Ministry of Housing,
Communities &
Local Government

Open consultation

Proposed reforms to the National Planning Policy Framework and other changes to the planning system

Updated 2 August 2024

Applies to England

Contents

Scope of consultation
Basic Information
How to respond
Chapter 1 – Introduction
Chapter 2 – Policy objectives
Chapter 3 – Planning for the homes we need
Chapter 4 – A new Standard Method for assessing housing needs
Chapter 5 – Brownfield, grey belt and the Green Belt
Chapter 6 – Delivering affordable, well-designed homes and places
Chapter 7 – Building infrastructure to grow the economy
Chapter 8 – Delivering community needs
Chapter 9 – Supporting green energy and the environment
Chapter 10 – Changes to local plan intervention criteria
Chapter 11 – Changes to planning application fees and cost recovery for local authorities related to Nationally Significant Infrastructure Projects
Chapter 12 – The future of planning policy and plan making
Chapter 13 – Public Sector Equality Duty
Chapter 14 – Table of questions
Chapter 15 – About this consultation

© Crown copyright 2024

This publication is licensed under the terms of the Open Government Licence v3.0 except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3 or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gov.uk.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system

Scope of consultation

Topic of this consultation

This consultation seeks views on our proposed approach to revising the National Planning Policy Framework in order to achieve sustainable growth in our planning system. We are also seeking views on a series of wider policy proposals in relation to increasing planning fees, local plan intervention criteria and appropriate thresholds for certain Nationally Significant Infrastructure Projects.

Scope of this consultation

The Ministry of Housing, Communities and Local Government is seeking views on how we might revise national planning policy to support our wider objectives. Full details on the scope of consultation are found within chapter 1. Chapter 14 contains a table of all questions within this document and signposts their relevant scope. In responding to this consultation, we would appreciate comments on any potential impacts on protected groups under the Public Sector Equality Duty. A consultation question on this is found in chapter 13.

Geographical scope

These proposals relate to England only.

Basic Information

Body/bodies responsible for the consultation

The Ministry of Housing, Communities and Local Government

Duration

This consultation will begin on Tuesday 30 July 2024 at 2pm and close at 11.45pm on Tuesday 24 September 2024.

Enquiries

For any enquiries about the consultation please contact: PlanningPolicyConsultation@communities.gov.uk

How to respond

Citizen Space is the department's online consultation portal and our preferred route for receiving consultation responses. We strongly encourage responses are made via Citizen Space, particularly from organisations with access to online facilities such as local planning authorities, representative bodies and businesses. Consultations receive a high-level of interest across many sectors. Using the online survey greatly assists our analysis of the responses, enabling more efficient and effective consideration of the issues raised.

Respond via Citizen Space (https://consult.levellingup.gov.uk/planning/planning-reform)

If you cannot respond via Citizen Space, you may send your response by email to:
PlanningPolicyConsultation@communities.gov.uk

Written responses should be sent to:

> Planning Policy Consultation Team
> Planning Directorate – Planning Policy Division
> Ministry of Housing, Communities and Local Government

Floor 3, Fry Building
2 Marsham Street
London
SW1P 4DF

When you reply, it would be very useful if you please confirm whether you are replying as an individual or submitting an official response on behalf of an organisation and include:

- your name
- your position (if applicable)
- the name of organisation (if applicable)

Please make it clear which question or paragraph number each comment relates to and ensure that the text of your response is in a format that allows copying of individual sentences or paragraphs, to help us when considering your view on particular issues. Thank you for taking time to submit responses to this consultation. Your views will help improve and shape our national planning policies.

Chapter 1 – Introduction

1. **The Government has made clear that sustained economic growth is the only route to improving the prosperity of our country and the living standards of working people**. Our approach to delivering this growth will focus on three pillars: stability, investment and reform.

2. **Nowhere is decisive reform needed more urgently than in our planning system**. The December 2023 changes to the National Planning Policy Framework (NPPF) were disruptive to the sector and detrimental to housing supply. The Chancellor's speech on 8 July committed to consulting on reforms to the NPPF to take a different, growth-focused approach.

3. **Today, we set out specific changes we propose to make immediately to the NPPF following this consultation**. These changes – amending the planning framework, and universal, ambitious local plan coverage – are vital to deliver the Government's commitments to achieve economic growth and build 1.5 million new homes. Specifically, they will:

a. make the standard method for assessing housing needs mandatory, requiring local authorities to plan for the resulting housing need figure, planning for a lower figure only when they can demonstrate hard constraints and that they have exhausted all other options;

b. reverse other changes to the NPPF made in December 2023 which were detrimental to housing supply;

c. implement a new standard method and calculation to ensure local plans are ambitious enough to support the Government's manifesto commitment of 1.5 million new homes in this Parliament;

d. broaden the existing definition of brownfield land, set a strengthened expectation that applications on brownfield land will be approved and that plans should promote an uplift in density in urban areas;

e. identify grey belt land within the Green Belt, to be brought forward into the planning system through both plan and decision-making to meet development needs;

f. improve the operation of 'the presumption' in favour of sustainable development, to ensure it acts an effective failsafe to support housing supply, by clarifying the circumstances in which it applies; and, introducing new safeguards, to make clear that its application cannot justify poor quality development;

g. deliver affordable, well-designed homes, with new "golden rules" for land released in the Green Belt to ensure it delivers in the public interest;

h. make wider changes to ensure that local planning authorities are able to prioritise the types of affordable homes their communities need on all housing development and that the planning system supports a more diverse housebuilding sector;

i. support economic growth in key sectors, aligned with the Government's industrial strategy and future local growth plans, including laboratories, gigafactories, datacentres, digital economies and freight and logistics – given their importance to our economic future;

j. deliver community needs to support society and the creation of healthy places; and

k. support clean energy and the environment, including through support for onshore wind and renewables.

4. **The proposed changes are explained in this document and set out in an accompanying draft NPPF**. The Government will respond to this consultation and publish NPPF revisions before the end of the year, so that policy changes can take effect as soon as possible.

5. **Alongside these specific changes, the document also calls for views on**:

a. whether to reform the way that the Nationally Significant Infrastructure Projects (NSIP) regime applies to onshore wind, solar, data centres, laboratories, gigafactories and water projects, as the first step of the Government's NSIP

reform plans;

b. whether the local plan intervention policy criteria should be updated or removed, so the Government can intervene where necessary to ensure housing delivery; and

c. proposals to increase some planning fees, including for householder applications, so that local planning authorities are properly resourced to support a sustained increase in development and improve performance.

6. **Finally, it sets out how and when we expect every local planning authority to rapidly create a clear, ambitious local plan for high quality housebuilding and economic growth**.

Chapter 2 – Policy objectives

1. **By fixing the foundations of our economy we can rebuild Britain and make every part of our country better off; decisive reform to the planning system is urgently needed to achieve that**. New homes create jobs and investment in construction and ensure people can afford to live where they wish and access high-quality, productive jobs. And yet planning permissions for new homes have fallen to a record low. Clean energy lowers the cost of living and the cost of doing business, but the average time taken to approve large infrastructure projects has grown to more than four years. Commercial development lets businesses expand and support the economy, but the existing planning framework makes no reference to the specific types of development our modern economy needs.
2. **Our antiquated planning system delays too many of these projects, stymieing Britain's ability to grow its way to prosperity**.
3. **We will take the difficult decisions necessary to build what Britain needs**. That includes 1.5 million homes in England over the next five years, and crucial energy, water and commercial projects.
4. **Our objectives for reform build on our manifesto commitments**. We will:

a. **get Britain building again**, to build new homes, create jobs, and deliver new and improved infrastructure;

b. **take a brownfield first approach and then release low quality grey belt land**, while preserving the Green Belt;

c. **boost affordable housing**, to deliver the biggest increase in social and affordable housebuilding in a generation;

d. **bring home ownership into reach**, especially for young first-time buyers;

e. **extract more public value from development**, including through infrastructure, amenity, and transport benefits and, where necessary, through use of strengthened compulsory purchase powers;

f. **ensure communities continue to shape housebuilding in their areas**, demanding universal local plan coverage from all local planning authorities, while making full use of intervention powers to build the houses we need if this is not achieved;

g. **promote a more strategic approach to planning**, by strengthening cross-boundary collaboration, ahead of legislation to introduce mandatory mechanisms for strategic planning;

h. **support the development needed for a modern economy**, to prepare the way for our modern industrial strategy; and

i. **unlock new sources of clean energy**, supporting our mission to deliver clean energy by 2030.

5. **Delivering those objectives starts with local planning authorities planning for sufficient homes, commercial development and wider infrastructure in their local plan**. Local plans clearly spell out to developers and communities where development will and will not take place, bringing certainty to all parties. They are also the mechanism through which local communities can have their say in how homes are built. It is unacceptable for local planning authorities to not make a local plan.

6. **Those plans need to be suitably ambitious to build 1.5 million new homes**. We are therefore making the standard method the mandatory starting point for planning for homes, implementing a revised standard method so that councils will plan to achieve the delivery of the homes we need, and reversing other damaging changes to planning policy which disrupted the sector and stifled supply.

7. **They also require us to take a strategic approach to releasing land**. We are committed to preserving the Green Belt, but its current design can protect poor quality sites while communities face acute shortages of housing. We will empower authorities to release Previously Developed Land and low quality grey belt sites to ensure enough land is made available for new homes – while continuing to ensure that brownfield development is prioritised and that development is in sustainable locations.

8. **We must deliver more affordable, well-designed homes quickly**. We are changing national policy to support more affordable housing, including more for Social Rent, and implementing golden rules to ensure development in the Green Belt is in the public interest. Promoting a more diverse tenure mix will support the faster build out we need.

9. **We must grow the economy and support green energy**. Commercial development in Britain has been stymied by a lack of support for key growth industries; we propose to support them. Britain has the potential to be a clean energy superpower, cutting bills for local people and businesses alike – we will support this.

