	RBC RESPONSE
Chapter 3 – Planning for the homes we need	
Importance of planning to meet housing needs **Advisory starting point and alternative approaches**	
Question 1: Do you agree that we should reverse the December 2023 changes made to paragraph 61?	A clear and consistent position would be welcomed. The ambiguity around 'advisory starting points' and 'exceptional circumstances' often leads to extended and lengthy debate at EiP, where every interested party has a different opinion on calculating an appropriate level of housing need. The changes to paragraph 61, retain the phrase 'minimum number of homes needed'. It should be made clear that if LPAs are proposing to meet this minimum requirement in full through plan-making, then this should not be open to challenge at EiP by those who may wish an even higher number.
Question 2: Do you agree that we should remove reference to the use of alternative approaches to assessing housing need in paragraph 61 and the glossary of the NPPF?	As above a clear and consistent approach is welcomed, if there is any scope for alternative approaches clarity should be provided as to what constitutes an appropriate 'specific circumstance' and clear guidance should be provided as to how justification for use of an alternative approach to calculating housing need should be set out by an LPA. Agreeing an alternative approach early in the plan-making process with PINs would reduce the likely lengthy debate at EiP.
Urban uplift	
Question 3: Do you agree that we should reverse the December 2023 changes made on the urban uplift by deleting paragraph 62?	The application of an urban uplift is irrelevant if major urban centres have insufficient capacity to meet their own housing needs in the first instance, which was very often the case. Clear guidance is required across housing market areas and functional economic areas in terms of how redistribution of unmet needs should be accommodated across these areas and appropriate mechanisms should be put in place to ensure delivery within a reasonable timeframe. However, it should be made clear that major urban centres should be achieving higher density levels in the first instance to minimise the need to export housing cross boundary where higher density levels would be inappropriate.

Character and density	
Question 4: Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130?	Density standards should be embedded in Local Plan policy. There is no 'one size fits all' across settlements and there may be other contributing factors that would require more sympathetic levels of growth in some locations. Paragraph 129 allows for this flexibility.
Question 5: Do you agree that the focus of design codes should move towards supporting spatial visions in local plans and areas that provide the greatest opportunities for change such as greater density, in particular the development of large new communities?	The production of design codes is supported where appropriate. Design codes can be used at different scales, local planning authorities needs to have the flexibility to use the most appropriate tools to ensure that all new development is developed to a high quality which responds to local character successfully.
Strengthening and reforming the presumption in favour of sustainable development ('the presumption')	
Question 6: Do you agree that the presumption in favour of sustainable development should be amended as proposed?	Yes, the proposed changes add much needed clarity to how the presumption is supposed to work.
Restoring the 5-Year Housing Land Supply (5YHLS)	
Question 7: Do you agree that all local planning authorities should be required to continually demonstrate 5 years of specific, deliverable sites for decision making purposes, regardless of plan status?	Yes, ensuring a pipeline of housing supply is a key part of the planning system. part of this approach is having a consistent, continuous process for demonstrating a 5YHLS position which provides certainty for decision makers. We would urge MHCLG to decide on the approach and stick with it
Question 8: Do you agree with our proposal to remove wording on national planning guidance in paragraph 77 of the current NPPF?	Yes, it is considered that reference to under/over supply is largely redundant given that affordability ratios take account of this when calculating local housing need. Over supply should result in an improvement to an LPAs affordability ratio.
Restoring the 5% buffer	

Question 9: Do you agree that all local planning authorities should be required to add a 5% buffer to their 5-year housing land supply calculations?	The application of a buffer (of any percentage) to the 5YHLS calculation is of no benefit and should be deleted. Its purpose is to ensure choice and competition in the market. However, if a 5YHLS is in place, then additional development over and above that identified supply shouldn't be stymied as housing requirements are no longer maximum targets. In instances where a 5YHLS cannot be demonstrated, then the Presumption in favour of Sustainable Development and the Tilted Balance come into play. In relation to the 20% buffer to be applied when an LPA significantly under delivers against the housing requirement is an unnecessary penalty. In particular, local authority areas heavily constrained by Green Belt may have no option than to drop below a 5YHLS during Local Plan preparation, where the opportunity for appropriate windfall applications is extremely limited. Furthermore, Redditch Borough Council has ongoing and significant concerns regarding the Housing Delivery Test, how it is calculated and subsequently applied thus affecting the 5YHLS calculation. The Council, along with its neighbours at Bromsgrove District Council has been challenging the appropriateness of the HDT since its inception without due consideration from the Planning Policy Team at MHCLG. Both Councils maintain a stance to ignore the HDT outcomes until this matter is addressed fully and measures put in place to provide certainty regarding cross boundary allocation and delivery that don't have a significant impact on the HDT outcomes. As local planning authorities who embraced the duty to cooperate and have managed what many other areas have failed to achieve, we should not be penalised by ill thought out mathematics. By way of explanation, a copy of the correspondence to date will be sent once again to the Planning Policy Team and relevant Ministers copied in.
Question 10: If yes, do you agree that 5% is an appropriate buffer, or should it be a different figure?	See response to Q9
Question 11: Do you agree with the removal of policy on Annual Position Statements?	We have had no need for an annual position statement and have no objection to their removal.
Maintaining effective co-operation and the move to strategic planning	

