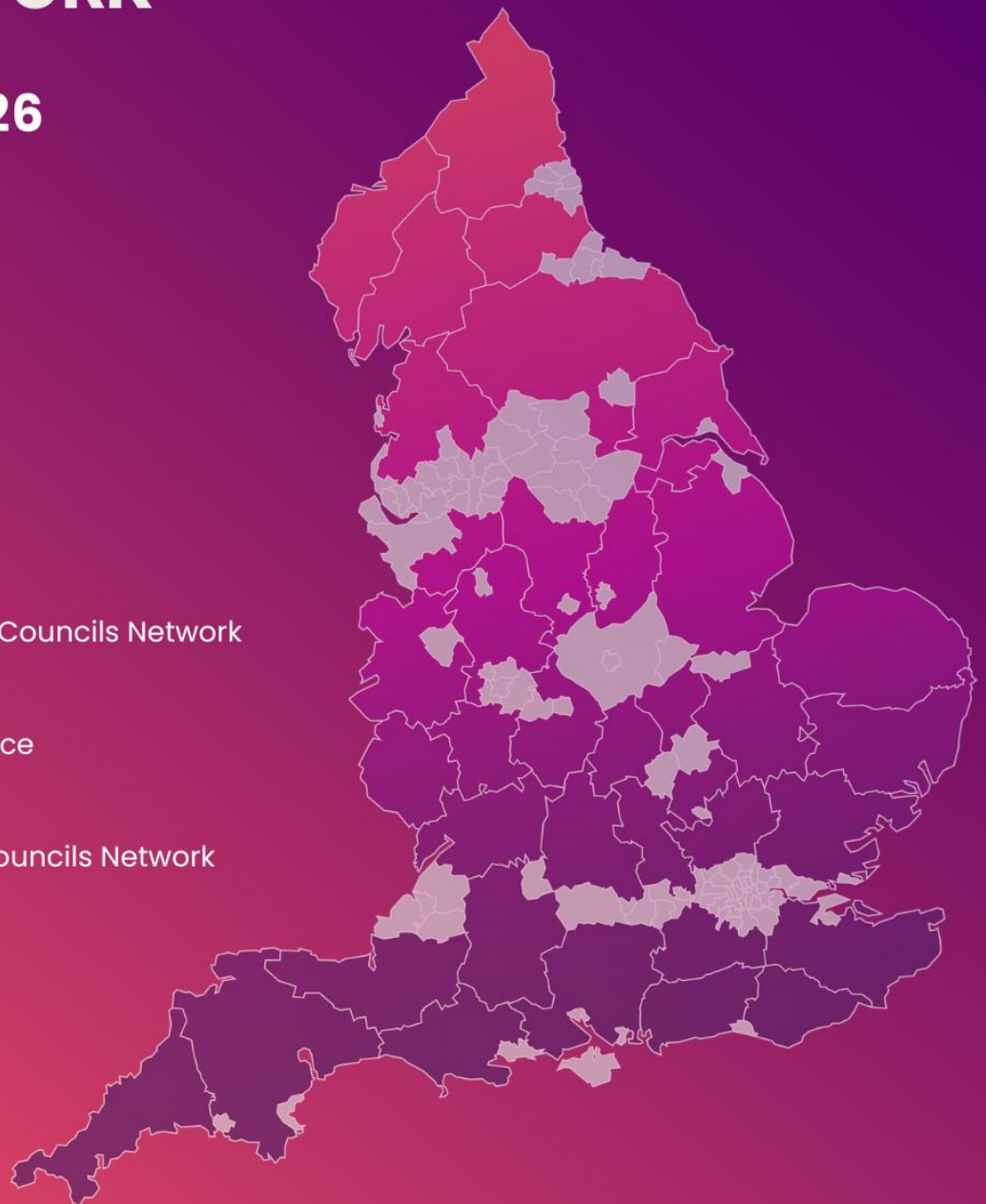
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Summary and key points

1. CCN welcomes the opportunity to comment on this draft National Planning Policy Framework (NPPF). Our members recognise the importance of a fully functioning planning system and want to ensure that the system is plan-led with up-to-date plan coverage across the country. This will enable all areas to focus on delivering the housing and infrastructure to support communities and on growing local economies. To that end, we also extremely welcome the introduction of spatial development strategies (SDS) into the system to provide overarching spatial frameworks for growth and investment.
2. CCN has long argued that constant planning reform slows the system down, removes confidence and undermines the plan-led system. While we welcome the overall intention to provide stability in the system, the changes outlined represent the biggest change to national planning policy since the framework was introduced in 2012.
3. Fundamentally, CCN is concerned that the document will remove significant local control from councils, centralising decision-making policies with authorities having very little opportunity to set their own distinct policies for decision-making. The policies are highly permissive and will make it difficult for authorities to refuse any development. While authorities want to plan in a positive and constructive way, we view that the new NPPF goes against the fundamental principles of the democratic plan-led system and could lead to further public distrust in the planning system.
4. With the introduction of Spatial Development Strategies (SDSs), we also have concerns about the lack of distinction between the content of SDSs versus Local Plans and urge for much stronger direction in national policy to give clarity to plan-makers. We also have concerns over the sequencing of plan-making as it currently stands. We understand the need for local plans to be up to date but given the requirement that local plans are in general conformity with SDS, we would urge these to come forward first. CCN has set out our belief that SDSs can do much of the heavy lifting for the planning system for the time being, setting out broad locations for development and outlining the infrastructure requirements for an area.
5. Bringing SDSs forward first will help to provide evidence for local plans which will ultimately save money. It will also save a significant amount of time bringing local plans forward once an SDS has been adopted, rather than local plans being updated now, only to require updating once an SDS is adopted. In the absence of adopting this approach, we urge the government to set out strong and clear transitional arrangements to guide areas through the period when SDSs are adopted, and how local plans should be brought into general conformity with them.
6. Our other key points are:
 - The revised NPPF, with a move to a more 'rules-based approach' is overly permissive and removes much of the control from local authorities, and thereby the democratic planning process. This is particularly the case for the new National Decision-Making Policies which centralises decision making policies which are proposed to override local decision-making policies.
 - Many areas have existing decision-making policies that work well for their areas and we believe that 'one-size fits all' national policies that override local policies is a

retrograde step. Instead, we believe that the decision-making policies outlined in the NPPF should represent a baseline position, with authorities able to amend and rewrite these subject to evidence. This will allow local plans to contain policies that respond to local contexts and help them to meet the overall aims and objectives set out in their local plan.

- We are concerned about the direction given in Chapter 4 on sustainable development, and particularly with Policy S5 which sets out decision making policy for development outside settlements. We believe these policies could lead to increased piecemeal and speculative development in rural areas going against the principles of sustainable development, encroaching on green field land and leading to further mistrust in the planning system.
- We believe that the document needs to go further in the definition of settlements. We do not agree with the proposals that would allow the definition of settlements to include land that has been allocated for development at the edge of a settlement to be part of the settlement boundary. This could lead to proposals coming forward that are theoretically on the edge of the settlement in policy terms, but in reality are isolated from the settlement and infrastructure because the allocation has not yet been granted planning permission or been built out. We believe that this goes against the principle of sustainable development.
- We are concerned about the interaction between policies across the document not being joined up and leading to unintended consequences. We would urge the government to consider how the policies interact and to test this with councils to ensure that no unintended consequences occur because of different policy intentions.
- Linked to the above, we believe the document needs further clarity on the wording and phrasing used within it. Terms used in policy wording must be clearly defined to provide certainty and ensure a consistent approach to applying the policies from both a Plan-Making and Development Management perspective.
- We remain strongly opposed to the standard method for assessing housing need and the housing targets imposed on CCN member areas. We believe the standard method does not truly reflect the housing need of a local area and has resulted in excessively high housing targets. Combined with policies such as the five-year housing land supply and the housing delivery test, these policies are setting authorities up to fail. While we recognise that housing need remains high, we would urge the government to revisit the standard method and give more powers to authorities to enforce the build out of housing with planning permission.
- The continued use of the five-year housing land supply undermines local plans – with developers undermining it to gain permission at appeal on sites that are often not allocated in the local plan, and in unsustainable locations. The Government should scrap the requirement to maintain a five-year supply where an authority has an up-to-date local plan or publish stronger guidance to ensure that it is not gamed. On top of this, the housing delivery test, which requires authorities to add 'buffers' to their housing targets where they do not meet them unfairly penalises councils who have no control over build out of permissions.

- Much of the policies reference an 'infrastructure-first' approach, which although we welcome, there are no details on how this will be achieved. Infrastructure is already under severe pressure in county areas and we would welcome further discussion with government on how we can go further to deliver up-front infrastructure to support and encourage growth and new development.
7. Our responses to the individual consultation questions are below. We know that CCN member councils will be submitting their own responses and strongly urge MHCLG to look at these in conjunction with this response.

Chapter 1: Introduction

Question 1: Do you have any views on how statutory National Development Management Policies (NDMPs) could be introduced in the most effective manner, should a future decision be made to progress these?

CCN welcomes the decision to not enact powers to impose statutory National Development Management Policies (NDMPs). However, as we outline in the introduction to our response, we are concerned that the introduction of National Decision-Making Policies (NDMPs) is a step towards this and represents a fundamental shift of power away from the democratic planning system.

Many planning authorities have Local Plans with effective development management policies that have worked well for their areas. Introducing a standardised 'one-size fits all' set of policies removes the ability of local planning authorities to set standards that reflect the unique character and needs of their local areas.

We believe that if the NDMPs are to be taken forward, these should be used as a baseline with planning authorities able to modify and amend them where this is justified. This should be tested at examination to ensure they are proportionate, but this will allow policies to come forward that reflect the unique character and needs of their local areas.

Furthermore, if the NDMPs are taken forward, we are concerned about the transitional arrangements that will be in place, particularly in relation to point 2 set out in Annex A. This states that 'development plan policies which are in any way inconsistent with the national decision-making policies in this Framework should be given very limited weight, except where they have been examined and adopted against this Framework'.

We request further clarification on how this will work in practice and whether it means if one part of a decision-making policy is not consistent with the national framework whether the whole policy would be classed as out of date. This would be disproportionate in our view, and we would not support this approach.

Question 2: Do you agree with the new format and structure of the draft Framework which comprises separate plan-making policies and national decision-making policies?

CCN response: Partly agree

CCN supports the principle of making national planning policy more accessible and understandable and supports the use of policy numbering. This will ensure the longevity of the document and make it easier for authorities when it is updated.

The document represents a significant departure away from the existing planning system moving towards a more 'rules-based' approach, and a system designed to provide a default 'yes' to development. We are concerned that the move to essentially centralise decision-making policies undermines local democracy in the planning system and will stifle innovation across the country. The NDMPs must not override local planning policies and the system must allow to areas to introduce policies that allow them to address local and site-specific issues.

Question 3: Do you agree with the proposed set of annexes to be incorporated into the draft Framework?

CCN response: Strongly agree

We agree that moving technical details into a set of annexes is logical.

Question 4: Do you agree with incorporating Planning Policy for Traveller Sites within the draft Framework?

CCN response: Strongly agree

CCN welcomes the incorporation of policies relating to traveller sites into the relevant chapters of the Framework. This will remove the need to maintain a separate document for this purpose and helps to streamline the system.

Question 5: Do you agree with the proposed approach to simplifying the terminology in the Framework where weight is intended to be applied?

CCN response: Partly agree

CCN agrees with standardising terminology where weight is applied as the current approach lacks a clear hierarchy and fuels extensive debate and expensive legal challenges. However, there are some concerns from planning authorities that the proposed rewording might still lead to these challenges.

We support the principle of reducing challenge within the system and therefore urge the department to consider responses from councils where these cases will be outlined and to work with authorities to ensure that the terminology used is as clear and effective as possible at delivering the outcomes of which the policies are intended.

Chapter 2: Plan-making policies

Question 6: Do you agree with the role, purpose and content of spatial development strategies set out in policy PM1?

CCN response: Partly agree

CCN strongly supports the introduction of spatial development strategies (SDSs) and the commitment to achieve universal coverage across England. CCN has long believed that strategic plans have been a missing part of the planning system since the abolition of Regional Spatial Strategies in 2011. We welcome to current consultation on SDS geographies and this a helpful step along the way to their introduction.

We also welcome the continued messaging that SDSs are not 'big local plans', and the emerging guidance is helpful to understand the role that SDSs will play and what their content should be. However, as we outline elsewhere in this response, we believe further explicit guidance is needed to set out the differing roles and responsibilities between local plans and SDSs as there is still a lack of information in this regard. We believe this should be set out explicitly so that each plan-making authority fundamentally understands their roles and to ensure the SDS provides the right overarching plan over which local plans will be prepared.

Questions remain not only regarding the content of SDSs, but also their interactions across boundaries with other SDSs, local plans and neighbourhood plans and further information

and guidance about this would also be very welcome. The use and interaction of evidence is also something where further guidance would be welcomed, including how practices can be streamlined and made more cost effective.

CCN notes the provisions in the Planning and Infrastructure Act for SDSs to consider health inequalities and nature recovery and strongly advocates that the NPPF is amended to reflect this.

It is also vital that funding is announced as soon as possible to allow areas to capacity-build to deliver SDSs. At present, there are concerns about the lack of capacity and skills to deliver these plans, particularly in the context of local government reorganisation and devolution.

Question 7: Do you agree that alterations should be made to spatial development strategies at least every 5 years to reflect any changes to housing requirements for the local planning authorities in the strategy area?

CCN response: Partly agree

CCN understands the importance of keeping SDSs up to date but believe the time frames for updates should be at the discretion of local authorities. A five-year cycle may be too frequent to allow the SDS to perform its role as a document that provides a long-term framework for investment. Policy PM1 (2i) proposes that SDSs should be replaced every 10 years which CCN supports.

We believe that mandating a five-year update would be overly burdensome and would have knock-on consequences for local plan making and diverting resources away from delivery. Local plan housing delivery tests and five-year land supply requirements should inform monitoring but should not automatically trigger SDS alterations.

We also support the position of the Planning Officers Society position regarding the Standard Method – which does not identify actual housing need based on demographic analysis; rather it is a proxy based on existing housing stock.