10. **Alongside reforms to planning policy, we are taking decisions to quickly reform the wider system in support of these objectives**. We are expanding the NSIP regime so that it can support our drive for more clean energy, as the first step of our NSIP reforms. We are reforming local plan intervention so that if plans are not in place, the Government can intervene to ensure housing delivery. We are reforming planning fees so that local planning authorities are properly resourced to support a sustained increase in development.

11. **We will act swiftly to implement these reforms to bring stability and certainty to the sector**. The last Government's reforms to planning policy in December 2023 were damaging for housing supply, disrupting plan-making and undermining investor confidence. We are therefore acting swiftly to reverse many of these changes, and implement our manifesto commitments, so that local councils, developers and investors understand exactly how we expect the planning system to function, over this parliament and beyond. Alongside the changes we have set out here, we will complete our set of planning policy changes through consulting on National Development Management Policies, and bring forward the Planning and Infrastructure Bill to accelerate the delivery of high quality infrastructure and housing.

12. **We expect immediate action**. We are keen to engage with all stakeholders to understand the impacts of these reforms. The Deputy Prime Minister will write to all local planning authorities making clear that we expect universal coverage of local plans, and reviews of Green Belt boundaries where necessary to meet housing need. In this consultation, we have therefore set out exactly how local planning authorities should proceed to make ambitious local plans as quickly as possible.

Chapter 3 – Planning for the homes we need

1. We are starting with how we plan for homes, because that is where we believe the system needs to start, and that is where our communities are feeling the inadequacies of our planning system most. The Government believes that decisions about what to build and where should reflect local views, and planning should be about how to deliver the housing an area needs - not whether to do so at all.

2. **We are therefore seeking views on reversing changes made to the NPPF by the previous Government in December 2023**. Those changes run counter to this Government's ambitions on increasing housing supply, so it is important that we quickly reverse them and allow local planning authorities to get on and plan for growth.

Importance of planning to meet housing needs

3. We are proposing minor wording changes to paragraphs 1 and 60 of the NPPF. The changes proposed are to remove 'sufficient' in the context of providing for housing in paragraph 1, and to revise the final sentence of paragraph 60. These changes would make clearer the importance of planning to meeting housing needs.

Advisory starting point and alternative approaches

4. Paragraph 61 was revised to set out that 'The outcome of the standard method is an advisory starting-point for establishing a housing requirement'. Changes to the NPPF also provided further context on the exceptional circumstances where the use of alternative approaches to assess housing needs may be appropriate. **We propose reversing these changes**.

5. We propose making it very clear that local planning authorities should use the standard method to assess housing needs, by removing reference to the exceptional circumstances in which the use of alternative approaches to assess housing need may be appropriate. The current policy adds uncertainty about when to use the standard method and can delay plan progress as local planning authorities seek to demonstrate that exceptional circumstances apply. The current approach also provides too much leeway to local planning authorities to not meet their housing needs in full, risking our ambitions for housing growth. Removing these opt outs will stop debates about the right number of homes to plan for and support authorities to get on with plan making.

6. Local planning authorities will be expected to make all efforts to allocate land in line with their housing need as per the standard method. Authorities would be able to justify a lower housing requirement than the figure the method sets on the basis of local constraints on land and delivery, such as existing National Park, protected habitats and flood risk areas, but would (as now) have to evidence and justify their approach through local plan consultation and examination. All local planning authorities will need to demonstrate they have taken all possible steps, including optimising density, sharing need with neighbouring authorities, and reviewing Green Belt boundaries, before a lower housing requirement will be considered.

7. There will be some specific circumstances in which local planning authorities have to use an alternative approach – for example, because the data used in the method is not available. We propose that further guidance on this small number of specific circumstances will be set out in Planning Practice Guidance.

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

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?

Urban uplift

8. Paragraph 62 was added to provide policy on the application of the standard method urban uplift. This sets out that the urban uplift should normally be accommodated within the cities and urban centres where the uplift applies, except in certain specific circumstances.

9. **We propose reversing this change and deleting this paragraph**. We support the principle of directing housing growth to our larger urban areas, but the existing approach provides a poor basis for this. First, the method we are consulting on (as set out in chapter 4) more appropriately distributes growth to a wider range of urban areas without the need for a specific urban adjustment. Second, as set out later in this chapter, we are clear that urban centres should be working together across their wider regions to accommodate need. Third, as also set out later in this chapter, we are not only strengthening the existing Duty to Cooperate requirement but proposing to introduce effective new mechanisms for cross-boundary strategic planning. This will include short term measures which will strengthen cross-boundary co-operation, ahead of introducing formal strategic planning mechanisms through new legislation. It is our intention to move to a model of universal strategic planning covering functional economic areas within the next five years.

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

Character and density

10. Paragraph 130 was added to the NPPF to explain that local character can be taken into account when local planning authorities consider their ability to meet their housing needs. The policy sets out that significant uplifts in density may be inappropriate if this would result in development wholly out of character with the existing area. Local planning authorities are required to use authority-wide design codes to evidence the impact on character.

11. **We propose reversing this change and deleting paragraph 130 in its entirety**. We are clear that local planning authorities should identify opportunities for maximising the efficient use of land, especially in areas well served by transport and other infrastructure. By restricting density, the existing policy is likely to have longer term negative impacts on achieving sustainable patterns of development and on meeting expectations on future housing supply. Alongside this reversal, we propose **strengthening expectations that plans should promote an uplift in density in urban areas**.

12. We intend to support this by **focusing on ensuring development plans support the efficient use of land at appropriate densities**. Rather than district-wide design coding, we want to focus local planning authority efforts on the preparation of localised design codes, masterplans and guides for areas of most change and most potential – including regeneration sites, areas of intensification, urban extensions and the development of large new communities.

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

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?

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

13. It is our intention that changes to the approach to meeting housing needs, will, over time, ensure that plans identify enough land to deliver the homes our communities need. However, with less than a third of places with up-to-date plans, it is important that land that has not been allocated in a plan can be brought forward for development when needed, particularly in the short term.

14. The presumption, set out in paragraph 11 of the NPPF, allows for this. The primary function of the presumption is to provide a fallback to encourage planning permission to be granted where plan policies are not up-to-date,

including where there is an insufficient supply of land. It broadly does this in two ways. It brings land into scope of potential development where it has not been specifically allocated for development (e.g. a site on the edge of existing settlements), or where land is allocated for another purpose (e.g. where housing may be proposed on a site allocated for employment uses). Additionally, it 'tilts the balance' towards approval by making clear that permission should be granted unless doing so would cut across protections for safeguarded areas, like National Parks and habitat sites, or the adverse impacts would 'significantly and demonstrably' outweigh the benefits when assessed against the NPPF taken as a whole.

15. Introducing more demanding targets and reinstating the requirement to demonstrate a 5-year housing land supply at all times is likely to bring more local planning authorities into the scope of the presumption in the short-term. This is necessary to ensure that we urgently address the issue of chronic undersupply of land that has underpinned the housing crisis and support our drive to deliver 1.5 million new homes over the next five years.

16. In addition to this, we are proposing to make changes to clarify the primary role that the presumption is intended to play in addressing inadequate land supply. Currently, the presumption is triggered when there are 'no relevant development plan policies', or those which are 'most important for determining the application are out-of-date'. The question of what policies are 'most important' has been the subject of extensive debate and litigation. To bring clarity, we propose making clear that the relevant policies are those for the supply of land.

17. We have also heard concerns that some developers have used the presumption to promote low quality, unsustainable development. We are clear that the presumption cannot offer a route to creating poor quality places, and so we are proposing changes to the presumption to add explicit reference to the need to consider locational and design policies, as well as policies relating to the delivery of affordable housing, when the presumption is engaged. These safeguards will mean that schemes that rely on the presumption to secure approval will meet the high standards we expect of all development.

Question 6

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

Restoring the 5-Year Housing Land Supply (5YHLS)

18. Prior to December 2023, the 5-year housing land supply required local planning authorities to annually identify and update a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing. This was tested against the housing requirement in their local plan or, where no up-to-date plan was in place, local housing need. Where local planning authorities could not demonstrate a 5-year housing land supply, they were subject to the presumption in favour of sustainable development, described above. The policy helped ensure that authorities maintained a future pipeline of housing.

19. In December 2023, several changes were made to 5-year housing land supply policy which weakened this as the fallback route to encourage planning permission to be granted where plan policies are not up-to-date. The NPPF currently states that where a local planning authority has an up-to-date plan which meets certain criteria, it is exempt from having to continually demonstrate a 5-year housing land supply while that plan remains up-to-date. Where authorities are in the late stages of plan making, they need only demonstrate a 4-year housing land supply. We have heard concerns that these policies are undermining supply. The logic for making these changes was incentivising plan development – to 'protect' authorities from the presumption where they have a well-developed or up-to-date plan. But this means that if circumstances change over the 5-year lifetime of an up-to-date plan, and allocations turn out not to be deliverable, it is harder for new development to come forward and there is no clear mechanism for making up the shortfall.

20. To address this, **we propose reversing these changes** and re-establishing the requirement for all local planning authorities, regardless of local plan status, to continually demonstrate 5 years of specific, deliverable sites for housing. We are also proposing to remove the wording on past oversupply in paragraph 77, which was introduced to set out that previous over-supply could be set against upcoming supply. Given the chronic need for housing we see in all areas, we should celebrate strong delivery records without diluting future ambitions.

21. These changes will be pro-supply measures, ensuring a pipeline of deliverable sites is maintained at all times.

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?