Question 12: Do you agree that the NPPF should be amended to further support effective co-operation on cross boundary and strategic planning matters?	We welcome the return of strategic planning as the duty to cooperate has, in the main, failed. As an authority which is part of a housing market area, and functional economic market area dominated by large urban authorities, with a combined authority and an elected Mayor we do have concerns about the governance of a Spatial Development Strategy (SDS) focused on a mayoral region. As it stands RBC little say in the decisions taken by the WMCA and the Mayor. For the planning issues of the West Midlands to be tackled the geography of one or more SDS needs to be very careful considered. The previous regional planning undertaken across the whole of the West Midland under the Regional Spatial Strategy did provide authorities the certainty on those regional issues which allowed plans to be brought forward. The requirement for public consultation and an independent examination as part of the strategic plan making function is key. Decisions on strategic matters including housing and employment distributions need to be arrived and enforced, rather than avoided as is all to often happening at the moment. In relation to the specific changes being proposed to paras 24-27 of the NPPF. Whilst the duty to cooperate remains in force these changes will make little or no difference as they just reiterate what is supposed to be happening at the moment. The return to a legislated regime of strategic planning should be a priority. Local authorities where strategic cross boundary issues are present should not be allowed to rush a plan though for the sake of having a plan where a longer-term view is needed. Plans which have significant strategic issue should only come forward when the mechanisms of how that plan will feed into or be informed by a SDS are clear.
Question 13: Should the tests of soundness be amended to better assess the soundness of strategic scale plans or proposals?	Yes – a plan should only be allowed to be found sound if it has met it strategic obligations or has a clear plan in place of how they will be met.
Question 14: Do you have any other suggestions relating to the proposals in this chapter?	No other than the above.
Chapter 4 – A new Standard Method for assessing housing needs	
Step 1 – Setting the baseline – providing stability and certainty through housing stock	

Question 15: Do you agree that Planning Practice Guidance should be amended to specify that the appropriate baseline for the standard method is housing stock rather than the latest household projections?	It seems reasonable to set a baseline that can be measured such as housing stock as opposed to an aging projection dataset. What is needed most is a clear position to work from.
Step 2 – Adjusting for affordability	
Question 16: Do you agree that using the workplace-based median house price to median earnings ratio, averaged over the most recent 3 year period for which data is available to adjust the standard method's baseline, is appropriate?	The ratio being suggested will show the relationship between local house prices and jobs available in that locality. However, this does not accurately reflect the reality of districts such as Redditch, where people commute into major cities and elsewhere where there are higher paying jobs. Such a reality is more aligned to the median resident-based earnings. Whilst we agree that a standard method needs to be fixed to ensure clarity, we would ask that you reconsider the datasets used when arriving at the final affordability ratio chosen. Whatever measure is chosen, the method needs to be given sufficient time to work and should be monitored by MHCLG to ensure its appropriateness. If circumstances arise when LPAs advise that 'methods/measures' don't work or are unreflective of their administrative area, this should prompt a review of such measures, in much the same way as highlighted with the Housing Delivery Test outcomes at Q9 of this response.
Question 17: Do you agree that affordability is given an appropriate weighting within the proposed standard method?	Addressing affordability is key, any efforts to addressing rising affordability issues is supported.
Question 18: Do you consider the standard method should factor in evidence on rental affordability? If so, do you have any suggestions for how this could be incorporated into the model?	The standard method needs to, as far as possible, reflect the needs of the housing market as rental properties are paying an increasingly important role. Efforts should be made to include this affordability issue into the method although we have no suggestions on how it can be achieved.
Result of the revised standard method	
Question 19: Do you have any additional comments on the proposed method for assessing housing needs?	Whilst not in a position to comment with any great authority on the mechanisms used to calculate LHN, it appears that the formula used serves the purpose of aligning the mathematical outputs with the Government's aspirations for the housing market as quoted in the consultation material.