When Strategic Planning Authorities or Local Planning Authorities undertake a SHMAA, the standard method figure is often exposed as either too high or too low. SDSs provide an opportunity to return to properly assessing housing need at the strategic geography, where SHMAA-type analysis works far more effectively. Such a new methodology should be national set and should take into account national priorities, including areas which are an economic growth priority, where there are growth opportunities arising from national infrastructure investment and where climate change will impact on long term spatial change (e.g. managed coastal retreat). It should also be very clear how the Government's national New Towns Programme will be taken into account in any SDS nationally set targets.

Question 8: If spatial development strategies are not altered every five years, should related policy on the requirements used in five year housing land supply and housing delivery test policies, set out in Annex D of the draft Framework, be updated to allow housing requirement figures from spatial development strategies to continue to be applied after 5 years, so long as there has not been a significant change in that area's local housing need?

CCN response: Strongly agree

CCN supports the proposal to allow housing requirement figures to continue to apply after five years if local need has not changed significantly. This will enable SDSs to provide long

term stability in the system. We advocate however that the Government should define 'significant change' to ensure consistent interpretation.

Question 9: Do you agree with the role, purpose and content of local plans set out in policy PM2?

CCN response: Partly agree

CCN supports the principle of a plan-led system and welcomes the clarity set out in PM2 of the role of Local Plans. We believe that the timetable of 30 months for plan preparation and adoption is extremely ambitious, particularly given the resourcing issue facing planning departments.

CCN has previously advocated that SDSs are given immediate priority, as we believe they could be prepared far more quickly than Local Plans providing much needed stability in the system. Given that local plans will need to be in general conformity with SDSs, we believe this is the correct approach and remain of the view that SDSs be prioritised.

While we agree with the definition of the role of local plans, the view of councils is that the policy direction set out in the NPPF, particularly in relation to the National Decision Making Policies, will considerably undermine the role of Local Plans and remove much of the flexibility previously given to reflect local circumstances. This represents a shift away from localism and towards centralising the planning system which CCN fundamentally disagrees with.

Question 10: Do you think that local plans should cover a period of at least 15 years from the point of adoption of the plan?

CCN response: Strongly agree

CCN believes that a 15-year period is an appropriate Local Plan period from the point of adoption.

Question 11: Do you agree with the principles set out in policy PM6(1c), including its provisions for preventing duplication of national decision-making policies?

CCN response: Partly disagree

CCN supports the streamlining of local plans and avoiding repetition where necessary. However, we disagree with the 'one-size fits all' approach that is set out in the NPPF. We believe that the NDMPs should provide a baseline for local plans, but that local variation should be permitted where this is supported by evidence. We are concerned that, as set out, the NDMPs will undermine vision-led local plans and goes against the democratically-led planning system.

Question 12: Do you agree with the approach to initiating plan-making in PM7?

CCN response: Partly agree

CCN supports the introduction of project management principles to streamline the process but maintain the view that the 30-month timeframe is very ambitious and almost certainly unachievable given the issue of resourcing across planning departments. This is particularly the case in the current context of devolution and Local Government Reorganisation and CCN believes that the government should work with planning authorities to put in place realistic timetables for plan production.

There are also things outside of the control of planning authorities, such as input from statutory consultees and other bodies that can delay plan production and the timescales must be flexible to adjust to input from others. In addition, the Government must urgently publish the regulations, templates, guidance and other relevant material to enable the 'new-style' of plan-making.

Question 13: Do you agree with the approach to the preparation of plan evidence set out in policy PM8?

CCN response: Partly agree

CCN welcomes this policy, but advocates for clearer guidance on the evidence expected for SDSs and encouragement of shared evidence bases. We believe evidence should be proportionate, and evidence for SDSs should form a common evidence base for local plans. We very much welcome the explicit reference to "reuse or update existing evidence" rather than commissioning wholly new studies. The burden of evidence production has become a primary driver of delay and excessive cost in plan-making. Allowing authorities to take a proportionate approach and rely on existing data will significantly reduce the resource burden on councils and accelerate plan adoption.

Question 14: Do you agree with the approach to identifying land for development in PM9?

CCN response: Agree

We welcome a transparent and consistent approach to identifying land for development in Local Plans. We would welcome the policy to go further and explicitly reference the chapter around sustainable development to ensure that land is allocated that meets sustainable development patterns.

Question 15: Do you agree with the policies on maintaining and demonstrating cross-boundary cooperation set out in policy PM10 and policy PM11?

CCN response: Partly agree

CCN welcomes the clear expectations for continued engagement and alignment of policies across boundaries. We welcomed the removal of the Duty to Cooperate as this was often ineffective and did not lead to good planning outcomes. We would like to see these policies amended to encourage and expect that Strategic Planning Authorities take a leadership role in cross-boundary issues and to ensure that no strategic matter is left unresolved.

In addition, further information is required to set out how the lack of alignment between the first round of SDSs and local plans, if the 30-month timeframe is taken forward. There is a high chance that SDSs will set out different spatial strategies and patterns of growth, and there must be a mechanism to ensure that local plans are quickly updated where necessary to ensure conformity with the SDS.

Question 16: Do you agree that policy PM12 increases certainty at plan-making stage regarding the contributions expected from development proposals?

CCN response: Strongly agree

CCN supports the expectation that developer contributions should be determined at the plan-making stage to set out clear expectations about what development should deliver.

We welcome the policy reinforcement that land values should adjust to reflect policy requirements and believe that under no circumstances should the price paid for land be a relevant justification for failing to accord with relevant policies. We would like to see policy going further and setting out that viability assessments at the application stage are only acceptable in very limited circumstances to reduce the use of them, which usually leads to the negotiation down of affordable housing and infrastructure contributions.

The effectiveness of this policy relies heavily on the robustness of the standardised inputs for viability assessments proposed in Annex B, ensuring that loopholes regarding "alternative use value" and "landowner premiums" are firmly closed.

Question 17: Do you agree that plans should set out the circumstances in which review mechanisms will be used, or should national policy set clearer expectations?

CCN response: Partly agree

CCN agrees that plans should set out the specific circumstances for review mechanisms, but the use of them must remain exceptional rather than routine. We support the principle of allowing planning authorities to use mechanisms to capture uplift in value over the lifetime of a development cycle. This will allow policy objectives to be met, and for public benefits to be realised. However, review mechanisms should not be used as a safety net for developers.

Question 18: Do you agree with policy PM13 on setting local standards, including the proposal to commence s.43 of the Deregulation Act 2015?

CCN response: Strongly disagree

CCN does not agree with the restriction of planning authorities from setting their own energy efficiency targets above Building Regulations. This undermines the democratic planning process and will hinder the progression of councils who wish to set ambitious targets. As per our comments regarding NDMPs, national policy should set a minimum level with authorities able to set standards above these where justified.

Question 19: Do you agree that the tests of soundness set out in policies PM14 and PM15 will allow for a proportionate assessment of spatial development strategies, local plans and minerals and waste plans at examination?

CCN response: Agree

CCN welcomes the proposed changes to the tests of soundness, and welcomes the phrasing to an appropriate strategy. A proportionate test that focuses on whether a plan is "realistic" and "appropriate" should help streamline examinations and increase certainty for councils thereby speeding up plan production.

Q20) Do you have any specific comments on the content of the plan-making chapter which are not already captured by the other questions in this section?

CCN has no further comments.

Chapter 3: Decision-making policies

Question 21: Do you agree with the principles set out in policy DM1?

CCN response: Partly agree

CCN supports the principle of applications for development being proportionate. This will avoid unnecessary burdens on both applicants and authorities in gathering and synthesising information to support applications. However, we are concerned that the phrase “minimum necessary information” is vague and could lead to increased delays as authorities seek further or missing information in order to determine applications.

CCN members have reported that the quality of planning applications has declined, and we are concerned that seeking minimum information will not improve this situation leading to further delays either at the validation or decision-making stage. The onus must remain on applicants to submit high-quality, decision-ready applications at the outset and policy direction must state this clearly.

Question 22: Do you agree with the policy DM2 on information requirements for planning applications?

CCN response: Disagree

As noted above, the quality of applications has declined, and this causes delays to applicants and authorities as further information is requested which prevents an application from either being validated or determined. We therefore do not believe that validation lists or requirements should be reduced but instead believe that these should be strengthened to ensure that applicants submit the correct information that is required to efficiently determine an application.

Question 23: Do you have any views on whether such a policy could be better implemented through regulations?

CCN response: No

CCN believes that local planning authorities are best placed to determine what information is necessary to determine a planning application against specific local impacts. We therefore believe that local discretion is best, and validation lists should be strengthened to allow authorities to set out validation requirements locally.

Question 24: Do you agree with the principles set out in DM3?

CCN response: Partly agree

We support the expectation for a positive and proactive approach to decision-making. However, there are frequently delays to applications caused by statutory consultees failing to meet deadlines due to issues with their resourcing. This should not be a reason to delay applications where technical advice is required due to planning authorities not having the expertise in house.

Question 25: Do you agree that policy DM5 would prevent unnecessary negotiation of developer contributions, whilst also providing sufficient flexibility for development to proceed?

CCN response: Strongly agree

CCN strongly supports the restriction of the use of site-specific viability assessments, as these have long been used to negotiate down affordable housing and other infrastructure of public benefit. We particularly welcome the reference at DM5 (3) that the price paid for land, nor the price intended to be paid through an option agreement, should be a justification for failing to accord with the relevant policies within the plan. It is vital that land values adjust to achieve policy compliance.

Question 26: Do you have any further comments on the likely impact of policy DM5: Development viability?

While we welcome the restrictions in DM5, we believe the Government should go further to ensure the policy is effective. The planning system continues to be undermined by the use of viability arguments from developers to avoid meeting local plan policy requirements, particularly for affordable housing and infrastructure. We urge the Government to urgently review the 2019 amendments to the Planning Practice Guidance (PPG) on viability to assess whether they have actually achieved their intended objectives, as local authorities report that viability remains a primary barrier to delivery.

Question 27: Do you have any views on how the process of modifying planning obligations under S106A, where needed once a section 106 agreement has been entered into, could be improved?

- a) **If so, please provide views on specific changes that may improve the efficacy of S106A and the main obstacles that result in delay when seeking modification of planning obligations.**

CCN believes that the use of Section 106A should be limited to situations only where there has been a significant and unpredictable change in circumstances that renders an obligation undeliverable in whole or in part. This would introduce a fair and transparent mechanism while preventing opportunistic renegotiation. These requests should be supported by robust evidence consistent with the requirements set out in NDMP DM5. This would ensure that modifications are only sought where justified, while enabling development to proceed where obligations have become unviable for reasons outside the applicant's control.

Question 28: Do you have any views on how the process of modifying planning obligations could be improved in advance of any legislative change, noting the government's commitment to boosting the supply of affordable housing?

CCN agrees that S73 applications should not be used to raise fundamental issues of viability or negotiate down planning obligations. Once S73B is introduced, this practice should cease and there will no longer be a need to use S73 for scheme amendments. S73 should then revert to its original purpose of only amending planning conditions and not facilitating design or layout changes.

Question 29: Do you agree with the approach for planning conditions and obligations set out in policy DM6, especially the use of model conditions and obligations?

CCN response: Partly agree

CCN supports the use of model planning obligations to promote consistency and speed in the planning system. We also support standardisation of templates for S1-6 agreements to reduce delays. It is important that any model must remain adaptable to local circumstances where necessary to address specific site constraints or local policy requirements.

Question 30: Do you agree that policy DM7 clarifies the relationship between planning decisions and other regulatory regimes?

CCN response: Agree

We support the principle that planning should not duplicate other regulatory regimes (such as Building Regulations). However, this reliance on other regimes requires those regimes to be robust and ambitious. We urge the government to bring forward a more ambitious Future Homes and Buildings Standard to make DM7 effective and ensure that development meets high standards preventing retrofit in the future.

Question 31: Do you agree with the new intentional unauthorised development policy in policy DM8?

CCN response: Agree

We strongly support the proposal that intentional unauthorised development should be given substantial weight as a material consideration weighing against the grant of planning permission. Retrospective applications for development that has been carried out intentionally without permission undermine public trust in the planning system and fairness for those who follow the rules. It is vital that the planning system is not seen as something that can be bypassed or "gamed" by developers who build first and ask later.

Question 32: Are there any specific types of harm arising from intentional unauthorised development, and any specific impacts from the proposed policy, which we should consider?

CCN has no further comments.

Question 33: Do you agree with the new Article 4 direction policy in policy DM10?

CCN response: Strongly agree

CCN strongly welcomes the proposal to introduce a more flexible policy for the use of Article 4 directions. We agree that these directions should be based on evidence but disagree with the point (c) that states that they should apply to the smallest area possible.

Permitted development rights go against the plan-led system and have resulted in development in unsuitable locations, or where other uses may be preferable. They have also resulted in the loss of affordable housing contributions and valuable infrastructure contributions placing more pressure on existing infrastructure. We therefore advocate that planning authorities are able to set Article 4 directions across the most appropriate areas that allows them to meet the development needs outlined in their local plans, including supporting the vitality and viability of town centres, preventing housing coming forward without contributing to infrastructure and to stop the proliferation of HMO's in certain areas.

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CCN members have reported that the quality of planning applications has declined, and we are concerned that seeking minimum information will not improve this situation leading to further delays either at the validation or decision-making stage. The onus must remain on applicants to submit high-quality, decision-ready applications at the outset and policy direction must state this clearly.

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CCN response: Disagree

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Question 23: Do you have any views on whether such a policy could be better implemented through regulations?

CCN response: No

CCN believes that local planning authorities are best placed to determine what information is necessary to determine a planning application against specific local impacts. We therefore believe that local discretion is best, and validation lists should be strengthened to allow authorities to set out validation requirements locally.

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CCN response: Strongly agree

CCN strongly supports the restriction of the use of site-specific viability assessments, as these have long been used to negotiate down affordable housing and other infrastructure of public benefit. We particularly welcome the reference at DM5 (3) that the price paid for land, nor the price intended to be paid through an option agreement, should be a justification for failing to accord with the relevant policies within the plan. It is vital that land values adjust to achieve policy compliance.

Question 26: Do you have any further comments on the likely impact of policy DM5: Development viability?