Question 8

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

Restoring the 5% buffer

22. The Framework currently requires local planning authorities to include a buffer of 20% on top of their 5-year housing land supply where there has been significant under delivery of housing over the previous 3 years, as

measured through the Housing Delivery Test. Prior to December 2023, authorities were also required to include a buffer of 5% on top of their 5-year housing land supply, in order to account for fluctuations, or 10% where the authority wanted to confirm its 5-year housing land supply for a year through an Annual Position Statement or recently adopted plan.

23. **We propose reversing this change and reintroducing the 5% buffer**. This will be added to all 5-year housing land supply calculations in decision making and plan making, and provide an important buffer of sites, ensuring choice and competition in the market. We also are proposing to remove the option for local planning authorities to 'fix' their 5-year housing land supply through Annual Position Statements which is a policy that has been little used. We consider that any authority with sufficient evidence to confirm its forward supply through this process should in any case be able to demonstrate a 5-year housing land supply. The 20% buffer would also remain. As it is now, this will only be applied where an authority significantly under delivers against their housing requirement as measured through the HDT or local housing need where relevant.

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?

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

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

Maintaining effective co-operation and the move to strategic planning

24. The Levelling-up and Regeneration Act 2023 will revoke the Duty to Cooperate in relation to the reformed plan making system. However, the Duty remains a legal requirement under the current local plans system and will continue to apply to local plans progressed within the current system.

25. The Government was clear in its manifesto that housing need in England cannot be met without planning for growth on a larger than local scale, and that it will be necessary to introduce effective new mechanisms for cross-boundary strategic planning. This will play a vital role in delivering sustainable growth and addressing key spatial issues – including meeting housing needs, delivering strategic infrastructure, growing the economy, and improving climate resilience. Strategic planning will also be important in the delivery of Local Growth Plans and Local Nature Recovery Strategies.

26. We will therefore take the steps necessary to enable universal coverage of strategic planning within this Parliament, which we will formalise in legislation. This model will support elected Mayors in overseeing the development and agreement of Spatial Development Strategies (SDSs) for their areas. The Government will also explore the most effective arrangements for developing SDSs outside of mayoral areas, in order that we can achieve universal coverage in England, recognising that we will need to consider both the appropriate geographies to use to cover functional economic areas, and the right democratic mechanisms for securing agreement. Across all areas, these arrangements will encourage partnership working but we are determined to ensure that, whatever the circumstances, SDSs can be concluded and adopted. The Government will work with local leaders and the wider sector to consult on, develop and test these arrangements in the months ahead before legislation is introduced, including consideration of the capacity and capabilities needed such as geospatial data and digital tools.

27. We also want to ensure that in the short term we are making the most of opportunities for greater collaboration between authorities, so we propose amending **the 'maintaining effective co-operation' section of the NPPF to ensure that the right engagement is occurring on the sharing of unmet housing need and other strategic issues where plans are being progressed**. This will apply to local plans, minerals, waste plans and to spatial development strategies, and would be introduced in changes to paragraphs 24-27 of the existing NPPF. This change will apply in conjunction with the Duty to Cooperate in the current plan making system.

28. In addition, separate from the NPPF, we will work in concert with Mayoral Combined Authorities to explore extending existing powers to develop an SDS, which will not rely on new primary legislation, and so allow us to get a head start. We intend to identify priority groupings of other authorities where strategic planning – and in particular the sharing of housing need requirements – would provide particular benefits, setting a clear expectation of cooperation that we will help to structure and support this, and to use powers of intervention where necessary.

Question 12
Do you agree that the NPPF should be amended to further support effective co-operation on cross boundary and strategic planning matters?

29. Over recent years there have been concerns that plans containing strategic scale proposals and associated infrastructure can require implementation over a long period, making it more difficult to provide evidence of deliverability and viability. We want the planning system to enable such long term and ambitious planning, while recognising that such plans need to be grounded and realistic. We do not have a firm proposal to address this point, so instead ask the following open question.

Question 13
Should the tests of soundness be amended to better assess the soundness of strategic scale plans or proposals?

Question 14
Do you have any other suggestions relating to the proposals in this chapter?

Chapter 4 – A new Standard Method for assessing housing needs

Alongside reversing the previous Government's changes to the NPPF, including to restore the standard method for assessing housing needs as mandatory, we are proposing a new standard method. A revised method will support this Government's ambition to deliver 1.5 million homes over the next five years, underpin growth in all corners of the country, and provide greater certainty to the key stakeholders involved in planning for housing – including local planning authorities, communities, developers, and landowners.

The current standard method for assessing local housing need

1. The current standard method (first introduced in 2018) identifies the minimum number of homes that a local planning authority should plan for in its area. The NPPF makes clear that the outcome of the standard method should inform the preparation of local plans and establishing a housing requirement for the area.

2. The current method comprises a baseline of household projections (produced by the Office for National Statistics) which are then adjusted to take account of affordability. In some circumstances that figure is then capped to limit the increase, and finally an urban uplift (35%) is applied to our 20 most populous urban local planning authorities. It is designed to sum to 300,000 at a national level.

3. The use of household projections in the current standard method has attracted criticism from across the sector. Household projections are volatile, and subject to change every few years, making it difficult for local planning authorities to plan for housing over their Plan periods (10-15 years). To guard against regular shifts, the previous government opted to lock in 2014-projections, rather than updating the formula to incorporate more recent updates. This means the dataset is now ten years old and is no longer fit for purpose in reflecting current housing needs. By projecting forward past trends, household projections have also resulted in artificially low projections in some places, particularly where overcrowding and concealed households have suppressed household formation, which generally happens in the least affordable parts of the country.

4. **We are therefore proposing a revised standard method which aligns more closely with the Government's aspirations for the housing market**. This new method will provide stability and certainty for all stakeholders, seek to address the issues with the current approach, and support a more ambitious house building strategy.

The Government's proposed approach

5. Our new approach is based on four principles for reform. The new method must:

a. support the Government's **ambition** to deliver 1.5 million new homes over the next five years;

b. provide greater **certainty** to the sector through more stable and predictable housing numbers;

c. achieve a more balanced **distribution** of homes across the country, by directing homes to where they are most needed and least affordable, and ensure that all areas contribute to meeting the country's housing needs, rather than radically undershooting local ambition in some areas of the country; and

d. be **straightforward** to understand and apply – so that the method can be easily replicated, be updated in line with the most recent publicly available data, and speed up plan making.

6. That standard method will result in a local planning authority-wide number, on which basis the authority must then plan. The local area will then decide how and where in their authority that need is best met in accordance with national policy, engaging with local communities. The standard method provides the basis for plan making, not the final housing requirement – and we are absolutely clear that authorities may justify planning for a lower number only where they can evidence hard constraints to the Planning Inspectorate

7. **We therefore propose a new standard method that**:

a. uses **a baseline set at a percentage of existing housing stock levels**, designed to provide a stable baseline that drives a level of delivery proportionate to the existing size of settlements, rebalancing the national distribution to better reflect the growth ambitions across the Midlands and North;

b. tops up this baseline by focusing on those areas that are facing the greatest affordability pressures, using a **stronger affordability multiplier** to increase this baseline in proportion to price pressures; and

c. **removes arbitrary caps and additions** so that the approach is driven by an objective assessment of need.

Setting a new headline target

8. We will not deliver our target of 1.5 million homes if too little land is allocated. It is clear that the current level of ambition is too low: our analysis suggests that housing requirements in adopted plans only add up to approximately 230,000 homes per annum[footnote 1] and the latest OBR forecast indicates that this year the number of net additions will fall below 200,000 homes[footnote 2].

9. We are starting from a point that falls far short of the homes that are needed so we need to act decisively if we are to ramp up new supply. We are therefore boosting the overall target to a level that provides resilience, building capacity into the system to catch up. However, while we are clear that local planning authorities must use the output of the new standard method as their starting point for determining their housing requirement and must make all efforts to allocate land in line with it, there will be some places where it is not possible to meet that need, despite taking all possible steps, including optimising density, sharing need with neighbouring authorities, and reviewing Green Belt boundaries. Given that, we must build room into the formula, to account for the fact that we will not see a one-to-one relationship between targets and allocations.

Step 1 – Setting the baseline – providing stability and certainty through housing stock

10. Housing stock is more stable and predictable than household projections and does not vary significantly over time. Using stock will ensure that all areas, as a minimum, are contributing a share of the national total, proportionate to the size of their current housing market. Basing the approach on stock also helps to reinforce development in existing urban areas, thereby ensuring that new homes can maximise existing infrastructure such as public transport, schools, medical facilities and shops.

11. We propose 0.8% of existing housing stock in each local planning authority as the baseline starting point. The most robust data source of stock levels is the annually published **Dwelling stock estimates by local authority districts**[footnote 3] **and the most recent data published at the time should be used**. On average, housing stock has grown nationally by 0.89% per year over the last 10 years. Using a figure of 0.8% therefore provides a level of increase in all areas that is consistent with average housing growth over time, a baseline which banks the average status quo level of delivery, to then be built on through affordability-focused uplifts.

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?

Step 2 – Adjusting for affordability

12. High and rapidly increasing house prices indicate an imbalance between the supply of and demand for new homes, making homes less affordable. The worsening affordability of homes is the best evidence that supply is failing to keep up with demand.

13. The current method incorporates an adjustment for housing affordability, and we are proposing the new method continues to use affordability to adjust the stock baseline. This will be similar to the current approach, using **workplace-based median house price to median earnings ratio**[footnote 4], but with two specific changes.

14. First, we propose **increasing the significance of affordability** by revising the affordability adjustment. This would mean that the baseline stock figure is adjusted upwards in areas where house prices are more than four times higher than earnings: for every 1% above that 4:1 ratio, **the multiplier increases to 0.6%** (the current method multiplier is 0.25%). This will increase the importance of housing affordability in assessing needs which will help direct more homes to where they are most needed. Second, it is proposed that **average affordability over the three most recent years for which data is available** will be used. Using an average, rather than just the most recent datapoint, will help smooth out changes in affordability and will provide further stability and certainty in inputs and outputs of the method.