	Whether these numbers are achievable will be a significant challenge as they are considerably higher than any previous annual delivery requirements. They also do not take into account constraints such as green belt and possible other challenges such as infrastructure delivery. Whilst Local Plans can identify land for development needs, they cannot always force through delivery. Continued efforts need to be made to require developers to build out the permission they have. The NPPG Paragraph: 008 Reference ID: 2a-008-20190220 which specifically relates to the period upon which an LPA can rely on the housing need figure generated by using the standard method once a plan has been submitted to PINs should remain in place to give certainty to plan-makers during their examination period.
Chapter 5 – Brownfield, grey belt and the Green Belt	
Being clear that brownfield development is acceptable in principle	
Question 20: Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?	We consider that the brownfield first principle is already enshrined in the existing NPPF and is a well established principle for planning professionals when undertaking assessments of land availability. Including the phrase 'acceptable in principle' in this paragraph potentially undermines the status of the local planning authority as a decision-taker. It also fails to acknowledge the fundamental issue that brownfield land should still be in sustainable locations to be considered a sustainable option for growth, and not just acceptable in principle regardless of location.
Making it easier to develop Previously Developed Land	
Question 21: Do you agree with the proposed change to paragraph 154g of the current NPPF to better support the development of PDL in the Green Belt?	No. It's too much of a jump from 'no greater impact' to 'not cause substantial harm'. The bar should be lowered to 'not causing harm'. Not all PDL is 'harmful' to the GB and therefore and therefore re-developing could be harmful to the Green Belt but easily fall under 'substantial'
Question 22: Do you have any views on expanding the definition of PDL, while ensuring that the development and maintenance of glasshouses for horticultural production is maintained?	The PDL definition should not be changed. Car parks are devoid of structures so any development here would likely challenge green belt purposes and cause visual harm. Agricultural buildings are excluded from PDL currently, and don't see why glass house should be treated differently.

	Recent inspectorate findings suggest that hardstanding, being two-dimensional, does not inherently harm Green Belt openness. Consequently, the introduction of built form on hardstanding would inevitably cause substantial harm to the Green Belt. Including agriculture and glasshouses would undermine self-sufficient food production and sustainability and associated employment.
Defining the grey belt	
Question 23: Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend?	The definition of grey belt would appear to only be relevant to decision-making and not plan-making. In terms of the preparation or updating of plans, if Green Belt land is deemed to be suitable for development after consideration of a wide range of potential constraints to development, including by virtue of it making a limited contribution to the five Green Belt purposes, then current policy allows for the demonstration of exceptional circumstances in order to alter Green Belt boundaries and release the land from the Green Belt. In this context, grey belt designation would appear unnecessary. From a decision-making point of view, the definition is not clear. Development on PDL land in the green belt is already permitted by paragraph 151g (to be paragraph 151) so why is this expressly needed to be said here? Also, where the definition says 'make a limited contribution to the five Green Belt purposes' is this a test against all five, or the majority, or is one purpose more important and thus carries more weight? Assessing every site against the five purposes would require a Green Belt review for every planning application. A definition of *substantial built development* should be provided.
Question 24: Are any additional measures needed to ensure that high performing Green Belt land is not degraded to meet grey belt criteria?	Yes, safeguards should be listed in policy that prevent landowners and site promoters from purposefully allowing high performing Green Belt land to degrade, for instance via a lack of maintenance and/or investment on the quality of the land. Similarly, a firm line would need to be taken regarding unauthorised development, where the landowners intention was *to create PDL* land to thus enable development at a future time.

	The question essentially accepts that 'lower performing' Green Belt will be degraded to meet Grey Belt criteria. Surely this should apply to 'all' Green Belt. 'High performing' as a term is problematic in this context. The LPA through a Green Belt Reivew will have a document outlining high performing areas, developers will have a contrary view and the public in Green Belt areas will largely consider all Green Belt is high performing.
Question 25: Do you agree that additional guidance to assist in identifying land which makes a limited contribution of Green Belt purposes would be helpful? If so, is this best contained in the NPPF itself or in planning practice guidance?	Yes, in terms of greater clarity for key definitions used within the five purposes of the Green Belt and also for interpretation of Green Belt 'scoring' when it comes to the assessment of these purposes within a Green Belt review. A need for more detailed guidance would suggest that the planning practice guidance would be the best place for this.
Question 26: Do you have any views on whether our proposed guidance sets out appropriate considerations for determining whether land makes a limited contribution to Green Belt purposes?	The approach of setting out more guidance on what constitutes a limited contribution is welcomed, however it is considered that more detailed definition is needed, particularly within paragraph 10b) of the NPPF consultation document. The proposed glossary definition of 'limited contribution to Green Belt purposes' at para 10a) enables assessment against all 5 purposes. There seems no need to repeat the assessment of *land which makes no or very little contribution to preventing neighbouring towns from merging into one another* at 10bii) or *Land which contributes little to preserving the setting and special character of historic towns* 10biv).
Question 27: Do you have any views on the role that Local Nature Recovery Strategies could play in identifying areas of Green Belt which can be enhanced?	There needs to be a joined-up approach to LNRS and plan making to avoid inconsistency in designation and objectives. LNRS work has reviewed typologies of land, including geology, which would indicate and influence land use designations. Our land is a finite resource and utilising the work already undertaken by LNRS would be an effective approach to aid plan making. Nature and the environment have an important role to play in the social dimension of sustainable development, including healthy and happy communities.
Land release through plan-making	