While we welcome the restrictions in DM5, we believe the Government should go further to ensure the policy is effective. The planning system continues to be undermined by the use of viability arguments from developers to avoid meeting local plan policy requirements, particularly for affordable housing and infrastructure. We urge the Government to urgently review the 2019 amendments to the Planning Practice Guidance (PPG) on viability to assess whether they have actually achieved their intended objectives, as local authorities report that viability remains a primary barrier to delivery.

Question 27: Do you have any views on how the process of modifying planning obligations under S106A, where needed once a section 106 agreement has been entered into, could be improved?

- a) **If so, please provide views on specific changes that may improve the efficacy of S106A and the main obstacles that result in delay when seeking modification of planning obligations.**

CCN believes that the use of Section 106A should be limited to situations only where there has been a significant and unpredictable change in circumstances that renders an obligation undeliverable in whole or in part. This would introduce a fair and transparent mechanism while preventing opportunistic renegotiation. These requests should be supported by robust evidence consistent with the requirements set out in NDMP DM5. This would ensure that modifications are only sought where justified, while enabling development to proceed where obligations have become unviable for reasons outside the applicant's control.

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Question 31: Do you agree with the new intentional unauthorised development policy in policy DM8?

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We strongly support the proposal that intentional unauthorised development should be given substantial weight as a material consideration weighing against the grant of planning permission. Retrospective applications for development that has been carried out intentionally without permission undermine public trust in the planning system and fairness for those who follow the rules. It is vital that the planning system is not seen as something that can be bypassed or "gamed" by developers who build first and ask later.

Question 32: Are there any specific types of harm arising from intentional unauthorised development, and any specific impacts from the proposed policy, which we should consider?

CCN has no further comments.

Question 33: Do you agree with the new Article 4 direction policy in policy DM10?

CCN response: Strongly agree

CCN strongly welcomes the proposal to introduce a more flexible policy for the use of Article 4 directions. We agree that these directions should be based on evidence but disagree with the point (c) that states that they should apply to the smallest area possible.

Permitted development rights go against the plan-led system and have resulted in development in unsuitable locations, or where other uses may be preferable. They have also resulted in the loss of affordable housing contributions and valuable infrastructure contributions placing more pressure on existing infrastructure. We therefore advocate that planning authorities are able to set Article 4 directions across the most appropriate areas that allows them to meet the development needs outlined in their local plans, including supporting the vitality and viability of town centres, preventing housing coming forward without contributing to infrastructure and to stop the proliferation of HMO's in certain areas.

Chapter 4: Achieving Sustainable Development

Question 34: Do you agree with the proposed approach to setting a spatial strategy in development plans?

CCN response: Strongly disagree

CCN supports the principle that development plans should contain a clear spatial strategy and take a proactive approach to meeting development needs. However, in its current form, the view from many member councils is that the proposed redrafted document lacks coherence and risks creating inconsistency across the Framework.

A principal concern is that the term 'spatial strategy' is not clearly defined and articulated in one section. Instead, spatial direction is given across multiple chapters — including housing, brownfield prioritisation, railway station development and large-scale sites — without a clear hierarchy or articulation of how these provisions interrelate, and in the context of national development management policies which are highly permissive and could undermine an overall spatial strategy. This fragmented approach risks generating contradictions, undermines the clarity that a spatial strategy is intended to provide and risks fuelling speculative development.

Members also noted the absence of a substantive definition of “sustainable development” in spatial terms for plan-making purposes. While the presumption in favour of sustainable development is retained, there is insufficient clarity as to how sustainability is to be interpreted when establishing the pattern of growth across a plan area. This is particularly important for rural and county geographies, where questions of transport provision and accessibility, service viability and carbon emissions are central to spatial planning decisions.

CCN therefore considers that greater consolidation and clarification of spatial strategy principles is required. Locally defined settlement hierarchies and spatial strategies must retain primacy within the plan-led system, and national policy should support — rather than inadvertently override — those strategies. Failure to do so could lead to a number of unintended consequences and increased legal challenge as authorities grapple what they can and can't refuse based on the direction given in the NPPF. This fundamentally goes against the principles of a plan-led system and against the objective of achieving sustainable development.

Question 35: Do you agree with the proposed definition of settlements in the glossary?

CCN response: Disagree

Member councils have highlighted concerns regarding the proposed glossary definition of settlements, particularly the inclusion of land that is allocated or has planning permission but has not yet been built out. Councils consider that this approach may artificially extend the perceived built-up area of settlements and dilute the distinction between settlement and countryside leading to development encroaching on the countryside.

Furthermore, when read alongside the permissive drafting of Policy S5, there is a risk that the settlement boundary becomes functionally less meaningful in practice. In rural areas, where spatial strategy is particularly important for managing infrastructure capacity and carbon impacts, this lack of clarity may create unsustainable development.

The definition should therefore be refined by removing reference to land that is allocated for development and amending the reference to land that has planning permission for

development from the definition of a settlement to 'land that has planning permission for development and that is in the process of being built out'.

The changes will ensure that settlement boundaries remain a meaningful and effective planning tool and are much clearer.

Question 36: Do you agree with the revised approach to the presumption in favour of sustainable development?

CCN response: Strongly disagree

CCN members are concerned that the revised presumption, particularly when read alongside Policies S4 and S5, risks creating an imbalance within the decision-making elements of the framework and could ultimately deliver sustainable development patterns through incremental edge-of-settlement development or ad-hoc development in the countryside.

Members note that the removal of footnote 7 protections, combined with substantial weight being afforded to housing delivery, significantly raises the threshold for refusal, and that there is insufficient clarity as to how cumulative harms — arising across multiple development management policies — may justify refusal where no single policy amounts to a “straight refusal” provision. This is particularly relevant for transport impacts, infrastructure strain and incremental harm in areas outside settlements.

There is also concern about the interaction between plan-making policies and national development management policies. If decision-makers are constrained from relying on certain plan-making provisions, yet the development management policies themselves do not clearly articulate refusal thresholds, there is a risk of legal uncertainty and weakened decision-making confidence.

CCN therefore considers that further clarification is required to ensure that the presumption does not unintentionally undermine the plan-led system.

Question 37: Do you agree to the proposed approach to development within settlements?

CCN response: Partly agree

CCN members broadly support encouraging development within settlements and prioritising brownfield land. However, concerns remain regarding the practical operability of the approach and that the policy should be amended to reference that applications must meet other policies within the document to be approved.

At present, the high bar for refusal within settlements may weaken the application of technical development management policies, particularly in relation to transport impacts and cumulative infrastructure constraints. It must remain possible for decision-makers to refuse proposals where cumulative harm demonstrably outweighs benefits, even if no single policy provides an absolute prohibition. Greater clarity on how cumulative harm is to be assessed would therefore be beneficial.

Question 38: Do you agree to the proposed approach to development outside settlements?

CCN response: Strongly disagree

Policy S5 has generated significant concern from member councils, many of whom operate within predominantly rural geographies. There is concern that this policy undermines the plan-led system and could encourage speculative development on unallocated land outside settlement boundaries, particularly in relation to Paragraph 1(j) which essentially states that development should be considered acceptable in principle in all circumstances where there is evidence of an unmet need.

There are also concerns regarding the wording within this policy which is unquantifiable and undefined. This particularly relates to the following:

- S5 (1)(b) – how is ‘necessary’ defined? An applicant may feel a rural location is ‘necessary’ for commercial purposes, but this does not mean that the site is spatially appropriate or the impact of location in a rural area can be considered acceptable.
- S5(1)(c) - is too permissive and does not reference specific land use classes. Given the often isolated nature of many existing buildings in rural areas, the re-use for housing is likely to be incompatible with S5(3)
- S5(1)(e) – what quantum is ‘limited’, and what is a ‘group’ of houses? Can other buildings be included? This policy undermines the ability of LPAs to deliver any rural exception sites as this permissive approach creates a far too permissive route to deliver housing outside settlements than it would be for an exception site to come forward on the edge of a settlement.
- S5(1)(j) - what is the mechanism for ‘evidencing an unmet need’? How is this assessed? This provides an easy route for an applicant to justify a remote rural location for any type of business on the basis that there isn’t a pre-existing business of that type in a location already.

We would suggest the government consider the cumulative impact of this wider, permissive approach to development beyond settlements. We believe the approach as drafted will undermine carefully developed settlement hierarchies and spatial strategies that are designed to support sustainable development patterns, sustainable transport patterns, protect service viability, and reduce carbon emissions. In addition, the term “well-related to” settlements is vague and could lead to challenge. Without clear definitions, the policy risks inconsistent interpretation and challenge at appeal.

We consider that this policy should be reconsidered and redrafted to allow areas to determine locally what is and is not considered acceptable development outside of defined settlements, subject to their own growth ambitions and overall spatial strategy.

Question 39: Do you have any views on the specific categories of development which the policy would allow to take place outside settlements, and the associated criteria?

CCN response: Partly disagree

As per our response above, we believe that Policy S5 should be fundamentally reviewed and planning authorities given the ability to set out what categories of development are acceptable outside settlements within their local plans.

Question 40: Do you agree with the proposed approach to development around stations, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12?

CCN response: Partly agree

CCN supports the principle of developing land around stations that are in sustainable locations. However, we advocate that this should be a matter for local planning authorities to consider as part of the SDS process when considering broad locations for development, reflecting the local context, knowledge of the train services and capacity that the route has and the existing infrastructure that surrounds it to support development.

Many councils wish for the government to go further and provide an explicit definition of a 'reasonable walking distance' for clarity and to avoid disparate approaches being taken across the country.

In terms of the density requirements around stations, there is generally a mixed view which reflects the different contexts both within and across councils. Some feel that the minimum density requirement is too high, and some too low. We therefore believe that councils should be able to set their own minimum densities within their Local Plan, and not ones outlined in the NPPF. This will ensure that development is appropriate to specific locations.

Question 41: Do you agree that neighbourhood plans should contain allocations to meet their identified housing requirement in order to qualify for this policy?

CCN supports the principle that neighbourhood plans should play a positive role in housing delivery, including through site allocations. However, our members have raised some concerns around the implementation.

Members are unclear how neighbourhood housing requirements will be calculated and how they relate to overall local plan housing requirements. There are also concerns about monitoring performance and the realistic expectations of neighbourhood plans' contribution to supply. Clear national guidance is required to ensure consistency and avoid placing unrealistic burdens on communities.

Chapter 5: Meeting the challenge of climate change

Question 42: Do you agree with the approach to planning for climate change in policy CC1?

CCN response: Partially agree

Overall, there is strong concern from planning authorities that the redrafted NPPF is a retrograde step in terms of climate change, and that as drafted it will hamper the ambition of those local authorities who wish to take stronger action on climate change and net zero.

We support the principle that the planning system should take a proactive approach to mitigating and adapting to climate change and supporting the transition to net zero. However, as with other areas of the document we have serious concerns that Policy CC1 is not going to be achievable when read in conjunction with the other, more permissive, policies contained within the document.

In particular, the removal of powers to set locally justified energy efficiency standards through the Local Plan (referenced in PM13) will directly undermine the ability of planning

authorities to meaningfully contribute to net zero targets and will result in lower standards than are currently set. This is a retrograde step and should be reviewed.

It is also believed that reliance on the Future Homes Standard is deemed to be insufficient as it applies only to residential development, not non-residential. It produces “net zero ready” rather than net zero homes and depends on grid decarbonisation, which delays real carbon neutrality.

There is concern that the interaction with other policies in the NPPF and Policy CC1 creates a fundamental tension between climate ambition and delivery mechanisms. Without restoring local flexibility to set higher standards where this is justified, CC1 risks becoming aspirational rather than effective.

Question 43: Do you agree with the approach to mitigating climate change through planning decisions in policy CC2?

CCN response: Agree

CCN welcomes the approach outlined in the document to mitigating climate change. We would note that the other policies within the document, most notably Policy S5, may make achieving the ambitions within Policy CC2 difficult to achieve. We would again urge the government to consider how the policies within the NPPF interact.

Question 44: Do you agree with the approach to climate change adaptation through planning decisions in policy CC3? What additional measures could be taken to ensure climate change adaptation is given appropriate consideration?

CCN response: Agree

CCN welcomes the approach outlined in the document to climate change adaption.

Question 45: Does the policy on wildfire adaptation clearly explain when such risks should be considered and how these risks should be mitigated?

CCN response: Partially agree

There is general consensus among CCN member councils that wildfires should be considered through the planning process, but that more guidance is needed which should set out what and how authorities should be assessing, along with practical details around mitigation of risks.

Question 46: How should wildfire adaptation measures be integrated with wider principles for good design, and what additional guidance would be helpful?

As above, we believe this requires further guidance that outlines recommended design measures to ensure adaptations are considered at initial design stages and assist planning authorities to understand available adaptation measures that developers should be looking to incorporate into proposals.

Question 47: Do you have any other comments on actions that could be taken through national planning policy to address climate change?

Please refer to responses from CCN member councils.

Chapter 6: Delivering a sufficient supply of homes

Question 48: Do you agree the requirements for spatial development strategies and local plans in policy HO1 and policy HO2 are appropriate?

CCN response: Partly disagree

CCN agrees with the ambition to increase housing delivery and ensure a good mix of homes to support local needs but has significant concerns over the appropriateness and deliverability of the housing targets using the standard method in county areas. The method sees a dramatic increase in the targets for homes in county areas - on average, county areas targets increased by 56% per year – representing an additional 64,000 properties per year. This is far higher than any other part of the country, and over seven times the increase for councils in England's major cities.

We disagree that the standard method delivers a figure that is based on actual housing need and this should be reviewed as a matter of urgency. Even if the standard method continues to be used, this does not take local constraints into consideration, and places significant pressure on areas to increase housing supply. The figure given from the standard method should be used as a starting point for plan-making allowing planning authorities to consider their local circumstances when planning for housing and planning for a different target should evidence suggest that the standard method is too high.

We agree with the proposals at HO2 (1) for SDSs to establish a housing requirement for each local planning authority within the strategy area. This will hopefully overcome some of the cross-boundary issues in terms of meeting housing need that the duty-to-cooperate was unable to deliver. We would urge the government to amend the policy to allow SDSs to test the housing requirement of the area.

Given this obligation to establish a housing requirement for an area we remain of the view that SDSs should be prioritised first ahead of local plans. This will save time and resources and will avoid the need for local plans to be updated once a housing figure has been designated to a planning authority area and would make sense in the context of local government reorganisation where local plans will need to be updated once new structures are in place.