15. The proposed affordability adjustment is as follows:

$$Adjustment\ Factor = \frac{(Three\ year\ average\ affordability\ ratio) - 4}{4} \times 0.6$$

Accessible text version

Adjustment Factor = ((Three year average affordability ratio)-4)/4×0.6

16. The workplace-based median house price to median earnings ratio is a nationally recognised and robust publicly available national statistic. It reflects the relationship between local house prices and earnings and is relatively stable over time. We have also considered how evidence on rental costs can be taken account of through the model. Although we have not proposed incorporating this into the model, we would welcome views on the appropriateness and feasibility of reflecting rental affordability alongside house price affordability in the model.

17. Unlike the previous method, **the new standard method does not have a cap applied to limit the level of increase for individual authorities**. Under the current method, numbers are capped at 40% above either the previous local plan figure or the projection-derived baseline. To significantly boost the supply of homes and address the past undersupply as quickly as possible, a significant change of approach is needed. An artificial cap of the levels of housing need does not align with these ambitions. In no longer applying a cap, the resultant housing need is the level of need that authorities should be planning to release land for, according to their specific circumstances.

18. **Removing the urban uplift**. This adjustment to the method was added in 2020, to increase the need figures for local planning authorities with areas which contain the largest proportion of population of one of the top 20 major towns and cities. There are two key issues with this. First, with the exception of London, the uplift is applied only to the local planning authorities in each city with the largest population; for example, in Manchester the uplift is only applied to Manchester City Council and not the whole urban area of Manchester. This is at odds with the ways that cities work: urban cores do not function in isolation from their hinterlands, but instead work as broader housing and employment markets, and that will increasingly be the case, as we extend further powers to city leaders and introduce formal strategic planning powers, as set out above. Second, focusing on a top 20 introduces an arbitrary cut off, with towns and cities important to our future growth, like Oxford and Cambridge, not on the list. For these reasons, we have developed a formula designed to raise ambition across a much longer list of urban authorities.

Proposed method formula:

$$LHN_t = Dwelling\ stock_{t-1} \times 0.8\% \times (1 + \ Adjustment\ Factor)$$

$$Adjustment\ Factor\ = \frac{(Three\ year\ average\ affordability\ ratio) - 4}{4} \times 0.6$$

Accessible text version

LHN_t=Dwelling $stock_{(t-1)}$×0.8%×(1+ Adjustment Factor)

Adjustment Factor = ((Three year average affordability ratio)-4)/4×0.6

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?

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

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?

Result of the revised standard method

19. **The new formula drives a distribution that matches up to our ambition for all parts of the country**.

a. **An ambitious but credible target for London**: the existing formula loads a third of all national need in London, with a target of nearly 100,000 homes per annum. This is nearly three times the existing level of delivery. While we must significantly ramp up numbers in the capital, setting a target that is removed from reality just shifts numbers away from areas where they can be delivered.

b. **Supporting growth across the rest of the country**: the new formula increases targets across all other regions relative to the existing standard method. Currently, large parts of the north and midlands are set targets well below their existing delivery levels: in 37 local planning authorities housing delivery is at least double their targets. This does not make sense in a world where all but one local planning authority area has a house price to earnings ratio of more than four, putting a mortgage out of reach for the average earner. The new approach corrects this, increasing ambition across the board.

c. **Maximising delivery in urban area**s: the new formula increases targets by more than 30% across our Mayoral Combined Authorities, relative to the existing standard method. This better aligns with the ambition of our local leaders, and[footnote 5] will maximise agglomeration benefits by increasing the contribution new housing makes to economic growth. This approach will also make the most of our transport hu bs, support the objectives of brownfield-first and gently densifying urban areas, including building upwards where appropriate.

We will publish the outcome of the revised method on GOV.UK.

Question 19
Do you have any additional comments on the proposed method for assessing housing needs?

Chapter 5 – Brownfield, grey belt and the Green Belt

1. We have been clear that development must look to brownfield first, prioritising the development of previously used land wherever possible. To support this, we will make the targeted changes set out below, including making clear that **the default answer to brownfield development should be "yes", as the first step on the way to delivering brownfield passports**.

2. But brownfield development alone will not be enough to meet our housing need. **To deliver the homes and commercial development this country needs, we are proposing the targeted release of grey belt land**. This government recognises the important role the Green Belt plays in preventing urban sprawl and remains committed to its continued protection - but we must review the post-war Green Belt policy to make sure it better meets the needs of present and future generations. Without altering the general extent or purpose of the Green Belt, our proposed changes will support local planning authorities facing acute housing and development pressures to meet their needs, while securing environmental improvements, affordable housing and other infrastructure upgrades communities care about.

3. Instead of the haphazard release we see under the status quo, release will be strategic and underpinned by clear safeguards. We propose to make changes to the NPPF to make clear that, where a local planning authority is unable to meet housing, commercial or other needs after fully considering all opportunities to make effective and efficient use of brownfield and wider opportunities, it should undertake a Green Belt review. This review should look to release poor quality grey belt land from the Green Belt through both plan-making and decision-making to meet local needs. This release will be subject to the sustainable development principles that underpin national planning policy, and to clear 'golden rules' as set out later in this chapter.

4. The Green Belt serves a specific planning purpose, in terms of preserving openness and preventing sprawl, but is not an environmental designation or a marker of any environmental importance. Much of it is inaccessible to the public and of poor ecological status. We want our proposal to not simply offset the loss of Green Belt land, but to bring about positive improvements for the quality and enjoyment of the environment. We propose a two-stage process for doing this. First, land that is safeguarded by existing environmental designations, for example National Parks, National Landscapes and Sites of Special Scientific Interest, will maintain its current protections. Second, any development on land released from the Green Belt must bring benefits, via not only mandatory Biodiversity Net Gain, but also through new rules that will secure improved access to good quality greenspace.

Being clear that brownfield development is acceptable in principle

5. We have been clear that brownfield land must be the first port of call. We want to make clear that the principle of development should not be in question on brownfield land, and so we are consulting on an amendment to paragraph 124c out of the current NPPF, reinforcing the expectation that development proposals on previously developed land are viewed positively. This makes clear that the default answer to brownfield development should be yes.

Question 20
Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?

Making it easier to develop Previously Developed Land

6. The first step when reviewing Green Belt land should be Previously Developed Land (PDL): it makes no sense to provide special protections for sites that have, for example, housed petrol stations or carparks. For that reason, we propose that we relax the restrictions that are currently applied to PDL and limited infilling in the Green Belt in paragraph 154g of the current NPPF, to make clear that development is 'not inappropriate' where it would not cause substantial harm to the openness of the Green Belt. The requirements of our golden rules, set out later in this chapter, are intended to apply to release of PDL.

7. We are also interested in whether it would be beneficial to expand the definition of PDL in the NPPF to include hardstanding and glasshouses. We want to understand how expanding this definition might affect the availability of

horticultural land, so would welcome views on how to ensure that there remains sufficient incentive for the development and maintenance of glasshouses for horticultural production.

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?

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?

Defining the grey belt

8. As set out above, we must look to a wider set of low-performing sites where this is necessary. We propose defining grey belt land as Green Belt land which makes a limited contribution to the Green Belt's purposes, as set out in paragraph 143 of the current NPPF. To maintain existing environmental protections, we propose excluding land of environmental value from the definition, or assets of particular importance, as set out in footnote 7 of the NPPF. We are interested in whether additional exclusions are necessary, such as areas identified in draft or published Local Nature Recovery Strategies, that could become of particular importance for biodiversity.

9. To support **a consistent and transparent approach to identifying land, we propose inserting a new definition of grey belt land into the glossary of the NPPF**. This will provide criteria for assessing whether land makes a limited contribution to the Green Belt purposes. This definition will read as follows:

> **Grey belt**: For the purposes of Plan-making and decision-making, grey belt is defined as land in the Green Belt comprising Previously Developed Land and any other parcels and/or areas of Green Belt land that make a limited contribution to the five Green Belt purposes (as defined in para 140 of this Framework) but excluding those areas or assets of particular importance listed in footnote 7 of this Framework (other than land designated as Green Belt).

10. We are interested in whether further support is needed to assist authorities in judging whether land makes a limited contribution to the Green Belt purposes. We propose incorporating the following into the glossary appended to the NPPF but welcome views on the most effective way of providing this guidance: Land which makes a limited contribution to the Green Belt purposes will:

a) Not strongly perform against any Green Belt purpose; and
b) Have at least one of the following features:
i. Land containing substantial built development or which is fully enclosed by built form
ii. Land which makes no or very little contribution to preventing neighbouring towns from merging into one another
iii. Land which is dominated by urban land uses, including physical developments
iv. Land which contributes little to preserving the setting and special character of historic towns

11. We have chosen to avoid prescribing specific and quantifiable measures of terms such as "substantial built development" at this point. However, we are interested in whether respondents believe more specific criteria or further guidance are needed.

12. We want this approach to protect land which makes a strong contribution to any Green Belt purposes, while allowing authorities to consider a range of Green Belt land based on its merits for potential development.

13. We want to ensure that our definition of grey belt land acts to accurately identify land with a high sustainable development potential, while also avoiding providing incentives to allow the degradation of existing Green Belt Land. We believe that defining the grey belt in terms of its contribution to the purposes should help to prevent this, but we are interested in whether additional protections or requirements are necessary.

14. We do not want our proposals to undermine existing protections for best and most versatile agricultural land. Our proposals do not remove the requirement for planning policies and decisions to recognise the benefits of the best and most versatile agricultural land, and, where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality should be preferred.

15. We are clear that sustainability remains an overarching objective and that development in the grey belt should meet the expectations set out in the NPPF, around effective use of land and access to transport.

Question 23
Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend?

Question 24
Are any additional measures needed to ensure that high performing Green Belt land is not degraded to meet grey belt criteria?