Question 28: Do you agree that our proposals support the release of land in the right places, with previously developed and grey belt land identified first, while allowing local planning authorities to prioritise the most sustainable development locations?	The sequential approach and emphasis on sustainable locations within revised paragraph 147 (new paragraph 144) is supported, albeit the rationale for designating grey belt in this context is not understood (as per our answer to Q23 of this consultation), when land can already be released from its Green Belt designation in order to meet development needs through the current plan-making process.
Question 29: Do you agree with our proposal to make clear that the release of land should not fundamentally undermine the function of the Green Belt across the area of the plan as a whole?	Yes, it is important to consider that Green Belt as a policy tool operates at a 'larger than local' (sub-regional) scale and is part of the wider issue of strategic planning to meet development needs across local authority boundaries. Whilst land may need to be released in the Green Belt to meet development needs, this should not undermine the importance of the five purposes of the Green Belt operating across an entire authority area or along an entire (urban-rural) boundary and not merely on a site-by-site basis.
Allowing Development on the Green Belt through Decision Making	
Question 30: Do you agree with our approach to allowing development on Green Belt land through decision making? If not, what changes would you recommend?	It is unclear how this can be done outside the plan-making process, when in order to meet the requirements of being on grey belt land and not undermining the function of the Green Belt across the area as a whole, local planning authorities will need to have completed a Green Belt review as a crucial part of the evidence base for plan-making.
Supporting release of Green Belt land for commercial and other development	
Question 31: Do you have any comments on our proposals to allow the release of grey belt land to meet commercial and other development needs through plan-making and decision-making, including the triggers for release?	The 'golden rules' as proposed currently are clearly geared towards residential development, therefore if proposed changes to Green Belt policy in respect of both decision-making and plan-making for the delivery of commercial development needs are to be implemented, then we consider local planning authorities will need far more clarity on what the requirements for commercial development would be where loss of Green Belt land is concerned.
Planning Policy for Traveller Sites	
Question 32: Do you have views on whether the approach to the release of Green Belt through plan and decision-making should apply to traveller sites, including the sequential test for land release and the definition of PDL?	Whenever possible the approach to the release of Green Belt for travellers sites should be the same as the release of Green Belt for any other type of development.

Question 33: Do you have views on how the assessment of need for traveller sites should be approached, in order to determine whether a local planning authority should undertake a Green Belt review?	The need for traveller sites should be assessed as part of the wider housing assessment and help to inform whether or nor a green belt review is needed.
Golden rules to ensure public benefit	
Question 34: Do you agree with our proposed approach to the affordable housing tenure mix?	Yes, it is agreed that the appropriate tenure mix should be for local evidence to assess and therefore for local authorities to decide through local plan policies.
Question 35: Should the 50 per cent target apply to all Green Belt areas (including previously developed land in the Green Belt), or should the Government or local planning authorities be able to set lower targets in low land value areas?	Whilst the aim is to be supported, the flexibility to set targets at the local authority level would be more appropriate. Local evidence will still be important in assessing the viability of individual sites, especially where land values and viability may substantially differ within different parts of the same authority area.
Question 36: Do you agree with the proposed approach to securing benefits for nature and public access to green space where Green Belt release occurs?	Yes, this would clearly be essential infrastructure provision to ensure good place-making. Policy should stress that green space should be genuinely accessible and useable for the public and also that quality as well as quantity standards for provision are met and, where necessary, maintained in perpetuity for residents of new development.
Green Belt land and Benchmark Land Values	
Question 37: Do you agree that Government should set indicative benchmark land values for land released from or developed in the Green Belt, to inform local planning authority policy development?	No response
Question 38: How and at what level should Government set benchmark land values?	No response

Question 39: To support the delivery of the golden rules, the Government is exploring a reduction in the scope of viability negotiation by setting out that such negotiation should not occur when land will transact above the benchmark land value. Do you have any views on this approach?	No response
Question 40: It is proposed that where development is policy compliant, additional contributions for affordable housing should not be sought. Do you have any views on this approach?	If the development is compliant then there should be no need for any additional contributions to be sought.
Question 41: Do you agree that where viability negotiations do occur, and contributions below the level set in policy are agreed, development should be subject to late-stage viability reviews, to assess whether further contributions are required? What support would local planning authorities require to use these effectively?	Yes, viability should be assessed wherever possible though the lifetime of a development proposal. Clear guidance on how the viability should be assessed at all stages would help Local Planning Authorities.
Question 42: Do you have a view on how golden rules might apply to non-residential development, including commercial development, travellers sites and types of development already considered 'not inappropriate' in the Green Belt?	Golden rules should apply to all Green Belt releases, therefore additional golden rules will need to be drawn up for different development types.
Question 43: Do you have a view on whether the golden rules should apply only to 'new' Green Belt release, which occurs following these changes to the NPPF? Are there other transitional arrangements we should consider, including, for example, draft plans at the regulation 19 stage?	Golden rules should apply to all Green Belt releases as soon as possible