Question 49: Is further guidance required on assessing the needs of different groups, including older people, disabled people, and those who require social and affordable housing?

CCN response: Strongly agree

We agree that additional guidance would be useful to assess the needs of different groups, allowing areas to plan to meet that need. This would be useful for the evidence base for SDS and local plans and encourage a consistent approach to identifying need. We welcome the references across this chapter of delivering housing that meets the needs of different groups.

Question 50: Do you agree with the approach to incorporating relevant policies of Planning Policy for Traveller Sites within this chapter?

CCN response: Agree

We agree with the proposal to incorporate policies for Traveller sites into the NPPF. Integrating these policies ensures that the provision of Traveller sites is treated with the same strategic importance as other forms of housing and reduces duplication.

Question 51: Is further guidance needed on how authorities should assess the need for traveller sites and set requirement figures?

CCN response: Neither agree or disagree

We refer the department to responses from CCN member councils.

Question 52: Do you agree the new Annex D to the draft Framework is sufficiently clear on how local planning authorities should set the appropriate buffer for their local plan 5-year housing land supply?

CCN response: Strongly disagree

Regardless of how clear it is, CCN fundamentally disagrees with the five-year housing land supply rules and believes that these should not operate where a local authority has an up-to-date plan in place that is regularly reviewed as required by other policies within the document. This is particularly the case in the context of the revised standard method which places significant increases for housing targets in county areas, and when read in conjunction with the other highly permissive policies set out within the document.

Planning authorities are not responsible for the delivery of permissions once applications have been granted, and councils have reported that developers use the five-year supply rules to challenge housing supply, triggering the presumption in favour of sustainable development and encouraging speculative applications to come forward. Without additional tools to ensure developers build out permissions, the five-year supply rules unfairly penalise councils for something that is outside their control.

This fundamentally undermines the plan-led approach and reduces local communities' confidence in the planning system. We do not understand why the five-year rules are necessary if a local plan can demonstrate that it is planning to meet housing need, which has been tested at examination, and if it is regularly reviewed. If the five-year land supply rules are to be taken forward, we would welcome clear guidance that is prepared in conjunction with local planning authorities that makes it impossible for developers to 'game' to trigger the presumption and reduce speculative applications that go against the objectives of the development plan.

Question 53: Do you agree the new Annex D to the draft Framework is sufficiently clear on the wider procedural elements of 5-year housing land supply, the Housing Delivery Test and how they relate to decision-making?

CCN response: Strongly disagree

CCN strongly disagrees with the Housing Delivery Test (HDT) as a mechanism to measure housing delivery against targets. The measure monitors the number of homes built which is something that councils cannot control and penalises councils which is unfair. We urge the government to review the use of the HDT and instead consider measures that incentivise developers to build-out sites that have permission.

Question 54: Do you agree the requirements to establish a 5 year supply of deliverable traveller sites and monitor delivery are sufficiently clear?

CCN response: Partly agree

CCN agrees that the requirement to establish a 5-year supply of deliverable traveller sites and monitor delivery is sufficiently clear. We remain of the view that five-year land supply rules are unfair and act as a punitive measure when land availability is often constrained by factors outside the local authority's control. We believe further guidance would be helpful in planning for traveller sites.

Question 55: Do you agree the plan-making requirements, for both local plans and spatial development strategies, in relation to large scale residential and mixed-use development are sufficiently clear?

CCN response: Partly disagree

CCN supports the direction of identifying land for large scale residential and mixed-use development in the NPPF but believes that the policy as drafted does not go far enough to set out the appropriate level at which to plan for this type of development. As drafted, the policy states that the 'development plan' should identify suitable locations for large scale development' – this should be amended to explicitly state that this is something that the SDS should identify, where such sites exist. We believe the strategic scale is best placed to plan for large development, with local plans focusing on delivery.

We welcome the references that set out that locations should support a sustainable community with sufficient access to services and employment opportunities, and the reference to supporting a mix of tenures which meet the needs of different groups.

However, we are concerned with the wording at HO4 (1)(a) which states that locations should 'be capable of being supported by the necessary infrastructure and facilities at appropriate points in the development's delivery'. Being capable of being supported is too vague and suggests that it would be appropriate for development to come forward without the right infrastructure if it is capable of being delivered at a later date. This wording should be reviewed to make it clear that sites take an infrastructure first approach to ensure supporting infrastructure is delivered before a development is occupied.

Sites such as this are likely to need significant injections of capital to prevent them from stalling, and we urge the government to work with councils to explore what is required ahead of large sites coming forward.

Question 56: Do you agree our proposed changes to the definition of designated rural areas will better support rural social and affordable housing?

CCN response: Partly agree

CCN welcomes the intention to increase the delivery of rural affordable housing, and the proposed changes to the definition of Designated Rural Areas to allow affordable housing contributions to be sought on **minor development** (fewer than 10 homes) in parishes with a population of 3,000 or less could help to achieve that.

In many rural areas, small sites are the primary source of new housing, and this approach will increase the supply of rural affordable housing through a plan-led approach, reducing the reliance of rural exception sites. In addition, it will result in reducing the price of allocated sites making it easier for SME builders to compete in the land market in rural areas.

However, some councils have noted that they have encountered issues with contracting Registered Providers for smaller sites. Reading Policy HO5 alongside the proposals for affordable housing on medium sites in Policy HO8 – the two seem to be at odds. It would be more logical to require financial contributions from sites of 10 dwellings and below, and on-site delivery for the medium sizes sites. One delivery mechanism to consider stimulating the delivery of affordable housing within the more rural locations is to reintroduce the ability to provide for entry level exception sites which have proven to work well in many locations.

Question 57: Do you agree with our proposals to ask authorities to set out the proportion of new housing that should be delivered to M4(2) and M4(3) standards?

CCN response: Partly disagree

We support the delivery of accessible and adaptable dwellings and wheelchair user dwellings under M4(2) and M4(3) but question whether the local plan is the best place to do this. Instead, we believe this should be set out in building regulations where a clearer regulatory framework can be established setting clear expectations for planning authorities, developers and supply chains.

Question 58: Do you agree 40% of new housing delivered to M4(2) standards over the plan period is the right minimum proportion?

CCN response: Disagree

As stated above, CCN agrees with the delivery of homes under M4(2) standards. However, we disagree with introducing a national minimum target and instead believe that this target should be based on local evidence of need and balanced with viability considerations.

Question 59: Do you agree the proposals to support the needs of different groups, through requiring authorities to identify sites or set requirements for parts of allocated sites are proportionate?

CCN response: Agree

We agree with the general requirement in Policy HO5 to plan to meet the needs of different groups and particularly welcome the reference to setting a minimum proportion of social rent homes required.

Question 60: Do you agree with our proposals to ask authorities to set out requirements for a broader mix of tenures to be provided on sites of 150 homes or more?

CCN response: Partly agree

CCN supports the delivery of mixed tenure sites given that this has shown to speed up build-out rates and create diverse communities. However, the requirement should be grounded in evidenced need rather than applied through a fixed national threshold. Local housing markets vary significantly, and authorities should retain the flexibility to determine the appropriate tenure mix based on robust local evidence, viability considerations, and the characteristics of individual sites.

Question 61: Do you agree with proposals for authorities to allocate land to accommodate 10% of the housing requirement on sites of between 1 and 2.5 hectares?

CCN response: Strongly disagree

CCN supports the objective of diversifying the housing market and introducing policy that aims to support small and medium-sized enterprise builders recognising the valuable role that they can play in delivery. However, this proposal would introduce significant additional burdens on planning authorities and would seriously undermine the 30-month timescale to get local plans in place.

For authorities where housing targets have significantly increased, this would mean identifying a significant number of sites to meet these targets that overall would contribute to a relatively low proportion of housing delivery. Notwithstanding our concerns about the impact on timescales, we are also concerned that this could lead to the allocation of sites that are not appropriate just to meet the targets. We also have concerns about the cumulative impact on infrastructure provision that this approach could have.

Requirements for small and medium site provision should be set at a local level, considering local evidence of demand as well as land capacity constraints.

Question 62: Are any changes to policy HO7 needed in order to ensure that substantial weight is given to meeting relevant needs?

CCN response: Partly agree

CCN broadly welcomes the overall policy intent of HO7, agreeing that substantial weight should be given to proposals that meet the evidenced need of the local community. We do not agree, however, that the standard method is the most appropriate vehicle to determine local need. This must be reviewed and areas must be able to reach their own need figures based on demographic evidence.

We would also advocate that the 'substantial weight' of the policy does not override other policy considerations within the NPPF including flood risk, design quality and heritage protection and this point should be explicitly made in the policy.

Question 63: Do you agree that proposals to add military affordable housing to the definition of affordable housing, and allow military housing to be delivered as part of affordable housing requirements, will successfully enable the provision of military homes?

CCN response: Partly agree

CCN supports the need to ensure appropriate housing provision for military personnel and their families. However, we believe this to be a specialist housing need, rather than a form of affordable housing in the conventional sense. We therefore recommend that HO8(2)(a) is caveated to ensure that any provision is clearly linked to unmet military housing need within the locality, rather than being treated as interchangeable with mainstream affordable housing.

Question 64: Do you agree flexibility relating to the size of market homes provided will better enable developments providing affordable housing?

CCN response: Partly disagree

CCN recognises that a pragmatic and flexible approach is sometimes necessary to deliver development and ensure that it is viable. However, we would welcome further clarification on the term ‘flexibility relating to the size of market homes’. It is unclear what this means in practice.

If the term is meant to allow homes to be delivered that fall below the Nationally Described Space Standard, CCN would strongly disagree with this approach. This would result in substandard accommodation and would not be supported. We would cautiously welcome flexibility in relation to the mix of units in terms of the number of bedrooms, although we fundamentally believe that this should be at the discretion of local planning authorities who will use the local plan to ensure that the housing needs of these areas are being met.

Question 65: Would requiring a minimum proportion of social rent, unless otherwise specified in development plans, support the delivery of greater number of social rent homes?

CCN response: Partly agree

We welcome the explicit references to social rent and prioritising the delivery of this tenure to meet local needs. There is a severe shortage of social rent homes in county areas, and the reliance and demand on temporary accommodation has surged in recent years. We therefore advocate that the policy makes it explicitly clear that the requirement is a minimum and that local planning authorities can set higher requirements where this can be demonstrated by evidence.

Question 66: Are changes to planning policy needed to ensure that affordable temporary accommodation, such as stepping stone housing, is appropriately supported, including flexibilities around space standards?

CCN response: Partly disagree

We support the principle of measures that help meet the needs of those in acute housing difficulty, particularly young people and vulnerable groups. However, the term “stepping stone accommodation” requires a clear definition as this term covers a wide range of needs. We fundamentally disagree with the relaxation of standards for this type of housing. The planning system must not allow the creation of a two-tier system where housing for vulnerable groups is permitted to be of lower quality or smaller than market housing. This is a retrograde step and embeds inequality when the system should be doing the opposite.

Question 67: Do you agree that applicants should have discretion to deliver social and affordable housing requirements via cash payments in lieu of on-site delivery on medium sites?

CCN response: Strongly disagree

CCN strongly opposes the policy direction to give discretion to developers to choose cash payments over on-site delivery of affordable housing on medium sites. These decisions must remain at the discretion of the local planning authority, recognising that in some instances commuted sums can be beneficial where the management of a small number of affordable homes may be difficult.

However, giving developers the choice on these sites risks undermining the creation of mixed communities and undermines the other policies in this chapter to deliver a diverse mix of homes. The burden would fall to the local planning authority which may struggle to find alternative land or schemes to invest the funds in. It also risks inflating land values if developers assume they can buy their way out of on-site obligations.

Question 68: What risks and benefits would you expect this policy to have?

See response to Question 67 above.

Question 69: What guidance or wider changes would be needed to enable Local Planning Authorities to spend commuted sums more effectively and more quickly?

To spend commuted sums more effectively and quickly, planning authorities need clearer national guidance, more flexibility and enhanced practical support. Guidance should cover areas such as the types of schemes and tenure that qualify and clarification on the pooling of commuted sums with other funding to maximise viability.

Some authorities will have limited land holdings and will therefore struggle to identify suitable sites that they know are deliverable. In these instances, stronger support around land assembly and compulsory purchase would be helpful. Many authorities also have skills gaps across direct delivery and capacity funding to fill these would be welcome.

Question 70: Would further guidance be helpful in supporting authorities to calculate the appropriate value of cash contributions in lieu?

CCN response: Agree

We support the provision of clear guidance to standardise the calculation of commuted sums to ensure they represent the equivalent value of on-site provision. More robust methodology will help to prevent lengthy Section 106 negotiations and ensures developers do not underpay. The calculation must capture the full cost of providing the units elsewhere, including land acquisition costs.

Question 71: Do you support proposals to enable off site delivery where affordable housing delivery can be optimised to produce better outcomes in terms of quality or quantity?

CCN response: Partly agree

CCN support the proposals to enable off site delivery where affordable housing delivery can be optimised to produce better outcomes in terms of quality or quantity. Off-site delivery can be beneficial in certain circumstances, but this must be at the discretion of planning authorities to determine and we believe that expectation to deliver on-site should remain the default expectation.

Question 72: Do you agree with the criteria set out regarding the locations of specialist housing for older people?

CCN response: Agree

CCN supports the criteria set out in policy HO9 in relation to housing for older people. It is important that this type of housing is in locations that are connected to services easily and safely by walking, wheeling and public transport. It is also welcome that reference is made to M4(2) and M4(3) accessibility standards, but as per our response to question 57 we believe this should be set out in building regulations where a clearer regulatory framework can be established. If the policy is to be taken forward as written, we would suggest that the policy is

amended to explicitly state that authorities can set levels above the thresholds set in national policy according to local need.

Question 73: Do you agree with the criteria set out regarding the locations of community-based specialist accommodation, including changes to the glossary?

CCN response: Agree

We support the inclusion of specific criteria for community-based specialist accommodation in Policy HO9(1)(b), including the requirement for a management plan to ensure a safe environment.

Question 74: Do you agree with the criteria set out regarding the locations of purpose-built student accommodation and large-scale shared living accommodation, including changes to the glossary?