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?

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?

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?

Land release through plan-making

Green Belt reviews

16. Under the existing NPPF, there is no requirement for local planning authorities to review Green Belt where they fall short of housing need. Instead, local planning authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully justified. We propose correcting that, to **require local planning authorities to undertake a review where an authority cannot meet its identified housing, commercial or other need without altering Green Belt boundaries**.

A sequential approach

17. We remain clear that brownfield sites should be prioritised, and our proposed changes to developing PDL in the Green Belt (outlined above) reinforce this commitment. **To support release in the right places, we propose a sequential test to guide release**. This will ask authorities to give first consideration to PDL within in the Green Belt, before moving on to other grey belt sites, and finally to higher performing Green Belt sites where these can be made sustainable. As set out above, land that is safeguarded by existing environmental designations, for example National Parks, National Landscapes and Sites of Special Scientific Interest, will maintain its protections.

18. The aim of this approach is to ensure that low quality Green Belt is identified first, while not restricting development of specific opportunities which could be made more sustainable (for example, on land around train stations). This is in recognition that not all PDL or 'Grey Belt' will be in the most suitable or sustainable location for development. As such, it is right that local planning authorities are empowered to make decisions that best support the development needs and sustainability objectives of their area through the plan-making process. There is clear expectation that local planning authorities should seek to meet their development needs in full. However, we remain clear that the release of land should **not be supported where doing so would fundamentally undermine the function of the Green Belt across the area of the plan as a whole**. We propose changes to paragraph 147 of the NPPF to achieve this approach.

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?

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?

Allowing Development on the Green Belt through Decision Making

19. To ensure that in the short term we are best supporting the delivery of housing need, in advance of local planning authorities getting updated Local Plans in place and Green Belt reviews underway, we also propose changes that support the release of Green Belt land outside the plan making process. We propose to insert a new paragraph in the NPPF which will make clear that, in instances where a local planning authority cannot demonstrate a 5-year housing land supply or is delivering less than 75% against the Housing Delivery Test, or where there is unmet commercial or other need, **development on the Green Belt will not be considered inappropriate** when it is on sustainable 'grey belt' land, where golden rules for major development are satisfied, and where development would not fundamentally undermine the function of the Green Belt across the area of the plan as a whole.

20. Our proposal limits release via this route to grey belt, including PDL — reaffirming our commitment to a plan-led system by maintaining restrictions on the release of wider Green Belt land. It would, as now, be possible for other Green Belt land to be released outside the plan-making process where 'very special circumstances' exist, but such cases would remain exceptional.

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?

Supporting release of Green Belt land for commercial and other development.

21. In recognition of the important role commercial and other types of development play in supporting wider social and economic objectives, we propose supporting the release of Green Belt land to meet other development needs (alongside residential development) through both plan-making and decision-making routes. We have provided draft text illustrating how local planning authorities should consider the need for commercial and other development sites, making clear that golden rules should apply, but we welcome views on how to deliver the underlying objective of securing clear public benefits for non-housing 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?

Planning Policy for Traveller Sites

22. We intend our proposals to support the release of Green Belt Land to address unmet needs for traveller sites. We are therefore seeking views on how the proposals under the NPPF would apply to traveller sites, particularly concerning the sequential test to guide release, the definition of grey belt and PDL, and proposals that are considered not to be inappropriate development.

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?

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?

Golden rules to ensure public benefit

23. The Government has committed to introducing ‘golden rules’ to ensure that major development on land released from the Green Belt benefits both communities and nature. This will build on our wider commitment for exemplary design, so that the following are required where land is released through plans or individual planning decisions:

a. in the case of schemes involving the provision of housing, at least 50% affordable housing, with an appropriate proportion being Social Rent, subject to viability;

b. necessary improvements to local or national infrastructure, including delivery of new schools, GP surgeries, transport links, care homes and nursery places, to deliver well-designed, connected places, recognising that local leaders are best placed to identify the infrastructure that their communities need; and

c. the provision of new, or improvements to existing, local green spaces that are accessible to the public – where residential development is involved, new residents should be able to access good quality green spaces within a short walk of their homes, whether through onsite provision or through access to offsite facilities.

Delivering affordable housing
24. The Government is proposing a target of 50% affordable housing on land released from the Green Belt for residential development. The Government is committed to delivering more genuinely affordable housing tenures, such as Social Rent. However, we also recognise that for the purposes of place-making, a balance of tenures is required. For that reason, we propose that the tenure split across affordable housing delivered under the golden rules should be for local authorities to decide.

Question 34
Do you agree with our proposed approach to the affordable housing tenure mix?

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?

Delivering improved public access to green space

25. We are clear that release of 'grey belt' land must benefit communities and nature. We know that accessible green space is an integral part of making quality places so the **golden rules will include delivering access to good quality green spaces and nature**. We will bolster the environmental requirements that are already in place for new developments, such as Biodiversity Net Gain, by setting out additional requirements including an **objective for new residents to be able to access good quality green spaces within a short walk of their homes**.

26. We expect local planning authorities to specify clear policies on green space requirements in plans, for which they can draw on Natural England's Green Infrastructure Framework and the National Model Design Code. The former provides guidance on national standards for green infrastructure and latter provides detailed guidance on the production of design codes, guides and policies to promote successful design, including for green infrastructure and access to nature.

27. Where authorities do not have specific policies in place, we propose to make clear that schemes in the Green Belt must provide quality green space which reflects relevant nationally-recognised standards.

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?

Green Belt land and Benchmark Land Values

28. Green Belt land can deliver more affordable housing, infrastructure and environmental contributions, as the value of the land in its existing use is generally low and the Green Belt designation reduces the hope value associated with the prospect of securing planning permission. However, we recognise that the contributions that can be secured from development will vary between areas, and between individual sites: some areas have lower house prices; some sites will have abnormal costs; Community Infrastructure Levy rates vary between those local planning authorities which charge it; and some sites may have a higher value in their existing use. For this reason, we believe that it is necessary to allow the limited use of viability assessments, where negotiation is genuinely needed for development to come forward, particularly in relation to affordable housing requirements. However, this cannot be an excuse to inflate landowner or developer profits at the expense of the public good.

29. Approaches that government could take to ensure the appropriate use of viability include the following options.

a. **Government sets benchmark land values to be used in viability assessments**. When assessing whether a scheme is viable, it is necessary to make an allowance for the amount of money to be paid to the landowner. This should currently be set by the local planning authority. Government could set indicative benchmark land values for land released from the Green Belt through national policy, to inform the policies developed on benchmark land value by local planning authorities. These should be set at a fair level, allowing for a premium above the existing use, but reflecting the need for policy delivery against the golden rules. Different approaches to benchmark land value are likely to be appropriate for agricultural land, and for previously developed land.

b. **Government sets policy parameters so that where land transacts at a price above benchmark land value, policy requirements should be assumed to be viable**. As part of this approach, Government sets out that if land has been sold (or optioned) at a price which exceeds the nationally set benchmark land value, viability negotiation should not be undertaken. Under this approach, the planning authority should not be seeking higher contributions (e.g. 60 per cent affordable housing), but equally the developer should not be seeking lower contributions (e.g. 40 per cent affordable housing), as this would represent a transfer of value from the public to private landholders. Therefore, planning permissions would not generally be granted for proposed developments where land transacts above benchmark land value, and cannot comply with policy.

c. **Government sets out that where development proposals comply with benchmark land value requirements, and a viability negotiation to reduce policy delivery occurs, a late-stage review should be undertaken**. This would build on the approach to be taken by the Greater London Authority, and tests actual costs and revenues against the assumptions made in the initial viability assessment. If, for example, the development is more viable than initially assumed, due to a rise in house prices, then additional contributions can be secured, to bring the development closer to or up to policy compliance.

30. Benchmark land values are generally set as a multiple of agricultural use values, which are typically in the region of £20,000 - £25,000 per hectare, and as a percentage uplift on non-agricultural brownfield use values. We also note that views of appropriate premia above existing use values vary: for agricultural land, a recent academic paper[footnote 6] suggested BLVs of three times existing use value; the Letwin Review of Build Out[footnote 7] suggested ten times existing use value; Lichfields found that local planning authorities set BLVs of between 10- and 40-times existing use value[footnote 8]. These BLVs do not necessarily relate to Green Belt land, which is subject to severe restrictions on development, and **Government is particularly interested in the impact of setting BLV at the lower end of this spectrum**.

31. The Government considers that limited Green Belt release, prioritising grey belt, will provide an excellent opportunity for landowners to sell their land at a fair price, while supporting the development of affordable housing, infrastructure and access to nature. Where such land is not brought forward for development on a voluntary basis, the Government is considering how bodies such as local planning authorities, combined authorities, and Homes England could take a proactive role in the assembly of the land to help bring forward policy compliant schemes,

supported where necessary by compulsory purchase powers, with compensation being assessed under the statutory no-scheme principle rules set out in Part 2 of the Land Compensation Act 1961.

32. In such cases, these rules would operate to exclude any increases or decreases in value of land caused by the compulsory purchase scheme, or by the prospect of it, and valuation of the prospect of planning permission ('hope value') for alternative development would reflect the golden rules outlined in the NPPF. Use of compulsory purchase powers may also include use of directions to secure 'no hope value' compensation where appropriate and justified in the public interest. A comprehensive justification for a no hope value direction (e.g., which includes a high proportion of vital affordable housing being delivered) will strengthen the argument that a direction is in the public interest. This would align with the Government's aspiration for high levels of affordable housing to be delivered on these sites.

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?

Question 38

How and at what level should Government set benchmark land values?

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?

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?

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?

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?

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?

Question 44

Do you have any comments on the proposed wording for the NPPF (Annex 4)?

Question 45

Do you have any comments on the proposed approach set out in paragraphs 31 and 32?