Question 44: Do you have any comments on the proposed wording for the NPPF (Annex 4)?	No response
Question 45: Do you have any comments on the proposed approach set out in paragraphs 31 and 32?	No response
Question 46: Do you have any other suggestions relating to the proposals in this chapter?	No response
Chapter 6 – Delivering affordable, well-designed homes and places	
Delivering affordable housing	
Question 47: Do you agree with setting the expectation that local planning authorities should consider the particular needs of those who require Social Rent when undertaking needs assessments and setting policies on affordable housing requirements?	Yes, we are fully supportive of the proposals to recognise the need for Social Rent housing within housing needs assessments and planning policies. This will enable the sector to fully understand requirements pre application stage and viability assessments will take this into account from the outset.
Question 48: Do you agree with removing the requirement to deliver 10% of housing on major sites as affordable home ownership?	Yes, we fully support the removal of the requirement for 10% being affordable home ownership. Affordable home ownership options are important, but the requirement should be a matter of local discretion and decision making in line with needs assessments and local intelligence of the affordable home ownership market.
Question 49: Do you agree with removing the minimum 25% First Homes requirement?	Yes, the arbitrary percentage requirement should be removed. First Homes should still be an option for affordable home ownership but at local need levels not national targets.
Question 50: Do you have any other comments on retaining the option to deliver First Homes, including through exception sites?	First homes should be retained as an option provided the local connection criteria is maintained.
Promoting mixed tenure development	

Question 51: Do you agree with introducing a policy to promote developments that have a mix of tenures and types?	Yes, we support the development of mixed tenure sites. Mixed-tenure sites have clear benefits and it is appropriate for national planning policy to provide stronger support in this respect.
Supporting majority affordable housing developments	
Question 52: What would be the most appropriate way to promote high percentage Social Rent/affordable housing developments?	This ideally should be promoted through local plan making based on identified needs and requirements. The delivery of high levels of social rent/affordable housing on sites will primarily be delivery through Registered Providers and levels of grant delivery these higher numbers should be reviewed and increased to meet the higher costs involved.
Question 53: What safeguards would be required to ensure that there are not unintended consequences? For example, is there a maximum site size where development of this nature is appropriate?	A limit on numbers for single tenure schemes could be considered, although there might be unintended consequences in setting a number in national policy. A local lettings policy should be a requirement on developments with high proportion of affordable housing with the ability to allocate developments to achieve as much of a mixed community for the initial letting of the properties.
Question 54: What measures should we consider to better support and increase rural affordable housing?	The wording regarding the proportion of open market homes on rural exception sites could be amended so that it is clearer that they should be subsidiary to the provision of new affordable homes and accompanied with a full viability assessment showing the need for the cross subsidy. Fully fund rural housing enablers to work within Shire Counties
Meeting the needs of looked after children	
Question 55: Do you agree with the changes proposed to paragraph 63 of the existing NPPF?	Yes, we agree with the specific mention of Social Rent and looked-after children.
Delivering a diverse range of homes and high-quality places	

Question 56: Do you agree with these changes?	Yes, we agree with these changes that amend the definition of community-led housing and allow alternative size limits for community-led exception sites to be established through local plans. There should be safeguards in place to ensure these changes are not used as a device to get around policy.
Question 57: Do you have views on whether the definition of 'affordable housing for rent' in the Framework glossary should be amended? If so, what changes would you recommend?	Amending the definition of 'affordable housing for rent' to include Community led and almshouses would be of benefit with the provision they are not for profit organisations. A definition of 'affordable' should also be included within the Framework linked to LPA area's median income. A number of affordable products utilise an arbitrary 20% lower than open market values. These were introduced a number of years ago and the disparity between social rent levels and open market levels has grown so significantly that a 20% lower figure is not affordable. This creates the need for more social rent housing as more residents are unable to afford other tenures of affordable housing.
Making the small site allocation mandatory	
Question 58: Do you have views on why insufficient small sites are being allocated, and on ways in which the small site policy in the NPPF should be strengthened?	Many of the sites being presented for development as part of a plan reviews are of a larger scale, particularly in the Green Belt, therefore it is not always possible to bring forward significant numbers of smaller site. In addition, these smaller sites are not favoured by infrastructure providers as they are harder to plan for. Its difficult to quantify the infrastructure needs from lots of smaller sites as opposed to smaller number of larger sites which are much easier to assess.
Requiring "well designed" development	
Question 59: Do you agree with the proposals to retain references to well-designed buildings and places, but remove references to 'beauty' and 'beautiful' and to amend paragraph 138 of the existing Framework?	Yes, we support the removal of the references to beauty and beautiful.
Supporting upward extensions	
Question 60: Do you agree with proposed changes to policy for upwards extensions?	Yes