CCN response: Agree

We support **Policy HO9(1)(c)**, particularly the requirements for adequate living and storage space and sufficient shared amenity areas. We agree that these high-density uses must be located where residents can access services via sustainable transport to prevent car dependency and parking issues in surrounding streets.

Question 75: Do you agree the proposals provide adequate additional support for rural exception sites?

CCN response: Agree

We welcome the proposals to strengthen support for rural exception sites in Policy HO10, and specifically welcome the proposal to remove First Homes exception sites as a discrete form of exception site.

Question 76: Do you agree with proposals to remove First Homes exception sites as a discrete form of exception site?

CCN response: Strongly agree

CCN fully supports the removal of First Homes exception sites. First Homes often didn't meet local needs and inflated land values and house prices. They also made it more difficult to deliver genuinely affordable housing and competed with traditional rural exception sites.

Question 77: Do you agree proposals for a benchmark land value for rural exception sites will help to bring forward more rural affordable homes?

CCN response: Agree

Setting a benchmark value for RES sites for viability assessments would be helpful. It would avoid delays and difficulties securing sites because of 'hope value', ensuring the land price means the scheme can viably deliver a RES policy compliant affordable housing scheme, and that the scheme meets the value for money criteria for Homes England grant funding.

Question 78: Do you agree the proposals to set out requirements for traveller sites at policy HO12 adequately capture relevant aspects from Planning Policy for Traveller Sites, whilst ensuring fair treatment for traveller sites in the planning system?

CCN response: Agree

We agree with the proposal to incorporate policies for Traveller sites into the main Framework through Policy HO12. Integrating these policies ensures that the provision of Traveller sites is treated with the same importance as other forms of housing.

Question 79: Please provide your reasons, particularly if you disagree.

We have no further comments.

Question 80: Do you agree the proposals in policy HO13 will help to ensure development proposals are built out in a reasonable period?

CCN response: Partly disagree

CCN supports the policy intention of HO13 particularly the proposal to allow councils to impose conditions requiring development to begin sooner than the statutory default. However we believe that the policy does not address the core issues that planning authorities face with build out. Once development has technically commenced, there is very little power that a planning authority has to ensure that development is built out, let alone at what rate, but they then get unfairly penalised when build out doesn't keep up with need.

We would advocate for the government to work with planning authorities to explore what powers would ultimately make a difference to build out rates and look to introduce these as soon as possible. Such interventions could include changing the definition of commencement, introducing 'use it or lose it' permissions or financial penalties such as powers to charge council tax on unbuilt homes.

Question 81: Do you agree the requirements to take a flexible approach to the consenting framework for large scale residential and mixed-use development is sufficient to ensure the opportunities of large scale development are supported?

LGA Response: Agree

CCN supports policy HO13 that requires a consenting framework to respond to changing economic circumstances over long delivery phases. However, it is important that any flexibility regarding changing circumstances must be strictly governed by the viability principles in Policy DM5, ensuring that land values adjust to policy requirements, not the other way around.

Question 82: Are any more specific approaches or definitions needed to support the delivery of very large (super strategic) sites, including new towns?

CCN response: Yes

We would refer to the recommendations of the New Towns Task Force requiring local plans to set out clear placemaking principles to form the basis of any site wide masterplan and subsequent development proposals. Each site should have a clear long-term vision for creating a well-designed and distinctive place, supported by a strategic masterplan and design code to ensure placemaking quality and this should be reflected in the NPPF.

We also urge the Government to ensure very large sites are delivered with an 'infrastructure first' approach, meaning that the necessary social and physical infrastructure is delivered in tandem with communities moving in to new homes.

Question 83: Do you agree with the proposed changes to the Housing Delivery Test rule book?

CCN response: Strongly disagree

As outlined at Question 53, CCN strongly disagrees with the Housing Delivery Test (HDT) as a mechanism to measure housing delivery against targets. The measure monitors the number of homes built which is something that councils cannot control and penalises councils which is deeply unfair. We urge the government to review the use of the HDT and instead consider measures that incentivise developers to build-out sites that have permission.

Chapter 7: Building a strong, effective economy

Question 84: Do you agree that more emphasis should be placed on relevant national strategies and the need for flexibility in planning for economic growth, as drafted in policy E1?

CCN response: Partly agree

We support policy E1 and the explicit link to the National Industrial Strategy and Local Growth Plans. We agree that planning system must align with other economic strategies to ensure that sectors are supported. We would advocate for further clarification in Policy E1 (2) to make it clear that allocations can still be restricted where necessary to avoid unacceptable impacts, including noise and amenity impacts as well as highways and transport constraints.

Question 85: Do you agree with the approach to meeting the need for business land and premises in policy E2?

CCN response: Partly agree

CCN supports to overall policy intent of policy E2, but believes that it needs stronger alignment to the rest of the policies outlined within the NPPF. Without doing this, the policy could be seen as being in isolation and overriding other policies and objectives within the document.

We question whether the policy should sit within the plan-making policy, given the identification of business land and premises is fundamentally a plan-making function.

Question 86: Do you agree with the proposed new decision-making policy supporting freight and logistics development in policy E3?

CCN response: Partly agree

We broadly support the introduction of Policy E3 to identify suitable locations for freight and logistics to support the supply chain. However, the requirement in Policy E2 to give "substantial weight" to the economic benefits of such proposals must be carefully balanced against Policy E3(b), which requires that impacts on local residents, specifically noise and night-time activity, are "acceptable".

Logistics developments place significant strain on local road networks. We are concerned that the policy does not go far enough in ensuring developers contribute fairly to the necessary highways improvements required to accommodate heavy goods vehicles.

Local planning authorities must retain the leverage to mitigate negative local impacts such as traffic and pollution without being overridden by a national "substantial weight" directive in every instance.

Question 87: Do you agree with the approach to rural business development in policy E4?

CCN response: Partly agree.

CCN supports the principle of the sustainable growth of businesses in rural areas and the redrafting of Policy E4 strengthens support for agricultural diversification and rural leisure. We particularly welcome the focus in Policy E4(2) on taking opportunities to reuse existing buildings and previously developed land outside settlements. However, we believe the policy should provide much greater clarity about what 'sustainable growth' means, and how this differs from simply 'growth'.

We also urge caution regarding how this policy interacts with Policy S5 (Development Outside Settlements). It is vital that "rural diversification" is not used to justify unsustainable residential development in unsuitable isolated locations.

Chapter 8: Ensuring the vitality of town centres

Question 88: Do you agree with the proposed changes to policy for planning for town centres?

CCN response: Partly agree

CCN supports the policy direction given by policy TC1 and supports a 'town centre first' approach. Town centres are often the most sustainable locations for development often with transport hubs and reducing the reliance on the private car. We would welcome further clarification over the use of town centre strategies and guidance on what they should cover.

Furthermore, we welcome the direction given at TC1 (2) that sets out that authorities should use Article 4 directions to remove a permitted development right (PDR) where these are justified. Residential uses have an increasingly important role to play in town centre vitality but this must be undertaken in a planned way rather than on the ad hoc basis that permitted development rights encourage. While we would advocate for the Class MA PDR to be abolished altogether, authorities must be able to impose Article 4 directions to remove this with proportionate evidence which must not be resisted nationally. This would negate the purpose of having a town centre strategy if developers can easily override it through the use of PDR.

Question 89: Do you agree with the approach to development in town centres in policy TC2?

CCN response: Agree

CCN agrees with overall policy direction of policy TC2, particularly giving substantial weight to proposals that support the vitality and viability of centres, and including diversification. We welcome the direction to improving or retaining access to local shops and other facilities providing day-to-day services for local communities.

As we state in our response to the next question, we believe Class E has had a significant impact on the ability of authorities to plan effectively for town centres, particularly in terms of

directing diversification and intensification of uses. This may hamper authorities ability to deliver TC2 effectively.

Question 90: What impacts, if any, have you observed on the operation of planning policy for town centres since the introduction of Use class E?

We note that Class E was introduced to promote flexibility between previous use classes with the aim to promote vitality and viability of town centres. However, this has led to a loss of local control over uses in town centres, particularly preventing over concentration of uses which has been detrimental to town centres. This has resulted in an inability to ensure a diverse mix of uses and prevents councils resisting the loss of services.

As we note above, Class E has enabled PDR, specifically Class MA, to undermine town centre strategies and has led to the permanent loss of commercial and office space. This leads to unplanned residential development, often without affordable housing or other infrastructure contributions, counter to the objectives of policies TC1 and TC2. We advocate for the government to urgently review the Class MA PDR and Class E of the Use Classes to ensure they are fit for purpose and achieve the ambitions outlined in these policies.

Question 91: Do you believe the sequential test in policy TC3 should be retained?

CCN response: Strongly agree

CCN strongly agrees that the sequential test should be retained as it is the only tool at the disposal of planning authorities to deliver a town-centre first approach. This will be vital to retain of the objectives of policy TC2 is to be met. We would welcome more stringent guidance on the application of the test so that it is not gamed and allows authorities to uphold the town centre first approach.

We disagree that the test should only apply to new development. Under Class E, this would mean that existing uses could relocate to out-of-town locations without triggering the sequential test. This is wrong and again undermines the objective of policy TC2 and should be reviewed.

Question 92: Do you agree with the approach to town centre impact assessments in policy TC4?

CCN response: Agree

We support the use of impact assessments for retail and leisure developments outside town centres that are not in accordance with the development plan. Ensuring that new edge-of-centre or out-of-centre developments do not have a "significant adverse impact" on existing investment and town centre vitality is essential.

We believe that the national default threshold of 2,500m² is far too high for many smaller market towns and district centres, where a much smaller development could cause significant harm. We welcome the continued ability for local planning authorities to set their own, lower locally defined floorspace thresholds in their development plans (as per Policy TC1(e) and TC4(1)) to reflect local circumstances. This local discretion is vital to protect the delicate economic ecosystem of smaller high streets.

Chapter 9: Supporting high quality communications

Question 93: Do you agree that the updated policies provide clearer and stronger support for the rollout of 5G and gigabit broadband?

CCN response: Partly agree

CCN supports the ambition to achieve nationwide coverage of standalone 5G and gigabit-capable broadband to support economic growth and public service delivery. We agree that the updated policies provide a clear framework for supporting network expansion. However, telecommunications infrastructure is best planned at a national or regional scale, and in the absence of a national spatial plan, SDS should be used to provide a plan for strategic infrastructure such as energy, utilities, telecommunications and water infrastructure.

While we recognise the strategic importance of connectivity, local planning authorities and communities must retain the ability to influence deployment to prevent unsightly street clutter and protect heritage assets, particularly given the increasing size of 5G masts.

Question 94: Do you agree the requirements for minimising visual impact and reusing existing structures are practical for applicants and local planning authorities?

CCN response: Strongly agree

We strongly support the hierarchy set out in Policy CO1, which prioritises the use of existing masts, buildings, and other structures before new sites are considered. This is a practical and essential requirement to minimise visual intrusion and the proliferation of street clutter, which is a significant concern for local communities.

Regarding visual impact (CO1(1)(b)), we agree that infrastructure should be sited and designed to minimise visual impact. For this to be "practical" for local planning authorities to enforce, the onus must be on the applicant to provide robust evidence that site sharing is not feasible. Without this evidence, councils cannot effectively push back against unnecessary new monopoles in sensitive locations.

Question 95: Do you agree the supporting information requirements are proportionate and sufficient without creating unnecessary burdens?

CCN response: Strongly agree

Chapter 10: Securing clean energy and water

Question 96: Do you agree with the approach to planning for energy and water infrastructure in policy W1?

CCN response: Partly agree

CCN supports Policy W1, particularly the requirement for early engagement between plan-making authorities and utility providers to identify capacity constraints. As we outline elsewhere in our response strategic infrastructure such as energy and water infrastructure is best planned at a national or regional scale, and in the absence of a national spatial plan, SDS should be used to provide a plan for strategic infrastructure such as energy, utilities,

telecommunications and water infrastructure. The policy should be strengthened to reflect this.

In addition, engagement alone is insufficient. Local authorities need stronger powers to ensure that the investment plans of water companies and grid operators actually align with local growth strategies. There has been a failure by agencies to ensure water companies fulfil their statutory duties to manage wastewater for new housing, which leads to objections and costs on allocated sites. Policy W1 must be backed by a regulatory framework that compels utility providers to deliver the necessary infrastructure upfront to support the local plan.

Question 97: Do you agree with the amendments to current Framework policy on planning for renewable and low-carbon energy development and electricity network infrastructure in policy W2?

CCN response: Strongly agree

We welcome the changes in Policy W2 that make the identification of suitable areas for renewable energy a discretionary choice rather than a mandatory requirement for all local authorities. Restoring this flexibility allows local leaders to determine the most appropriate approach for their area based on local evidence and landscape character.

In practice most LPAs do not have the technical expertise to identify such areas or assess the feasibility of major utility infrastructure. These are highly specialised systems, and responsibility for planning and delivering them sits primarily with infrastructure providers. The NPPF should recognise this.

Question 98: Do you agree with the proposed approach to supporting development for renewable and low carbon development and electricity network infrastructure in policy W3?

CCN response: Strongly agree

CCN supports the substantial weight to the benefits of renewable energy (W3(1)) to support the transition to home grown renewable energy and improved energy security. We would advocate that the policy should make explicit that decisions must still take full account of environmental, transport, landscape and amenity impacts. Ensuring these considerations remain central will help maintain public confidence and secure well-designed, well-located infrastructure.

Question 99: Do you agree with the proposed approach to supporting development for water infrastructure in policy W4?

CCN response: Strongly agree

CCN supports policy W4 and the substantial weight given to water infrastructure improvements. Many county areas are suffering from a lack of water infrastructure which is hampering growth and holding back the delivery of new homes. We would advocate that the policy should make explicit that decisions must still take full account of environmental, transport, landscape and amenity impacts. Ensuring these considerations remain central will help maintain public confidence and secure well-designed, well-located water infrastructure.

Chapter 11: Facilitating the sustainable use of minerals

Question 100: Do you agree with the proposed prohibition on identifying new coal sites in policy M1, and to the removal of coal from the list of minerals of national and local importance?

CCN response: Strongly agree

CCN welcomes this approach and supports the ambition to reduce the reliance on fossil fuels. The change gives clarity and now aligns with Government's wider approach to net zero. We would note that councils have raised issue with the policy no longer stating that maintaining a sufficient supply of minerals is 'essential', and would request that this is retained in the new policy.