Question 46

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

Chapter 6 – Delivering affordable, well-designed homes and places

1. **This chapter seeks views on changes to planning policy to support affordable housing delivery**. We will deliver the biggest increase in social and affordable housebuilding in a generation. As part of our plan to do so, we are strengthening planning obligations to ensure new developments provide more affordable homes and supporting councils and housing associations to build their capacity and make a greater contribution to affordable housing supply through the changes proposed below.

2. **This chapter is also seeking views on changes to further reform the NPPF in line with the Government's objectives for the planning system**. These include changes to promote mixed tenure development, community development, small sites, and design. These changes are designed to support our objectives of a more diverse housing market, that delivers homes more quickly and better responds to the range of needs of communities.

Delivering affordable housing

Improving the existing system of developer contributions

3. We want to deliver the much-needed affordable housing local communities need and the wider infrastructure that will mitigate the impacts of new development. We believe the best way to achieve this will be to focus on improving the existing system of developer contributions, which means the Government is not implementing the Infrastructure Levy as introduced in the Levelling-up and Regeneration Act 2023. As part of this, we will look to set clear planning policy requirements on Green Belt land.

Delivering the right mix of affordable housing

4. The Government believes that local areas are best placed to decide the right mix of affordable housing for their communities, including a mix of affordable homes for ownership and rent. The NPPF already sets the expectation that when establishing housing requirements, local planning authorities consider the needs of different groups in the community. Currently, this does not include those who require Social Rent. Similarly, policy says that local policies should specify the type of affordable housing required, but does not specify tenure breakdown. To support our objectives around boosting delivery of Social Rent while leaving local planning authorities in the driving seat, we propose **setting an expectation that housing needs assessments explicitly consider the needs of those requiring Social Rent and that authorities specify their expectations on Social Rent delivery as part of broader affordable housing policies**. We expect that many areas will give priority to Social Rent in the affordable housing mix they seek, in line with their local needs, and this is something we strongly support, but we will not be prescriptive; it is for local leaders to determine the balance that meets the needs of their communities.

5. In line with this, we propose removing the prescriptive requirements relating to affordable home ownership products. Currently, home ownership products are prioritised over homes for affordable rent, with particular priority given to First Homes. We are clear that we must take steps to boost home ownership and the actions set out in this document will do just that – but the prescriptive prioritisation of these particular types of affordable housing in existing policy is not the right approach. It can force unhelpful trade-offs, especially in areas where, for example, Social Rent and Affordable Rent are most needed. For this reason, **we propose removing the requirement to deliver at least 10% of the total number of homes on major sites as affordable home ownership**, as set out in paragraph 66 of the current NPPF. **We also propose removing the requirement that a minimum of 25% of affordable housing units secured through developer contributions should be First Homes**, as set out in the 'Affordable Homes Update' Written Ministerial Statement of 24 May 2021. First Homes would remain a type of affordable housing and an option for delivery where local planning authorities judge this to be appropriate for local needs, including through First Homes exception sites and through s106 developer contributions, and we propose reflecting this in the NPPF Glossary definition of affordable housing. We are also proposing to remove Starter Homes from the same definition given First Homes was a replacement for this scheme.

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?

Question 48

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

Question 49

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

Question 50

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

Promoting mixed tenure development

6. Delivering sites with a mix of tenures can provide a range of benefits, including creating diverse communities as well as supporting the timely build out of sites. This can include a mixture of ownership and rental tenures, including rented affordable housing and build to rent, as well as housing designed for specific groups such as older people's housing and student accommodation, and plots sold for custom or self-build.

7. To promote a delivery of mixed use sites, and the realisation of these benefits, we propose to introduce a new policy that expects local planning authorities to take a positive approach to them through both plans and decisions.

Question 51

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

Supporting majority affordable housing developments

8. While we want to promote a mix of tenures on developments, we also acknowledge that there will be circumstances where developments that are predominately (or exclusively) single tenure will be appropriate and

should be supported. In particular, we want to make clear that development that delivers a high percentage of Social Rent (or other affordable housing tenures) should be supported.

9. We also know that predominately or exclusively affordable housing developments can raise concerns, given evidence around the benefits of mixed communities. Through this consultation we are seeking views on how to best promote sites of this type, while ensuring that adequate safeguards are in place that avoid unintended consequences (for example whether there is an appropriate maximum size for schemes of this nature). We are also seeking views on the best approach for supporting affordable housing developments within rural areas.

Question 52

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

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?

Question 54

What measures should we consider to better support and increase rural affordable housing?

Meeting the needs of looked after children

10. The Government believes that every child should have a loving, secure home close to their communities. To achieve this Government priority, it is necessary to ensure that an appropriate amount and type of accommodation for looked after children, in the right locations, is planned for and provided. The Department for Education's definition of a looked-after child is: 'A child is looked after by a local authority if they are provided with accommodation for a continuous period of more than 24 hours (section 20 Children Act 1989) or are subject to a care order (defined in section 22(1) Children Act 1989).

11. To support the provision of this type of housing, we are proposing to include explicit reference to looked after children in paragraph 63 of the current NPPF, which sets out that the housing needs for different groups in the community should be assessed and reflected in planning policies. This amendment supports the written ministerial statement on planning for accommodation for looked after children made on 23 May 2023.

Question 55

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

Delivering a diverse range of homes and high-quality places

Strengthening support for community-led development

12. Community-led housing is delivered by community land trusts, housing co-operatives and other community-based groups seeking to help meet local housing need. By virtue of the support that it engenders from the local community, the community-led approach is often able to provide housing on sites that are unavailable to mainstream commercial housebuilders or are commercially unattractive.

13. Through the 2023 review of the NPPF, a number of amendments were made to enable planning authorities to support community-led housing. **We are proposing to strengthen those provisions by**:

a. including within the definition of 'community-led development' housing that is developed by a group originally set up for a purpose other than housebuilding; and

b. removing the size limit for community-led exception sites, where an alternative limit is established through the development plan.

Question 56

Do you agree with these changes?

14. We are also seeking views on whether changes are needed to the definition of 'affordable housing for rent' in the Framework glossary to make it easier for organisations that are not Registered Providers, for example community-led developers and almshouses, to develop new affordable homes. This is intended to inform our approach to National Development Management Policies.

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?

Making the small site allocation mandatory

15. Small and medium sized builders are essential to meeting our housing expectations and supporting local economies. They also build out the majority of small sites. Their business models often rely on identifying and securing small sites and building them out quickly. The Government is concerned that SME housebuilders are not able to access the small sites that they need, and that local planning authorities are not bringing forward small sites in their plans to the level set out in the NPPF.

16. We know that most authorities preparing plans have been unable to identify enough small sites to reach the current 10% NPPF local plan allocation expectation, and the Government is concerned this is hindering local SMEs ability to identify sites to bring forward, build out, and for their businesses to grow. We would like to gather views on why authorities are unable to identify 10% small sites, welcoming views on measures to strengthen small site policy through the NPPF, and in particular:

a. whether the 10% small site allocation should be required in all cases (removing the current caveat that there may be some places where strong reasons exist which mean this cannot be achieved);

b. what would be required to implement this more stringent approach, if pursued;

c. whether a definition distinguishing between small and medium sites would improve clarity; and

d. whether requiring authority-specific small-site strategies would help implement the 10% allocation.

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?

Requiring "well designed" development

17. The NPPF was updated in December 2023 to include six additional references to the term 'beauty' and 'beautiful' when relating to well-designed development. This is further to five references to 'beautiful' places already set out within the September 2023 NPPF.

18. The Government recognises the importance of beauty in the built environment as an important objective of well-designed places. However, as recognised by previous consultees, including further references to 'beauty' and 'beautiful' may result in inconsistency in how it is applied in decision-making, as many find the term subjective and difficult to define. There is already a clear framework through policy and guidance on how to achieve well-designed places (as set out in the National Design Guide and National Model Design Code - NMDC), to enable this to be decided by local planning authorities, working together with developers and the community, which is accepted and understood by communities and the built environment sector.

19. We propose to **reverse the changes made in 2023 to the Framework that reference beauty and beautiful in relation to well-designed development**.

20. **We also propose to make small amendments to the changes made in 2023 to paragraph 138 of the existing Framework** to clarify the original intention for this wording to reflect that the National Model Design Code is now in widespread use and that the NMDC or where available local design guides and codes, prepared in line with the national guidance, is the primary means of assessing and improving the design of 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?

Supporting upward extensions

21. Paragraph 124(e) of the Framework was updated in 2023 to include detailed wording to encourage the development of mansard roofs as an appropriate form of upward extension, to recognise their value in delivering urban intensification where appropriate.

22. The Government is in favour of such schemes. However, the current wording places a disproportionate emphasis on one type of upwards extension development.

23. To make very clear that national policy is strongly supportive of all upward extensions, including mansard roofs, we are consulting on amendments to paragraph 124(e). We propose to refer explicitly to mansard roofs within paragraph 124(e) as one appropriate form of upwards extension that national policy supports. We also propose to retain and amend current policy to ensure that a condition of simultaneous development should not be imposed on an application for multiple upward extensions of any type unless there is an exceptional justification, to generate the same level of support for upwards extensions for other schemes that it has for mansard roofs.

Question 60

Do you agree with proposed changes to policy for upwards extensions?

Question 61

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

Chapter 7 – Building infrastructure to grow the economy

1. The Chancellor's speech on 8 July set out the importance of ensuring the UK remained a stable place for business to invest. Alongside delivering 1.5 million new homes, it is essential that the planning system is reformed to build the infrastructure needed to power our economy for the future and support our forthcoming industrial strategy. It is vital that planning policies reflect our broad economic and infrastructure priorities, including supporting rapidly advancing commercial opportunities which will be the foundation of the UK's future: data centres, gigafactories and laboratories.