	The authority is not characterised by mansard roofs and where they may be most appropriate in the Town Centres, may then conflict with designations such as Conservation Areas. This approach is unlikely to yield the number of homes needed, outside the major cities, but is likely to adversely impact the character of our towns. Class AA of Permitted Development already enables upward extensions. These should be carefully controlled to preserve our historic centres and townscapes.
Question 61: Do you have any other suggestions relating to the proposals in this chapter?	No response
Chapter 7 – Building infrastructure to grow the economy	
Building a modern economy	
Question 62: Do you agree with the changes proposed to paragraphs 86 b) and 87 of the existing NPPF?	The proposed changes are broadly supported. However, further detail is required in some areas given changing the text to be more specific has several implications. The relationship between housing and employment requires clarification. If housing numbers are increased, should employment numbers be revised up through updated HEDNAs and under what methodology? Naming these specific facilities may assist decision making in Development Management by giving such centres additional weight. The process for local plans requires further detail. For example, employment allocations may name specific use classes but don't currently specify types of facility, so would this change? E.g. an employment allocation for B8 uses and the approach to data centres. In this example, logistics operators may compete for the same land so would land within an employment allocation be safeguarded as a data centre or safeguarded subject to a marketing period to test demand? Text on gigafactories is welcome. However, it is questionable if planning for gigafactories should be a general requirement because their required scale can only be met in limited locations and the market demand for them will be limited to a handful of locations. Separate text may be required linking the NPPF to the national industrial strategy requirement for gigafactories in pre-identified locations.
Question 63: Are there other sectors you think need particular support via these changes? What are they and why?	The West Midlands Strategic Employment Sites study (a collaboration with LPAs across the West Midlands) identifies that manufacturers are being priced out of employment land sales by the logistics industry. Developers are building speculative units for logistics but not manufacturing. National policy should identify a requirement to both meet logistics and

	manufacturing demand to enable manufacturers- especially high-tech manufacturers- to grow. The NPPF focuses on locational requirements and this is also considered applicable to manufacturing e.g. co-locating manufacturing units close to storage facilities, road junctions to enable access to ports as with logistics or a need for a non-residential location due to noise etc.
Directing data centres, gigafactories, and laboratories into the NSIP consenting regime process	
Question 64: Would you support the prescription of data centres, gigafactories, and/or laboratories as types of business and commercial development which could be capable (on request) of being directed into the NSIP consenting regime?	Gigafactories are of a scale that is nationally significant so it is agreed that they should be directed to the NSIP consenting regime. Data centres and laboratories are not considered to be of a scale to require NSIP.
Question 65: If the direction power is extended to these developments, should it be limited by scale, and what would be an appropriate scale if so?	Limiting the direction power by scale is considered a proportionate approach. Only the largest data centres and laboratories should be subject to NSIP assessment or the NSIP process would become burdened by a high number of applications. There are hundreds of data centres in the UK, thousands of labs but only one small gigafactory currently.
Question 66: Do you have any other suggestions relating to the proposals in this chapter?	The NPPF should be aligned with the new industrial strategy to provide a national level approach to logistics. Regions such as the West Midlands and East Midlands have commissioned studies on employment (logistics) arguably due to the absence of regional planning. This work would be more joined up if it was subject to national oversight. This is considered necessary due to the scale of the sites involved and the cross-country infrastructure they require e.g. railway line improvements for rail freight from Felixstowe, through the West Midlands and to Manchester. Evidence such as HEDNAs consistently indicate a shortage of smaller employment units. These units are less profitable for developers so it is considered justified that larger employment sites above a certain threshold have to provide a set percentage of smaller units, with land safeguarded for a certain period. This can already happen on a local level but inclusion in the NPPF would give this greater weight. If employment numbers are increased, it is acknowledged that land availability may necessitate allocation of less sustainable sites. It would be welcomed if the NPPF specified a requirement for developers to make sites remote from urban settlements more sustainable to support decarbonisation. E.g. through active travel, improved bus routes etc.