Question 101: Do you agree with how Policy M1 sets out how the development plan should consider oil and gas?

CCN response: Strongly agree

Question 102: Do you agree the proposed addition of critical and growth minerals to the glossary definition of 'minerals of national and local importance'?

CCN response: Strongly agree

Aggregates and minerals are vital to supporting wider growth aims, and this recognition in national policy is welcome.

Question 103: do you agree criteria b of Policy M2 strikes the right balance between preventing minerals sterilisation and facilitating nonminerals development?

CCN response: Strongly agree

The changed approach from 'encouraging' to 'requiring' is welcome – this will help to ensure the safeguarding of mineral resources which are finite.

Question 104: Do you agree policy M3 appropriately reflects the importance of critical and growth minerals?

CCN response: Strongly agree

Aggregates and minerals are vital to supporting wider growth aims, and this recognition in national policy is welcome.

Question 105: Do you agree with the exclusion of development involving onshore oil and gas extraction from policy M3?

CCN response: Partly agree

Question 106: Please provide your reasons, particularly if you disagree.

We agree that policy should be reviewed if we are to move away from fossil fuels to greener energy supplies. However, there is likely to be reliance on these natural resources in the future while alternatives cannot currently meet needs.

Question 107: Do you agree policy M4 sufficiently addresses the impacts of mineral development, noting that other national decision-making policies will also apply?

CCN response: Strongly agree

Question 108: Please provide your reasons, particularly if you disagree.

No further comments.

Question 109: Do you agree with the approach to coal, oil and gas in policy M5?

CCN response: Partly agree

Clarity on the national policy approach to coal extraction is welcomed. It is no longer sufficient to demonstrate that a proposal can be made environmentally acceptable and there are specific grounds given for making an exceptional case. Clarity on what might constitute 'public safety' as justification for coal, oil or gas production would be helpful for context. However, restricting the grounds for allowing an exception means there would currently be no policy justification for removal of surface coal to access fireclay which is an important mineral resource for brickmaking. See response to Q110 and Q111 below.

Further, NDMP Policy M5(4) appears to place the responsibility of the safety (gas pressure, prevention of leakage and avoidance of pollution) of underground gas and carbon storage facilities onto Mineral Planning Authorities (MPAs). It is unlikely any MPAs have the knowledge or experience to undertake such assessments. It may also overlap, if not duplicate, the responsibilities of other regulators (HSE and NSTA) – which would conflict with DM7, which seeks to prevent the duplication or extension of controls imposed by separate regulator regimes.

Question 110: Are there any other exceptional circumstances in which coal extraction should be permitted?

Yes.

Question 111: If yes, please outline the exceptional circumstances in which you think coal extraction should be permitted?

Extraction of surface coal is required to access fireclay. Fireclay is included in the glossary as a critical mineral of national and local importance, and is a fundamental ingredient for making bricks, controlling vitrification and can also produce a lighter colour required by some builders. Because of its association with coal there could be resistance to its extraction, yet elsewhere in the NPPF we see increased emphasis on the need to maintain 25 year landbank reserves of brick clay to support the house building aspirations.

There needs to be recognition that surface coal is ancillary to this critical minerals of fireclay. Currently the NPPF only encourages the extraction of fireclay where proposals for coal extraction are permitted (as an exception). By restricting the policy for extraction of coal , the ability to access a critical mineral required to support brickmaking may also be restricted. This anomaly should be reconsidered.

Question 112: Do you agree policy M6 strikes the right balance between preventing the sterilisation of minerals reserves and minerals-related activities, and facilitating non-minerals development?

CCN response: Partly agree

It is essential that proper safeguarding of minerals resource from sterilisation by non-minerals development is upheld and enforced by robust policy and clear guidance. Too often consideration of this issue is overlooked, or at best given slight regard but considered an unnecessary burden on developers. Submission of an appropriate Mineral Resource Assessment should also be a requirement within policy M6 as that will ensure planning authorities are provided with the right level and quality of information to consider the issue.

We are concerned that whilst paragraph 225 of the 2024 NPPF refers to ‘constrain potential future use for mineral working’, M6.1.a refers to ‘constrain likely or foreseeable future use for mineral working’. This is a significantly higher bar of certainty of future extraction that would need to be met for the safeguarding policy to apply at the planning application stage. This approach does not recognise that minerals are non-renewable resources to be protected for future uses to meet their own needs, in accordance with the definition of sustainable development. Therefore, we request that the phrase ‘potential future use’ continues to be used in the NPPF. If the new wording of ‘likely foreseeable future use’ is retained, then guidance will be required on how ‘likely and foreseeable future use’ should be assessed by the planning authority.

M6.1.b. should be amended to state ‘constrain or prevent the use of ...’ because proposals for non-mineral development in proximity to a safeguarded site could constrain the use, for example, through a need to limit operational hours, whilst not preventing the use. The suggested change would be in line with policy P4 on the impact of development on existing activities.

Question 113: Does policy M6 provide sufficient clarity on the role of Minerals Consultation Areas?

CCN response: Strongly agree

Chapter 12: Making effective use of land

Question 114: Do you agree policy L1 provides clear guidance on how Local Plans should be prepared to promote the efficient use of land?

CCN response: Partly agree

Question 115: If not, what further guidance is needed?

CCN agrees with the policy intent of L1, particularly the emphasis on developing previously developed land. We believe that the policy should be amended to reference the section on sustainable development and ensure that these policies work together to deliver good planning outcomes. The text also states that the ‘development plan’ should support the effective and efficient use of land, and we would request that it is explicitly stated at what spatial scale this is expected to be delivered – either through the SDS or the local plan.

While we support a brownfield first approach, these developments incur high costs for remediating land which can affect their viability and the level of contributions they are able to make in terms of infrastructure and affordable housing. This will need to be considered to ensure a brownfield-first approach does not result in reduced infrastructure contributions.

We do not support policy HO6 which dictates that plans should allocate land to accommodate 10% of the housing requirement on sites no larger than one hectare and for 10% of the requirement to be allocated on sites between 1 and 2.5 hectares, but we do support it within this policy if the range of sites allocated remains at the discretion of the local planning authority.

Question 116: Do you agree policy L2 provides clear guidance on how development proposals should be assessed to ensure efficient use of land?

CCN response: Partly agree

We support the principles in Policy L2 that give substantial weight to the benefits of remediating land and making better use of vacant buildings and under-utilised land. However, we would recommend that the Government acknowledges that land being "previously developed" does not automatically equate to it being in a suitable location for housing. For example, redevelopment on isolated industrial estates often results in poor-quality homes with poor access to amenities.

Question 117: Do you agree policy L2 identifies appropriate typologies of development to support intensification?

CCN response: Partly agree

We welcome the clarity given through Policy L2 but believe this may be overly detailed for national policy. This would be better suited to the Design and Placemaking PPG with the policy referring to it, and encouraging the use of design codes to ensure development reflects local character.

Question 118: Do you agree the high-level design principles provided in policy L2(d) appropriate for national policy?

CCN response: Partly agree

We welcome the clarity given through Policy L2 but believe this may be overly detailed for national policy. This would be better suited to the Design and Placemaking PPG with the policy referring to it, and encouraging the use of design codes to ensure development reflects local character.

Question 119: Do you agree policy L2 (d)(i) achieves its intent to enable appropriate development that may differ from the existing street scene, particularly in cases such as corner plot redevelopment and upwards extensions?

CCN response: Partly agree

We support the intent to allow flexibility for larger buildings at street corners or where specific changes are provided for through a design code. Decisions on scaling and massing should be left to the local planning authority who can specify requirements through design codes.

We would advocate for the policy to be changed to state that 'proposals should enhance the overall street scene' to ensure design-led approaches and to ensure that development contributes to the improvement of street scenes where necessary.

Question 120: Do you agree with the proposed safeguards in policy L2 that allow development in residential curtilages?

CCN response: Partly agree

We welcome the clarity given through Policy L2 but believe this may be overly detailed for national policy. This would be better suited to the Design and Placemaking PPG with the policy referring to it, and encouraging the use of design codes to ensure development reflects local character. We believe that authorities should be able to embed more restrictive safeguards to ensure that development is not inappropriate in certain circumstances.

Question 121: Do you agree policy L3 provides clear guidance on achieving appropriate densities for residential and mixed-use schemes?

CCN response: Partly agree

CCN supports the objective of Policy L3 to make efficient use of land, particularly the requirement to consider the availability of infrastructure and the importance of securing well-designed places. However, we do not agree with setting blanket minimum densities in national policy, and this should instead be done at a local level through the local plan or design codes. This will allow authorities to consider development proposals in conjunction with Policy DP3 which requires development to respond to local character.

Question 122: Do you agree with the minimum density requirements set out within policy L3?

CCN response: Disagree

We do not agree with setting blanket minimum density requirements in national policy. The character of places varies significantly across the country and a minimum density in one area may be completely inappropriate for another area and completely unambitious for another. This is true across authorities, but also within the same authority. We therefore believe that planning authorities should be able to set their own density standards.

Question 123: Do you agree that using dwellings per hectare is an appropriate metric for setting minimum density requirements? Additionally, is our definition of 'net developable area' within the NPPF suitable for this policy?

CCN response: Strongly agree

Question 124: Do you agree with the proposed definition of a 'well-connected' station used to help set higher minimum density standards in targeted growth locations?

CCN response: Partly disagree

CCN welcomes a standalone policy bringing together elements of policies S5, L3 and GB7. However, we are concerned that the strict nature of the definition could result in development coming forward in unsuitable locations. For example, frequency does not mean capacity, and development may occur around stations where services are already at capacity during peak times. Without increased investment in rail services, this would not lead to good outcomes. We believe that planning authorities should determine which hubs are well-connected and allocate sites in a local plan on this basis.

Question 125: Are there other types of location (such as urban core, or other types of public transport node) where minimum density standards should be set nationally?

CCN response: No

CCN strongly opposes the use of nationally set minimum density standards to other types of location. As we have already set out in this response the character of places varies significantly across the country and a minimum density in one area maybe completely inappropriate for another area and completely unambitious for another. This is true across authorities, but also within the same authority. We therefore believe that planning authorities should be able to set their own density standards through the local plan or design codes. This will allow authorities to consider development proposals in conjunction with Policy DP3 which requires development to respond to local character.

Question 126: Should we define a specific range of residential densities for land around stations classified as ‘well-connected’?

CCN response: No

See response to Question 125 above.

Question 127: If so, what should that range be, and which locations should it apply to?

Not applicable. We do not agree with the use of nationally set minimum density standards.

Question 128: Do you agree policy L4 provides clear high-level guidance on good design for residential extensions?

CCN response: Agree

Question 129: Please provide your reasons, particularly if you disagree.

CCN supports Policy L4 which sets out high-level policy on residential extensions. We strongly support the requirement to maintain acceptable living standards for current and new occupiers, specifically regarding daylight, sunlight.

Chapter 13: Protecting Green Belt land

Question 130: Do agree that policy GB1 provides appropriate criteria for establishing new Green Belts

CCN response: Partly agree

Question 131: Please provide reasons, particularly if you disagree.

CCN supports the principle that new Green Belts should only be designated in exceptional circumstances and should not constrain sustainable long-term growth. However, linking growth ambitions with new Green Belts is not considered to be the right mechanism to consider suitability. Point c of the policy should therefore be removed.

Question 132: Do you agree policy GB2 gives sufficient detail on the expected roles spatial development strategies and local plans play in assessing Green Belt land?

CCN response: Partly disagree

There is general consensus from CCN member councils that the requirement for an “assessment of the strategic role of Green Belt land” lacks definition. Members are

concerned that this ambiguity may result in open-ended evidential burdens, particularly at the Spatial Development Strategy (SDS) stage, and that more guidance should be given regarding the role of the SDS versus the Local Plan in terms of Green Belt assessment.

It is unclear whether parcel-level Green Belt review is expected at SDS stage, or whether this remains a local plan function. Without clear guidance, authorities risk undertaking insufficient or duplicative work and facing examination challenge. We therefore request that there is clearer distinction between SDS-level strategic assessment and local plan parcel-level review so that the reviews for each document are proportionate.

Any guidance should also clarify how land around stations and any potential grey belt areas should be approached in assessments. There is some concern from councils that the introduction of the 'Grey Belt' concept has confused the role of Green Belt land and results in un-coordinated release of Green Belt land that is seen as lower quality. Clearer criteria would improve consistency when assessing Green Belt land (alongside the methodology in Annex E which only addresses Grey Belt land and omits guidance on purpose (c) "safeguarding the countryside from encroachment".).

Question 133: Do you agree with proposals to better enable development opportunities around suitable stations to be bought forward?

CCN response: Partly agree

CCN supports the principle of this policy but believes that release of Green Belt land for development around stations should sit as part of a wider strategic Green Belt review and not as a standalone exception. In some cases, areas around stations may not have immediate access to services and infrastructure and permitting development in the Green Belt purely due to the proximity of a train station could lead to largely isolated communities without amenities.

Question 134: Do you agree the expectations set out in policy GB5 are appropriate and deliverable in Local Plans?

CCN response: Partly agree

Question 135: Please provide reasons, particularly if you disagree.

CCN supports the objective of enhancing the beneficial use of Green Belt land. However, expectations must remain realistic and deliverable. The policy should not conflate the statutory purposes of the Green Belt with broader environmental or nature recovery objectives without further clarity on funding and delivery mechanisms.

Question 136: Do you agree policies GB6 and GB7 set out appropriate tests for considering development on Green Belt land?

CCN response: Disagree

Members identified a structural inconsistency in the separation of plan-making and decision-making policies. While Green Belt purposes are articulated within the plan-making provisions of the document, the decision-making policies may restrict reliance on those provisions.

Traditionally, harm to the Green Belt has been assessed with reference to its purposes. If those purposes cannot be clearly relied upon in decision-taking, there is a risk of weakening the legal robustness of decisions. Explicit cross-referencing is therefore required to ensure clarity and avoid unintended gaps.

Question 137: Do you agree policy GB7 (1h) successfully targets appropriate development types and locations in the Green Belt, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12?

CCN response: Disagree

There is consensus among CCN member councils that this policy direction could lead to unsustainable development. It is felt that the presence of a train station does not necessarily mean that the immediate area has the appropriate infrastructure to support development. Permitting development in the Green Belt purely due to the proximity of a train station could lead to largely isolated communities without amenities.