2. This chapter outlines how the proposed NPPF changes aim to help support investment and construction of key modernised industries to support economic growth. It also seeks views on whether to go further by reflecting these priorities in the NSIP regime. Given this regime is reserved for infrastructure projects of national significance, it is right to consider whether the definition of those projects remains fit for purpose given recent technological advancements and industrial innovation. This would be one of the first steps in this government's plan to reform the NSIP regime to speed up delivery of critical infrastructure, ahead of further measures to be delivered through the Planning and Infrastructure Bill.

Building a modern economy

3. Alongside supporting housing, this NPPF is proposing changes to the planning system to drive greater commercial development in those sectors which will be the engine of the UK's economy in the future. Our proposed changes to the planning system are intended to provide particular support for the following key industries:

a. Laboratories: access to laboratory space is essential to the UK's research and development activities, keeping the UK at the cutting edge of research-intensive sectors such as the life sciences. Scaling up the right lab space to meet growing needs in our world leading clusters is critical to economic growth. It attracts talent and underpins the development of many groundbreaking new discoveries such as precision medicines or quantum technologies.

b. Gigafactories: battery cell manufacturing plants, commonly called 'gigafactories' (when capacity exceeds 1GWh of cells), are essential for the electric vehicle supply chain. By accelerating domestic battery making capacity, we will give our manufacturing sector the certainty it needs to flourish.

c. Digital Infrastructure: digital infrastructure, including data centres, drive growth across the economy by connecting businesses and public services thereby enabling them to be more efficient and productive. A data centre is a facility hosting networked computer servers that store and process data at scale, enables AI deployment and hosts all cloud-based data. Data centres produce an estimated £4.6bn in revenue each year in the UK (2021) and are forecast to support a UK tech sector worth an additional £41.5bn and 678,000 jobs by 2025.

d. Freight and Logistics: this sector is fundamental to the UK's economic growth and productivity, contributing £84.9 billion in Gross Value Added each year[footnote 9] and employing nearly 1.2 million people[footnote 10]. The freight and logistics sector depends upon a national network of storage and distribution infrastructure to enable local, regional, national and international operations.

Changes to the NPPF to support these modern economies

4. To support these key growth industries and others, **we are proposing updates to existing paragraphs 86b) and 87 of the existing NPPF**.

5. The proposed changes to paragraph 86 b) seek to ensure the planning system meets the needs of a modern and changing economy, by making it easier to build laboratories, gigafactories, data centres and digital infrastructure, and the facilities needed to support the wider supply chain. The proposed changes would create a positive expectation that suitable sites for these types of modern economy uses are identified in local plans.

6. The additions proposed to existing paragraph 87 of the NPPF apply to both plan making and planning decisions, and set more explicit expectations about the commercial requirements that require particular recognition.

a. The proposed changes in paragraph 87 a) aim to further support the development of knowledge, creative, high technology and data-driven sectors, by giving more explicit recognition of the need to support proposals for new or upgraded facilities and infrastructure (including data centres and electricity network grid connections) that are key to the growth of these industries.

b. We are proposing wording in paragraph 87 b) to ensure supply chains, transport innovation and decarbonisation are considered, in terms of the locational requirements of the storage and distribution sectors. These proposals aim to support the growth of the freight and logistics sector by encouraging decarbonisation, adaptation to changing patterns of global trade, and adoption of new and emerging technologies across its transport, distribution and storage operations.

c. New wording proposed in paragraph 87 c) aims to support the expansion or modernisation of other key growth industries by consulting on an expectation that additional commercial sites (outside of those identified in paragraphs 87 a) and 87 b)) are identified in plans and positively considered in planning decisions, when they are of local, regional or national importance, and to further support economic growth and resilience.

Question 62

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

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

7. We propose deleting existing NPPF footnote 44, given the Industrial Strategy of the previous government is now out of date.

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

8. In addition to the change of wording proposed above, we want to test whether the Government should go further by enabling digital infrastructure projects to opt into the NSIP regime.

9. Where proposed projects are within the main fields of infrastructure covered in the Planning Act 2008 (namely energy, transport, water, waste water, waste), but below the thresholds set out in the 2008 Act, the relevant Secretary of State may, on request, direct a project into the regime under section 35 of the Act. Section 35 was amended in 2013 so that certain business and commercial developments (prescribed under regulations) such as offices, sports, leisure, and tourism, which are of a substantial size or have significant economic impact or are important for driving growth, could be directed (on request) into the regime (subject to conditions).

10. To support the proposed changes to paragraphs 86 b) and 87 in the NPPF set out in this Chapter, there is the potential for data centres, gigafactories and laboratories to be prescribed as a type of business and commercial NSIP and be directed into the NSIP consenting regime through section 35 direction, on request and subject to certain conditions.

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?

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?

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

Chapter 8 – Delivering community needs

1. Meeting community needs goes beyond providing homes and jobs. Our society needs to be supported by a range of services and facilities to be sustainable, and to support healthy living. The Government's manifesto highlighted a number of current issues, ranging from overcrowding in prisons to a lack of access to affordable childcare. In turn, creating healthy communities has a role to play in reducing the burden upon public infrastructure, and as part of this the Government is committed to promoting active travel and tackling childhood obesity.

2. This chapter seeks views on changes to the NPPF to support the provision of public infrastructure and to create sustainable, healthy communities.

Public infrastructure

3. There is a pressing need to improve the provision and modernisation of key public services infrastructure such as hospitals and criminal justice facilities. In recognition of that, we propose to add to the wording in NPPF paragraph 100 to make clear that significant weight should be placed on the importance of facilitating new, expanded, or upgraded public service infrastructure when considering proposals for development.

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

4. The Government recognises that to support the delivery of a modern economy we need to establish a workforce equipped with the skills necessary for the future. Ensuring the availability of a sufficient choice of post-16 education places has an important role to play in this. We are therefore proposing to incorporate reference to post-16 places to paragraph 99 of the existing NPPF to support the delivery of this type of education provision.

5. Furthermore, the Government recognises that access to affordable childcare is important for parents seeking to rejoin the workforce, and our manifesto committed to opening an additional 3,000 nurseries to support this objective. High-quality early education is also crucial to transforming the life chances of children. To support this commitment and the provision of childcare facilities, we are proposing to include reference to early year places to paragraph 99 of the existing NPPF.

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

A ‘vision-led’ approach to transport planning

6. Our transport infrastructure plays a vital role in creating sustainable communities and supporting economic growth. The NPPF sets out that transport issues should be considered from the earliest stage of plan-making and development proposals, to ensure that impacts are recognised and addressed.

7. At present, planning for travel too often follows a simplistic ‘predict and provide’ pattern, with insufficient regard for the quality of places being created or whether the transport infrastructure which is planned is fully justified. Challenging the default assumption of automatic traffic growth, where places are designed for a ‘worst case’ peak hour scenario, can drive better outcomes for residents and the environment. It means working with residents, local planning authorities and developers to set a vision for how we want places to be, and designing the transport and behavioural interventions to help us achieve this vision. This approach is known as ‘vision-led’ transport planning and, unlike the traditional ‘predict and provide’ approach, it focuses on the outcomes desired, and planning for achieving them. To support this approach, we are proposing to make amendments to paragraphs 114 and 115 of the existing NPPF. To support the implementation of this updated policy, we will publish updated guidance alongside the policy coming into effect.

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

Promoting healthy communities

8. The Government is committed to taking action on public health and reducing health inequalities. Local planning authorities are already able to develop policies to support local strategies to improve health and wellbeing, but there is considerable variation in the extent to which they do so. We want to consider ways in which the planning system can do more to support the creating of healthy communities. This includes tackling obesity, encouraging active travel and supporting a healthy childhood, such as through more consistent approaches to controlling hot food takeaways near schools. As part of this consultation, we are seeking views on whether and how national policy could provide greater direction and clarity on the promotion of health through local plans and planning decisions.

Question 70
How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity?

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

Chapter 9 – Supporting green energy and the environment

1. **This chapter seeks views on revisions to the NPPF to increase support for renewable energy schemes, tackle climate change and safeguard environmental resources**. Ensuring the transition to clean power will help boost Britain’s energy independence, reduce energy bills, support high-skilled jobs and tackle the climate crisis. Boosting the delivery of renewable energy is also vital to meet the Government’s commitment to reaching zero carbon electricity generation by 2030. Onshore wind and solar are cheap, efficient and quick to build technologies that are an important part of the energy mix. Between them, they account for over a half of renewable electricity generating capacity in the UK. We know that we will need more if we are to deliver on our clean power mission.

2. **That is why this chapter also considers what changes should be made to the NSIP regime to meet our ambitions to deliver green energy, supplementing those that will be brought forward through the Planning and Infrastructure Bill**. The NSIP regime provides a route to consent the largest renewable energy projects in the country. Nearly 60% of projects currently moving through the consenting system to decision are related to renewable energy. The Secretary of State for Energy recently consented to three large scale solar farms through this planning route - Gate Burton in Lincolnshire, Mallard Pass in Lincolnshire and Rutland and Sunnica in Suffolk and Cambridgeshire. They will collectively hold a capacity of around 1.35 GWs, which is enough to power almost 400,000 homes.

3. **It is vital developers use the most efficient planning route to consent their energy projects so that we can make the UK a clean energy superpower**. This is why we are consulting on whether technological advancements mean that we should change the thresholds at which projects can be considered nationally significant. Beyond this, we will legislate to make changes to accelerate existing processes, to speed up delivery of critical infrastructure.

Through the Bill, we will simplify the consenting process for major infrastructure projects and enable relevant, new and improved National Policy Statements to come forward, establishing a review process that provides the opportunity for them to be updated every five years, giving increased certainty to developers and communities.