Chapter 8 – Delivering community needs	
Public infrastructure Question 67: Do you agree with the changes proposed to paragraph 100 of the existing NPPF?	Yes – securing new and improved public service infrastructure is a key function of the planning system.
Question 68: Do you agree with the changes proposed to paragraph 99 of the existing NPPF?	Yes – increased providing of both early years and post 16 facilities is supported.
A 'vision-led' approach to transport planning	
Question 69: Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?	Yes – a move away from predict and provide to a vision led or 'decide and provide' approach is supported. Over reliance on mitigating the impacts of current transport trends rather than looking to the future and shaping the places we create around sustainable modes is something RBC will consider as part of its plan review. For this approach to work Highway Authorities have to also buy into the approach and also need additional resources to move away from traditional approaches. Update guidance on the type and levels of assessment needed for both plan making and decision taking is welcomed.
Promoting healthy communities	
Question 70: How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity?	Not sure who's best placed to answer this?
Question 71: Do you have any other suggestions relating to the proposals in this chapter?	No response
Chapter 9 – Supporting green energy and the environment	
Supporting onshore wind	
Question 72: Do you agree that large onshore wind projects should be reintegrated into the NSIP regime?	Short answer – Yes Longer answer – Yes these should be reintegrated in the NSIP regime, but with the consideration given to the proposals put forward for the NPPF on green belt land and the use of the grey belt for developments. Additionally the suitability of sites for ensuring the most efficient use of

	onshore wind needs to be considered, and also integrated with local area energy planning policy for joined up strategic thinking.
Supporting renewable deployment	
Question 73: Do you agree with the proposed changes to the NPPF to give greater support to renewable and low carbon energy?	Yes but also to be considered as part of regional local area energy planning, and to ensure that the deployment of renewable technologies fit in with the wider regional strategic energy plans and have the capacity to meet current and projected demand in the transition to net zero over the coming decades.
Question 74: Some habitats, such as those containing peat soils, might be considered unsuitable for renewable energy development due to their role in carbon sequestration. Should there be additional protections for such habitats and/or compensatory mechanisms put in place?	Yes additional protections should be put in place to exclude them from renewable development. Need to understand the compensatory mechanisms that are being considered by government. These would need to be such that a developer doesn't see the compensatory mechanism as commercially worth while to then still go ahead and install renewable technologies on such lands.
Setting the NSIP threshold for solar generating stations and onshore wind	
Question 75: Do you agree that the threshold at which onshore wind projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50 megawatts (MW) to 100MW?	Yes – However there should be mechanism in place to register smaller scale installations that don't meet the new threshold so these can be counted towards local area energy planning, ensuring regions are able to strategically account for proposed larger scale energy production plans and accurately assess the need in their area.
Question 76: Do you agree that the threshold at which solar projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50MW to 150MW?	Yes – See answer to Q75.
Question 77: If you think that alternative thresholds should apply to onshore wind and/or solar, what would these be?	Not Applicable.
Tackling climate change	

Question 78: In what specific, deliverable ways could national planning policy do more to address climate change mitigation and adaptation?	The policy already alludes to an ambition to encourage active travel from a health and wellbeing perspective, there is inevitably a positive in promoting active travel through the framework for helping all areas address the various climate change challenges, and meeting Net Zero. Furthermore having the frame work reference other initiatives like the future homes standard and ensuring the framework allows for these initiatives to flourish and develop. There should also be a key link in the framework in how these link to transport planning and ensuring homes and commercial sites are able to encourage greener travel and help with the modal shift needed to meet the challenges climate change presents.
Question 79: What is your view of the current state of technological readiness and availability of tools for accurate carbon accounting in plan-making and planning decisions, and what are the challenges to increasing its use? Question 80: Are any changes needed to policy for managing flood risk to improve its effectiveness?	No Response
Question 81: Do you have any other comments on actions that can be taken through planning to address climate change?	No Response
Availability of agricultural land for food production	
Question 82: Do you agree with removal of this text from the footnote?	No Response
Question 83: Are there other ways in which we can ensure that development supports and does not compromise food production?	No Response
Supporting water resilience	
Question 84: Do you agree that we should improve the current water infrastructure provisions in the Planning Act 2008, and do you have specific suggestions for how best to do this?	No Response

Question 85: Are there other areas of the water infrastructure provisions that could be improved? If so, can you explain what those are, including your proposed changes?	No Response
Question 86: Do you have any other suggestions relating to the proposals in this chapter?	No Response
Chapter 10 – Changes to local plan intervention criteria	
Question 87: Do you agree that we should we replace the existing intervention policy criteria with the revised criteria set out in this consultation?	Yes – the revised criteria provide a clear basis on which Local Planning Authorities plan making progress can be judged taking into account a range of factors. For authorities which are facing substantial challenges the support being offered by MHCLG to help break down any barriers to progress is welcomed.
Question 88: Alternatively, would you support us withdrawing the criteria and relying on the existing legal tests to underpin future use of intervention powers?	No – the criteria above should be sufficient
Chapter 11 – Changes to planning application fees and cost recovery for local authorities related to Nationally Significant Infrastructure Projects	
Question 89: Do you agree with the proposal to increase householder application fees to meet cost recovery?	Yes. Processing householder applications in a Green Belt authority takes additional resources and time due to the need to consider the scale of previous extensions. The expansion on permitted development rights has resulted in the increasing complexity of household applications being submitted.
Question 90: If no, do you support increasing the fee by a smaller amount (at a level less than full cost recovery) and if so, what should the fee increase be? For example, a 50% increase to the householder fee would increase the application fee from £258 to £387.	No response
Question 91: If we proceed to increase householder fees to meet cost recovery, we	Yes