Question 138: Please provide your reasons, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers.

No further comments – please see responses from individual CCN member councils.

Question 139: Do you agree that site-specific viability assessment should be permitted on development proposals subject to the Golden Rules in these three circumstances?

CCN response: Partly agree

We agree that site-specific viability assessments should be permitted under the circumstances specified to ensure that development is viable.

Question 140: With regards to previously developed land, are there further changes to policy or guidance that could be made to help ensure site-specific viability assessments are used only for genuinely previously developed land, and not predominantly greenfield sites?

Please see responses from individual member councils.

Question 141: Do you agree with setting an affordable housing ‘floor’ for schemes subject to the Golden Rules accompanied by a viability assessment subject to the terms set out?

CCN response: Partly agree

Question 142: Please explain your answer, including your view on the appropriate approach to setting a ‘floor’ and the right level for this?

CCN agrees with the principle of setting an affordable housing floor to ensure that viability is not used to completely reduce affordable housing contributions. However, we believe this should be executed at least on a regional basis to take account differing viability levels across the country. We would suggest a floor is set locally through the Local Plan process, or through an SDS to ensure local circumstances are fully taken into consideration.

Question 143: Do you agree with local planning authorities testing viability at the plan-making stage using a standardised Benchmark Land Values scenario of 10 times Existing Use Value for greenfield, Green Belt land?

CCN response: Strongly disagree

Land values and viability levels vary significantly across the country. Imposing a standardised Benchmark Land Value is crude and does not allow areas to factor in local circumstances.

Question 144: Do you have any other comments on the use of nationally standardised Benchmark Land Values for local planning authorities to test viability at the plan-making stage?

As per previous responses, CCN supports the principle of setting Benchmark Land Values but believes this should be undertaken at least regionally and not nationally reflecting differences in land values across the country and associated impact this has on viability.

Question 145: Do you agree that proposed changes to the grey belt definition will improve the operability of the grey belt definition, without undermining the general protections given to other footnote 7 areas?

CCN response: Partly disagree

CCN understands the desire to make it easier to identify Grey Belt land, and we agree that the proposed changes achieve this. However, our members strongly object to Grey Belt policy and believe that it is not achieving the goals it originally intended, with many unsuitable sites coming forward for development that are in unsustainable locations. This has had the effect of encouraging unsustainable urban sprawl and development that is not connected to infrastructure, rather than bringing forward suitable previously developed land in the Green Belt. We therefore request that Grey Belt policy is reviewed urgently, in conjunction with local planning authorities.

Chapter 14: Achieving well-designed places

Question 146: Do you agree that policy DP1 provides sufficient clarity on how development plans should deliver high quality design and placemaking outcomes?

CCN response: Agree

CCN welcomes the policy intent of DP1 and particularly welcomes a more flexible approach to design codes where they are appropriate for particular locations and where they are necessary to deliver design and place-making outcomes, rather than requiring them across an authority area.

As we have set out before, planning authorities must be properly resourced to deliver the vast range of requirements that are required of them, including design codes.

Question 147: Do you agree with the approach to design tools set out in policy DP2?

CCN response: Strongly agree

CCN welcomes the approach in DP2 for producing design guides, codes and masterplans where necessary. As above, we are concerned that authorities do not have adequate resources or capacity to deliver some of the requirements and this must be addressed.

Question 148: Do you agree policy DP3 clearly set out principles for development proposals to respond to their context and create well-designed places?

CCN response: Agree

CCN supports the overall direction policy DP3 but believe that the policy should be amended to explicitly state that as well as achieving good design, proposals must accord with other policies set out in the NPPF and with the development plan.

We welcome the removal of subjective references to "beauty" and "beautiful" from the Framework. Focusing on objective principles like "well-designed" provides greater clarity for decision-makers.

Question 149: Do you agree with the proposed approach to using design review and other design processes in policy DP4?

CCN response: Strongly agree

CCN supports policy DP4 and particularly welcome the direction at DP4 (2c) to not allow the quality of approved development to be materially diminished between permission and completion. Planning authorities often face attempts for schemes to be diminished once planning permission has been granted in order to cut costs and stronger national policy that helps to resist changes that dilute design quality is a positive step.

Chapter 15: Promoting sustainable transport

Question 150: Do you agree that policy TR1 will provide an effective basis for taking a vision-led approach and supporting sustainable transport through plan-making?

CCN response: Partly agree

CCN supports the principle of a vision-led approach to transport planning moving away from the traditional "predict and provide" model which often entrenches car dependency. However, CCN member councils would welcome further guidance on what a 'vision-led approach' means in practice and how it should be embedded in development plans.

Councils also have concerns about the delivery of vision led transport and whether a modal shift to sustainable transport in predominately rural authorities is realistic. Member councils also question whether the shift away from monitor and manage (focussed on highway capacity) has buy-in from bodies such as National Highways. There is concern that this will cause issues and delays at examination if not.

We would also request further clarification about the unclear relationship between vision led transport and transport modelling and the level of transport modelling that will be required for plan making. Further guidance is urgently required if Local Plans are to progress in a timely manner. Plan makers cannot wait for guidance to be published with the final NPPF.

Finally, planning authorities will also need significant additional resourcing to enable them to undertake transport modelling and we would urge the government to fund authorities to undertake this work as soon as possible.

Question 151: Do you agree that policy TR2 strikes an appropriate balance between supporting maximum parking standards where they can deliver planning benefits, and requiring a degree of flexibility and consideration of business requirements in setting those standards?

CCN response: Agree

While we agree overall with the policy direction given in TR2, we would urge for policy to make it explicitly clear that planning authorities in two-tier areas should design parking standards in partnership with the highways authority in the area to ensure that policies across councils are aligned.

Question 152: Do you agree with the changes proposed in policy TR3(1a), including the reference to proposals which could generate a significant amount of movement, and the proposed use of the Connectivity Tool?

CCN response: Partly agree

CCN supports the policy intent of this policy but notes that the Connectivity Tool is less effective for rural and semi-rural locations with limited transport options. We would advocate for further development of this tool to ensure consistent national application.

Question 153: Do you agree that proposed policy TR4 provides a sufficient basis for the effective integration of transport considerations in creating well-designed places?

CCN response: Agree

Question 154: Do you agree with policy TR5 as a basis for supporting the provision and retention of roadside facilities where there is an identified need?

CCN response: Strongly agree

Question 155: Do you agree that the amended wording proposed in policy TR6 provides a clearer basis for considering when transport assessments and travel plans will be required, and for considering impacts on the transport network?

CCN response: Strongly agree

Question 156: Do you agree the proposed text in policy TR7 provide an effective basis for assessing proposals for marine ports, airports and general aviation facilities?

CCN response: Agree

Question 157: Do you agree with the additional policy on maintaining and improving rights of way proposed in policy TR8?

CCN response: Strongly agree

Chapter 16: Promoting healthy communities

Question 158: Do you agree with the approach to planning for healthy communities in policy HC1, including the expectation that the development plan set local standards for different types of recreational land, drawing upon relevant national standards?

CCN response: Agree

CCN welcomes the approach outlined in Policy HC1 and the promotion of healthy and inclusive places within the document. We also welcome the reference to the retention and enhancement of community facilities and public service infrastructure at HC1(1). To ensure that this policy can be delivered, particularly the objectives in HC1(1)(d) for play and sport, that Sport England continues to play a role as a statutory consultee.

Question 159: Do you agree that Local Green Space should be ‘close’ to the community it serves?

CCN Response: Strongly agree

We strongly support the requirement that local green space should be ‘close’ to the community it serves. However, we strongly recommend that the policy is amended to include ‘within reasonable walking distance’ to provide additional clarification and to ensure that adequate green space is provided, particularly on large scale development sites. We would also encourage national policy to set what a ‘reasonable walking distance’ is.

Question 160: Do you agree that the proposed policies at HC3 and HC4 will support the provision of community facilities and public service infrastructure serving new development?

CCN response: Partly agree

CCN supports policies HC3 and HC4 and the emphasis on delivering community and public service infrastructure. We particularly welcome the emphasis that planning conditions and obligations should be used to secure the timely delivery of facilities so they are available when development is occupied.

We would note, however, that in many areas infrastructure has not kept pace with development leading to strain on existing infrastructure and public services. This can lead to contempt for new development from existing residents.

Question 161: Do you have any views on whether further clarity is required to improve the application of this policy, including the term ‘fast food outlets’, and the types of uses to which it applies?

CCN strongly welcomes the strengthened wording in **Policy HC5** requiring refusal of applications for ‘fast food outlets’ within walking distance of schools (unless in a town centre).

However, for this policy to be effective and robust against planning appeals, we advocate that definitions are explicitly given in the NPPF. This includes a strong definition of a ‘fast food outlet’ versus ‘hot food takeaways’ and a definition of ‘reasonable walking distance’ to ensure consistency.

We also support the ability to refuse based on "concentration" (HC5(b)). Guidance on measuring density/concentration would assist councils in defending these decisions.

Question 162: Do you agree with the proposed approach to retaining key community facilities and public service infrastructure in policy HC6?

CCN response: Strongly agree

CCN supports policy HC6 and the objective of preventing the loss of key facilities such as pubs, places of worship and community halls where there is an identified need. We specifically agree with the protection for facilities that are the "last of their type" and this policy will be particularly helpful for rural market towns which have seen a high loss of community facilities over the last years.

We also welcome the requirement that a lack of viability must be demonstrated through a robust marketing period (at least 12 months) before a change of use is permitted (HC6(1)(a)). This prevents the premature loss of assets that could be run by community groups.

Question 163: Do you agree with the approach taken to recreational facilities in policy HC7, including the addition of 'and/or' with reference to quantity and quality of replacement provision?

CCN response: Partly agree

We welcome the amendments to Policy HC7, particularly the flexibility introduced by the phrase "quantity and/or quality" regarding replacement provision. It is vital that the judgement on whether the quality improvement outweighs the quantity loss remains a decision for the local planning authority, in consultation with bodies like Sport England, to ensure the community does not lose out on open space access.

Question 164: Do you agree with the clarification that Local Green Space should not fall into areas regarded as grey belt or where Green Belt policy on previously developed land apply?

CCN response: Strongly agree

We strongly support the clarification in Policy HC8 that Local Green Space should not be subject to "grey belt" or "previously developed land" policies.

Chapter 17: Pollution, Public Protection and Security

Question 165: Do you agree with Policy P1 as a basis for identifying and addressing relevant risks when preparing plans?

CCN response: Partly agree

CCN agrees with the overall approach outlined in Policy P1 but note that the policy should explicitly acknowledge that other consent regimes regulate operational pollution. Planning Authorities must be able to rely on those regimes functioning effectively (as set out in NDMP DM7) and avoid duplicating controls that properly sit with environmental permitting or other regulatory systems.

Question 166: Are any additional tools or guidance needed to enable better decision-making on contaminated land?

Planning policy places an expectation on applicants to demonstrate that contaminated land is safe and suitable to use, however councils have noted that the quality and consistency of contaminated land assessments vary significantly. Additional guidance for contaminated land assessments would help to improve the quality of submissions.

Question 167: Do you agree with the criteria set out in proposed policy P3 as a basis for securing acceptable living conditions and managing pollution?

CCN response: Partly disagree

Policy P3(3) identifies that other regimes do not eliminate all adverse effects, which is welcome. However, care is needed not to cause tension with the provisions of Policy DM7, which instructs decision-makers to assume that all other regimes operate effectively. It is therefore important to be specific in saying that "compliance with an Environmental Permit does not equate to acceptable planning amenity".

The Local Plan must retain the facility to refuse development based on the residual adverse impacts, such as noise and odour, even where statutory limits are met.

Question 168: Do you agree policy P4 makes sufficiently clear how decision-makers should apply the agent of change principle?

Response: Partly agree

CCN supports the general approach to P4 and strongly supports the agent of change principle and in particular, the inclusion of "permitted levels of operation" (P4(4)) to protect those venues operating under capacity.

However, while LPAs should be satisfied that mitigation measures are capable of being effective, their implementation should remain a private matter between developers, landowners and tenants. Planning enforcement should not be used to police private contractual arrangements.

Question 169: Do you agree policy P5 provides sufficient basis for addressing possible malicious threats and other hazards when considering development proposals?

CCN response: Strongly agree

Q.170. Do you agree that substantial weight should be given to the benefits of development for defence and public protection purposes?

CCN response: Strongly agree

Chapter 18: Managing flood risk and coastal change

Question 171: Do you agree with the proposed changes set in policy F3 to improve how Coastal Change Management Areas are identified and taken into account in development plans?

CCN response: Neither agree nor disagree.

Please refer to responses from individual CCN member councils.

Question 172: Do you agree with the proposed clarifications to the sequential test set out in policy F5?

CCN response: Neither agree nor disagree

Please refer to responses from individual CCN member councils.

Question 173: Do you agree with the proposed approach to the exception test set out in policy F6?

CCN response: Neither agree nor disagree

Please refer to responses from individual CCN member councils.

Question 174: Do you agree with the proposed requirement in policy F8 for sustainable drainage systems to be designed in accordance with the National Standards?

Response: Strongly agree

Question 175: Do you agree with the proposed new policy to avoid the enclosure of watercourses, and encourage the de-culverting and re-naturalisation of river channels?

Response: Strongly agree

Question 176: Do you agree with the proposed changes to policy for managing development in areas affected by coastal change?

Response: Neither agree or disagree

Please refer to responses from individual CCN member councils.

Question 177: The National Coastal Erosion Risk Map sets out where areas may be vulnerable to coastal change based on different scenarios. Do you have views on how these scenarios should be applied to ensure a proportionate approach in applying this policy?

Please refer to responses from individual CCN member councils.

Question 178: Do you agree with the proposed new additions to Table 2: Flood Risk Vulnerability Classifications?

a) Should any other forms of development be added?

Please refer to responses from individual CCN member councils.

Chapter 19: Conserving and enhancing the natural environment

Question 179: Do you agree that the proposed approach to planning for the natural environment in policy N1, including the proposed approach to biodiversity net gain, strikes the right balance between consistency, viability, deliverability, and supporting nature recovery?

CCN response: Partly disagree

CCN supports the general principle of Policy N1 but has concerns regarding N1(2) which prevents development plans from setting biodiversity net gain requirements above the statutory 10% except for specific site allocations. Planning practice guidance currently provides robust testing for going above this level, providing a sufficient framework.

Removing the ability of planning authorities to request higher BNG levels where it is justified and viable is counterproductive and goes against the government's own ambitions for nature recovery.

In N1(c) however, it is thought that '*avoiding and minimising*' adds confusion. This appears to reflect the mitigation hierarchy which can weaken policy, so it is believed that it would be better to use 'avoiding harm'.

Question 180: In what circumstances would it be reasonable to seek more than 10% biodiversity net gain on sites being allocated in the development plan, especially where this could support meeting biodiversity net gain obligations on other neighbouring sites in a particular area?

As above, we believe 10% is an arbitrary figure and there are instances where higher levels could be achieved. We believe that policy should be changed to state that 10% should be the minimum expectation to be delivered.

Question 181: Do you agree policy N2 sets sufficiently clear expectations for how development proposals should consider and enhance the existing natural characteristics of sites proposed for development?

Response: Disagree

Whilst the principle of using of poorer quality agricultural land over that of higher quality is supported, feedback from councils suggests that it is not clear how this will be achieved through decision-making and how applicants will be required to demonstrate that they can meet the policy.

Councils are concerned that areas of high agricultural value could be lost to meet housing and development need which, in areas where there are high levels of quality agricultural land, could increasingly threaten food security and harm local economies. We therefore believe the NPPF should be protecting this type of land permanently.

In addition, planning authorities welcome N2(f) which sets out that swift bricks should be incorporated into development, but would also like to see bat roosting features included as well as both are achievable within new and existing buildings as integral features.

Question 182: Do you agree the Policy N4 provides a sufficiently clear basis for considering development proposals affecting protected landscapes and reflecting the statutory duties which apply to them?

CCN response: Strongly disagree

We understand that there is concern from councils that the proposed wording represents a weakening of long-established protections for National Parks and other Protected Landscapes, and several elements dilute the clarity, hierarchy and strength of the current policy framework. In particular, the shift from the current NPPF wording (para 189) to N4(1) significantly reduces the weight afforded to Protected Landscapes.

The longstanding distinction—where National Parks and the Broads have the highest status of protection—has been removed. Reducing the system to two broad levels of weighting is too blunt and risks undermining the special status of these areas. This should be rethought.

Question 183: Do you agree policy N6 provides clarity on the treatment of internationally, nationally, and locally recognised sites within the planning system?

CCN response: Disagree

We believe the policy is clear, and well-intended but are concerned that if an Environmental Delivery Plan is not issued by Natural England, a developer will not have to pay the nature restoration levy. In these cases, Local Plans will need to retain mitigation measures so that it is clear that mitigation is still required. We suggest that the wording is changed to reflect this.

Question 184: Are there any further issues for planning policy that we need to consider as we take forward the implementation of Environmental Delivery Plans?

No further comments.

Chapter 20: Conserving and enhancing the historic environment

Question 187: Do you agree with the approach to plan-making for the historic environment, including the specific requirements for World Heritage Sites and Conservation Areas, set out in policies H1 - H3?

CCN response: Partly agree

a) Please provide your reasons, particularly if you disagree.

CCN is supportive of the overall approach taken to planning for historic environment. However, there are concerns from some councils regarding the wording of Policy HE2, with some councils feeling that the policy doesn't go far enough in terms of determining an approach to protect Conservation Areas from impacts of development in their hinterland and, like other policies within the document, may be too permissive.

The approach outlined is one which favours development, subject to policies for allocations, design codes and masterplans but inappropriate development could harm the character / setting of the conservation area, and it's not considered the policy goes far enough to ensure that planning authorities can resist this. It is suggested that policy HE2 is amended to ensure that plans 'Identify opportunities for new development affecting these assets and their settings to protect, enhance or better reveal their significance'.

Question 188: Do you agree with the approach to assessing the effects of development on heritage assets set out in policy H5?

CCN response: Strongly agree

Question 189: Do you agree with the approach to considering impacts on designated heritage assets in policy HE6, including the change from “great weight” to “substantial weight”, and in particular the interactions between this and the statutory duties?

CCN response: Neither agree or disagree

We understand that there are some concerns from Councils regarding the term ‘substantial weight’, identifying that it may cause confusion in its application.

Question 190: Do you agree with the new policies in relation to world heritage, conservation areas and archaeological assets in policies HE8 – HE10?

CCN response: Partly agree

There are some comments and clarifications that we have received from planning authorities in relation to these policies. This includes that planning authorities are unclear about how HE9 and HE6 will work together and request that this is made clearer. It is assumed both policies apply, but this needs to be clarified.

Question 191: Do you have any other comments on the revisions to the heritage chapter?

We have no further comments.

Further questions: Transitional arrangements

Question 192: Do you agree with the transitional arrangements approach to decision-making?

CCN response: Partly agree

CCN partly agrees with the transitional arrangements set out at Annex A, but as we have previously set out, we believe that the NDMP’s set out in the draft NPPF should act as a baseline, and authorities should be able to include different development management policies where necessary and where this is justified by evidence. This would be fairer and more proportionate.

We are concerned that paragraph 2 of Annex A is too crude and could risk policies being out of date and given very limited weight, even if only part of a policy is deemed to be inconsistent with the national framework. Further clarification of how this would work in practice is sought as soon as possible.

Question 193: Do you have any further thoughts on the policies outlined in this consultation?

CCN is concerned that the document will remove significant local control from councils, centralising decision-making policies with authorities having very little opportunity to set their own distinct policies for decision-making. The policies are highly permissive and will make it difficult for authorities to refuse any development. While authorities want to plan in a positive and constructive way, we view that the new NPPF goes against the fundamental principles of the democratic plan-led system and could lead to further public distrust in the planning system.

Annex A: Written Ministerial Statements

Question 194: Do you agree with the list of Written Ministerial Statements set out in Annex A to the draft Framework whose planning content would be superseded by the policies proposed in this consultation?

CCN agrees with this approach and welcomes the approach to incorporate the content of Written Ministerial Statements into the NPPF. This approach should be maintained for future iterations of the NPPF.

Question 195: Do you consider the planning regime, including reforms being delivered through the Planning and Infrastructure Bill, provide sufficient flexibility for energy generation projects co-located with data centres to be consented under either the NSIP or TCPA regime?

Please see responses from individual CCN member councils.

Question 196: Would raising the Planning Act 2008 energy generation thresholds for renewable projects that are co-located with data centres in England (for the reason outlined above) be beneficial?

Please see responses from individual CCN member councils.

Question 197: Do you have any views on how we should define 'co-located energy infrastructure'?

Please see responses from individual CCN member councils.

Question 198: Do you think the renewable energy generation thresholds under Section 15 of the Planning Act 2008 for other use types of projects should be increased, or should this be limited to projects co-located with data centres?

Please see responses from individual CCN member councils.

Question 199: What benefits or risks do you foresee from making this change?

Please see responses from individual CCN member councils.

Annex B – Viability: Standardised inputs in viability assessment

Question 200: Would you support the use of growth testing for strategic, multi-phase schemes?

CCN response: Agree

CCN supports the proposal of using growth testing for strategic, multi-phase sites. This would enable the viability assessment to reflect the long-term value of a development allowing further value capture where growth is higher than expected, allowing more clawback for public good. We believe this should be tested with a handful of planning authorities before it is established fully.

Question 201: Would you support the optional use of growth testing for regeneration schemes?

CCN response: Agree

Question 202: Do you agree greater specificity, including single figures, which local planning authorities could choose to diverge from where there is evidence for doing so, would improve speed and certainty?

CCN response: Agree

CCN supports providing greater specificity on developer returns. We do not have a particular view on a single figure, but this should be reached on a case-by-case basis where there is evidence to allow market conditions to be reflected.

Question 203: Are there any site types, tenures, or development models to which alternative, lower figures to 15-20% of Gross Development Value might reasonably apply?

CCN does not have particular views on the site types, tenures, or development models to which alternative, lower figures to 15-20% of Gross Development Value might reasonably apply. This should be left to the discretion of the local planning authority based on market conditions and the type of development that is needed.

Question 204: Are there further ways the government can bring greater specificity and certainty over profit expectations across landowners, site promoters and developers such that the system provides for the level of profit necessary for development to proceed, reducing the need for subjective expectations?

The use of viability assessments in the planning system is a key source of frustration for planning authorities and communities. We therefore welcome the moves that the government is proposing to standardise inputs for benchmark land values and landowner premiums. We would urge the government to strengthen the point in planning practice guidance that the price paid for land is not a justification for not meeting policy requirements.

Question 205: Existing Viability Planning Practice Guidance refers to developer return in terms a percentage of gross development value. In what ways might the continued use of gross development value be usefully standardised?

Please refer to the responses from individual CCN member councils.

Question 206: Do you agree there are circumstances in which metrics other than profit on gross development value would support more or faster housing delivery, or help to maximise compliance with plan policy?

Please refer to the responses from individual CCN member councils.

Question 207: Are there types of development on which metrics other than profit on gross development value should be routinely accepted as a measure of return e.g. strategic sites large multi-phased schemes, or build to rent schemes?

Please refer to the responses from individual CCN member councils.

Question 208: Do you agree that guidance should be updated to reflect the fact a premium may not be required in all circumstances?

Please refer to the responses from individual CCN member councils.

Question 209: Do you agree that extant consents should not be assumed to be sufficient proof of alternative use value, unless other provisions relating to set out in plans are met?

CCN response: Strongly agree

We agree that extant consents should not be assumed to be sufficient proof of alternative use value. We know that developers have used past or speculative consents that were never going to build out to establish an artificially high benchmark land value. This inflates the land cost and consumes any surplus value that would otherwise have been available for affordable housing or other strategic infrastructure. We only support alternative use values if the alternative scheme is fully compliant with the policies set out in the local plan.

Question 210: If extant consents were not to be assumed as sufficient proof of alternative use value, should this be at the discretion of the decision-maker, or should another metric (e.g. period of time since consent granted) be used?

This should be at the discretion of the decision-maker.

Question 211: What further steps should the government take to ensure non-policy compliant schemes are not used to inform the determination of benchmark land values in the viability assessments that underpin plan-making?

There are several steps that the Government could take to ensure that ensure non-policy compliant schemes are not used to inform the determination of benchmark land values in the viability assessments that underpin plan-making. The first is to use planning practice guidance to state that evidence from schemes that fail to meet full policy requirements must be disregarded when establishing benchmark land values for plan-making.

The second is to reinforce in planning practice guidance that that the price paid for land is not a justification for not meeting policy requirements. Benchmark land values must reflect the value after policy costs are deducted, not the speculative price a developer might have paid based on hope value.

Question 212: Do you agree that the residual land value of the development proposal should be cross-checked with the residual land values of comparable schemes; to help set the viability assessment in context.

CCN response: Agree

CCN supports the use of cross-checking residual land values against comparable schemes to provide context and robust scrutiny. It is vital that the schemes are comparable in terms of site constraints and policy requirements to be fully effective.

Annex C: Reforming Site Thresholds

Question 213: Do you agree that a 2.5 hectare threshold is appropriate?

CCN response: Agree

Question 214: Do you agree that a unit threshold of between 10 and 49 units is appropriate?

CCN response: Agree

We agree with a unit threshold of between 10 and 49 units for medium size development. However, we would also advocate for the government to undertake a review of statutory

timescales alongside the introduction of this new category of development working with planning authorities.

Question 215: Do you foresee risks or operability issues anticipated with the proposed definition of medium development?

We agree with the risks outlined in the consultation which should be considered carefully. A particular risk is the arbitrary splitting of larger sites into smaller parcels of land that fall within the medium definition, subsequently allowing development to benefit from lighter touch regulation and avoid obligations.

Question 216: If so, please explain your answer and provide views on potential mitigations.

CCN suggests that the government works with local planning authorities to design robust solutions that will prevent gaming of the system as we have outlined. This could include a new NDMP that allows for planning applications to be refused where the LPA considers that either the site is part of a larger site and should come forward comprehensively or a site is being developed at a sub-optimal density.

Question 217: Do you have any views on whether the current small development exemption should be extended to cover a wider range of sites – indicatively to sites of fewer than 50 dwellings, or fewer than 120 bedspaces in purpose-built student accommodation?

We agree that it makes sense to align regimes.

Question 218: If the exemption were to be extended, do you have any views on whether the development of 120 purpose-built student accommodation bedspaces is an appropriate equivalent to a development of 50 dwellings for the purposes of the levy exemption?

Please refer to responses from individual CCN member councils.

Question 219: If the exemption were to be extended, do you have any views on whether the exemption should be based solely on the existing metrics (dwellings/bedspaces) or whether there should also be an area threshold.

Please refer to responses from individual CCN member councils.

Question 220: If you do have views on possible changes to the small developments levy exemption, please specify the potential impact of the possible change of the levy exemption on people with protected characteristics as defined in section 149 of the Equality Act 2010.

Please refer to responses from individual CCN member councils.

Question 221: What do you consider to be the potential economic, competitive, and behavioural impacts of possible changes to the levy exemption? Please provide any evidence or examples to support your response.

Please refer to responses from individual CCN member councils.

Question 222: Do you agree with the proposal to extend the Permission in Principle application route to medium development?

CCN response: Agree

We agree that Permission in Principle should be extended to medium sized development, notwithstanding earlier comments about preventing gaming of the system to access easier routes to planning permission with the risk that it will result in reduced planning obligations. A streamlined route must not bypass the necessary checks that ensure development is well-designed and integrates properly with the local area.

Question 223: Do you have views about whether there should be changes to the regulatory procedures for these applications, including whether there should be a requirement for a short planning statement?

We agree that a short planning statement setting out how the proposals meets National Decision Making Policy and development plan policy compliance should be required for these applications. These should demonstrate that the quantum of development can be acceptably accommodated within the site and that it should have no adverse impacts on the vicinity should be required.

Public Sector Equality Duty

Question 224: Do you have any views on the impacts of the above proposals for you, or the group or business you represent and on anyone with a relevant protected characteristic?

Please refer to responses from individual CCN member councils.

Question 225: Is there anything that could be done to mitigate any impact identified?

Please refer to responses from individual CCN member councils.