have estimated that to meet cost-recovery, the householder application fee should be increased to £528. Do you agree with this estimate? Yes No – it should be higher than £528 No – it should be lower than £528 No - there should be no fee increase Don't know If No, please explain in the text box below and provide evidence to demonstrate what you consider the correct fee should be.	
Proposed fee increase for other planning applications	
Question 92: Are there any applications for which the current fee is inadequate? Please explain your reasons and provide evidence on what you consider the correct fee should be.	**Lawful Development Certificate** – should be 75% of normal fee, not 50% as PD is an increasingly complex area. Also, as a green belt authority, LDC's are frequently used to justify future development proposals, so is a regular application type for us. **All prior approvals require fee uplift.** The current £120 does not cover Officer time for processing and as permitted development is an increasingly complex, this is no longer a 'light touch' application type that can be considered by more junior staff members. (Class Q for example (Agriculture to residential)). Support a doubling of this fee category to reflect time taken and skill set required. **Discharge conditions** where they relate to major developments these are insufficiently funded. Complex matters such as drainage require technical input and numerous iterations of reports, the existing fee doesn't cover this. Suggest a doubling of current fee. **S73 applications for major development**, the current fee of £293 is insufficient. Material amendments regarding varying or removal of conditions associated with a major permission can be complex, while provisions relating to statutory consultation and publicity do not apply and there is LPA discretion regarding consultation, this does not negate that consultation will take place and that these applications are not straightforward. The fee should be doubled and should apply for each condition seeking variation or removal.

Fees for applications where there is currently no charge	
Question 93: Are there any application types for which fees are not currently charged but which should require a fee? Please explain your reasons and provide evidence on what you consider the correct fee should be.	No response
Localisation of planning application fees	
Question 94: Do you consider that each local planning authority should be able to set its own (non-profit making) planning application fee?	No. Need for consistent fees is very important for public, and as a shared service working across two Councils, for our Officers. Can see fees have increased/proposed to increase and consider if this is adopted the situation will improve. Also, resource required to adequately demonstrate fees across all categories would be considerable.
Question 95: What would be your preferred model for localisation of planning fees? Full Localisation – Placing a mandatory duty on all local planning authorities to set their own fee. Local Variation – Maintain a nationally-set default fee and giving local planning authorities the option to set all or some fees locally. Neither Don't Know	Neither
Question 96: Do you consider that planning fees should be increased, beyond cost recovery, for planning applications services, to fund wider planning services?	No, should remain as cost recovery only. Wider improvements represent a public service that should be paid for by other council budgets, funded by the taxpayer, not by individual applicants.
Question 97: What wider planning services, if any, other than planning applications (development management) services, do	No response

you consider could be paid for by planning fees?	
Cost recovery for local authorities related to NSIP	
Question 98: Do you consider that cost recovery for relevant services provided by local authorities in relation to applications for development consent orders under the Planning Act 2008, payable by applicants, should be introduced?	No response
Question 99: If yes, please explain any particular issues that the Government may want to consider, in particular which local planning authorities should be able to recover costs and the relevant services which they should be able to recover costs for, and whether host authorities should be able to waive fees where planning performance agreements are made.	No response
Question 100: What limitations, if any, should be set in regulations or through guidance in relation to local authorities' ability to recover costs?	No response
Question 101: Please provide any further information on the impacts of full or partial cost recovery are likely to be for local planning authorities and applicants. We would particularly welcome evidence of the costs associated with work undertaken by local authorities in relation to applications for development consent.	No response
Question 102: Do you have any other suggestions relating to the proposals in this chapter?	The ongoing costs to LPA of compulsory newspaper advertisement as part of the statutory Development Management process can be disproportionately high and doesn't always generate comment or feedback from the public. Removing this requirement and proposing an alternative

	online only mechanism should be an approach considered when Statements of Community Involvement (SCI) are reviewed and updated.
Chapter 12 – The future of planning policy and plan making	
Question 103: Do you agree with the proposed transitional arrangements? Are there any alternatives you think we should consider?	The arrangements seem appropriate, although we would hope that authorities don't rush to reg 19 stage over the coming months to avoid implementing these reforms.
Further plan-making reforms	
Question 104: Do you agree with the proposed transitional arrangements?	Yes, although clarity needs to be provided on what the new system entails in detail so LPAs can make an informed choice about which one will provide the best planning solution for them.
Future changes to the NPPF	
Question 105: Do you have any other suggestions relating to the proposals in this chapter?	No Response
Chapter 13 – Public Sector Equality Duty	
Question 106: 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? If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how. Is there anything that could be done to mitigate any impact identified?	No Response