Supporting onshore wind

4. The Government has committed to radically increasing onshore wind energy by 2030. **On 8 July, the Chancellor announced that footnotes 57 and 58 to paragraph 163 of the existing NPPF, which placed additional tests on onshore wind schemes would no longer apply to decisions**. These tests meant proposals for onshore wind projects could only be considered acceptable if:

a. they were in areas allocated in a local or development plan or through Local Development Orders, Neighbourhood Development Orders and Community Right to Build Orders; and

b. the proposal had proven community support (unless brought forward by Neighbourhood Development Orders or Community Right to Build Orders).

5. In effect, this created a very high bar for consent to be granted; it led to very significant under-delivery of onshore wind schemes. The changes announced by the Chancellor seek to promote the delivery of onshore wind projects to meet the target set to double generation from onshore wind by 2030.

Bringing onshore wind back into the NSIP regime

6. The Chancellor's announcement on Monday 8 July included a commitment to consult on bringing onshore wind back into the NSIP regime. **To fulfil this commitment, this consultation therefore proposes that onshore wind is re-integrated into the NSIP regime**.

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

Supporting renewable deployment

Strengthening the NPPF

7. We are proposing amendments to existing paragraph 163 to direct decision makers to give significant weight to the benefits associated with renewable and low carbon energy generation, and proposals' contribution to meeting a net zero future. In doing so, this aims to increase the likelihood of local planning authorities granting permission to renewable energy schemes and contribute to reaching zero carbon electricity generation by 2030.

8. Further amendments to paragraph 160 seek to set a stronger expectation that authorities proactively identify sites for renewable and low carbon development when producing plans, where it is likely that in allocating a site, it would help secure development.

9. Development of renewables may be proposed in sensitive areas which may include valuable habitats that provide carbon sequestration, including peatlands which are critical for mitigation and adaptation, and provide key habitats for biodiversity. While these changes seek to promote the delivery of renewable energy schemes, proposals would still be subject to the policy requirements set out in the framework alongside other environmental safeguards.

Question 73
Do you agree with the proposed changes to the NPPF to give greater support to renewable and low carbon energy?

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?

Setting the NSIP threshold for solar generating stations and onshore wind

10. The Planning Act 2008 determines the threshold at which solar and onshore wind projects are considered Nationally Significant Infrastructure. When the Act was introduced it provided that consenting decisions in respect of solar and onshore wind projects with a generating capacity of more than 50 megawatts (MW) would be determined by the Secretary of State under the NSIP regime.

11. However, advances in technology since 2008 mean that solar panels are now more efficient, enabling a greater MW yield per site. Onshore wind turbines are now also larger and more powerful, with the capacity of contemporary

turbines as much as two times greater than when the threshold was originally set. The costs of onshore wind and solar have fallen significantly and large scale onshore wind and solar projects are now estimated to be among the cheapest forms of electricity generation in the UK today[footnote 11]. Under contemporary technological specifications, cheaper and smaller-scale onshore wind and solar projects are captured by the 50MW threshold.

12. The original intention behind the categorisation of certain projects as 'nationally significant' under the Planning Act 2008 was to identify the largest and most important projects and put them through the NSIP system rather than the local Town and Country Planning system. With the changes in technology that have taken place since, many small or medium-sized projects now exceed the existing 'nationally significant' threshold. This can be a barrier to the accelerated and streamlined deployment of these two cheap electricity generating technologies at scales below what most people would consider to be nationally significant.

13. There is evidence to suggest that, in the case of solar, this is causing a market distortion. Analysis of the Renewable Energy Planning Database shows that a large proportion of ground-mounted solar capacity entering the planning system is being clustered at a capacity just below the current 50MW NSIP threshold.[footnote 12] This is corroborated by our engagement with the industry, which indicates that solar projects are under-sizing their capacity to avoid the increased costs and timelines associated with determination through the NSIP regime.

14. While these are not so significant as to be an absolute barrier, the capping of solar projects below the 50MW threshold implies that they are not proportionate to the size and scale of contemporary 50MW solar farms. On the other hand, there are a significant number of solar projects sized over 150MW that are being determined via the NSIP regime. This implies that the economies of scale for these projects are such that the greater co-ordination of consents that the NSIP regime allows remains attractive.

15. Given that evidence, we are proposing to:

a. set the threshold at which onshore wind projects are determined as Nationally Significant at 100MW; and

b. increase the threshold at which solar projects are determined as Nationally Significant to 150MW.

16. This could ensure that projects are required to follow a proportionate process to secure consent. Potentially allowing projects that fall beneath these thresholds to move through the local planning system, given they are less complex and geographically spread out, could result in faster consenting, and at lower cost. By increasing these thresholds to a level that more accurately reflects contemporary deployment of projects that can be considered 'large-scale' and 'nationally significant,' due to their scale or complexity, those projects can truly benefit from the economies of scale which the NSIP regime was designed to facilitate .

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?

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?

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

Tackling climate change

17. Climate change is one of the greatest challenges facing the world today, and the planning system can play a powerful role in helping to mitigate and adapt to its effects. The steps that we have taken to unblock onshore wind development, and the proposals in this consultation to do more to support renewable energy more generally, are just one part of the change required to fulfil planning's potential.

18. We are keen to understand the range of ways in which stronger action can be taken. We also know that putting our climate ambitions into practice is likely to pose some technical challenges: for example, the response to the NPPF consultation launched in December 2022 showed significant support in principle for the use of carbon assessments, but also raised questions about its delivery. We would like to use this consultation to gather further views on how climate change can be reflected in strengthened policy.

19. A key aspect of climate change adaptation is managing the increasing risks posed by flood events, whether at the coast or inland. We have heard that aspects of current planning policy for flood risk could be clearer or more proportionate, and so would welcome views on potential improvements.

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

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?

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

Availability of agricultural land for food production

20. In December 2023, a footnote was added that made the availability of agricultural land for food production an explicit consideration in determining if sites are appropriate for development. This added to the existing NPPF expectation that planning policies and decisions should contribute to and enhance the natural and local environment by recognising the wider benefits from natural capital and ecosystem services including the economic and other benefits of the best and most versatile agricultural land. Best and most versatile land is defined as grades 1-3a in the agricultural land classification.

21. We have been clear that food security is important for our national security, and that safeguarding Best and Most Versatile agricultural land is an important consideration. Prior to this addition national policy was already clear that, where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. This safeguard is important to retain, but it is less clear that December's additional text provided a material benefit – especially as it gives no indication of how authorities are to assess and weigh the availability of agricultural land when making planning decisions. To avoid uncertainty, we are therefore proposing to remove the text added to this footnote in December 2023.

22. **We therefore propose removing the following text from the footnote**: "The availability of agricultural land used for food production should be considered, alongside other policies in this Framework, when deciding what sites are most appropriate for development."

Question 82
Do you agree with removal of this text from the footnote?

Question 83
Are there other ways in which we can ensure that development supports and does not compromise food production?

National Landscapes

23. National Landscapes is the new name for legally designated Areas of Outstanding Natural Beauty, AONBs. The draft NPPF has been amended to reflect this new terminology.

Supporting water resilience

24. There is a growing gap in our water supplies that will rise to five billion litres a day by 2050.[footnote 13] Immediate action is required to make sure we are able to fill this gap. A twin track approach to improving water supply resilience is required. This involves action to reduce water company leaks and improve water efficiency, and delivering new water resources infrastructure, such as reservoirs.

Improving the current thresholds for water resources developments in the NSIP regime

25. We are considering how we can provide water undertakers with greater certainty on the planning route for their new strategic water infrastructure, to support faster delivery, helping to address the issues we are increasingly seeing with water scarcity and quality. We are aware that areas of the Planning Act 2008[footnote 14] in relation to water infrastructure projects could be amended to ensure projects of national importance are captured within the NSIP regime.

26. We believe that the Planning Act 2008 could be amended to bring into the definition of NSIP:

a. water infrastructure projects that are designed to be used intermittently but provide significant peak water supplies during droughts;

b. the construction, maintenance or operation of water infrastructure by a third party on behalf of a water undertaker;

c. water recycling, which will be an important option for securing water supplies and one that is commonly used around the world;[footnote 15] and

d. infrastructure which transfers treated drinking water.

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?

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?

Question 86
Do you have any other suggestions relating to the proposals in this chapter?

Chapter 10 – Changes to local plan intervention criteria

1. **This chapter seeks views on whether to update the local plan intervention policy criteria or to remove the criteria**. Local plans are critical to ensure the delivery of the homes, infrastructure and commercial development local communities need, while protecting and enhancing valued assets. The Government is committed to taking tough action to ensure authorities have up-to-date local plans in place, supporting local democratic engagement with how, not if, necessary development should happen. Where authorities fail, the law provides powers for the Government to take action to ensure that plans are progressed and are in place.

2. **Currently, decisions on intervention are made in line with relevant legal provisions and on the basis of intervention policy criteria set out in 2017 Housing White Paper**. These criteria have been used on several occasions over the past seven years.

3. **We are considering updating them to better align with Government's priorities for planning to be a key driver for growth**. We want future intervention action to be swift and proportionate; justified by the local circumstances. We want to ensure that the Secretary of State has the flexibility, in a range of possible scenarios, to ensure that communities around the country can benefit from the positive changes that local plans provide.

Removal of the local plan intervention policy criteria

4. The existing intervention powers, set out in Part 2 of the Planning and Compulsory Purchase Act 2004 ("the 2004 Act") were carried over from the Town and Country Planning Act 1990. These powers existed for at least 27 years without accompanying policy criteria. The current legal provisions contain tests that apply in certain circumstances.

5. For example, Section 27(1) of the 2004 Act sets out that intervention action may be taken if the Secretary of State thinks that a local planning authority is failing or omitting to do anything it is necessary for it to do in connection with the preparation, revision, or adoption of a development plan document.

6. If the policy criteria were to be withdrawn and not replaced, Ministers would approach any future decisions on intervention with substance, rigour, and an open mind, and in the context of relevant legal tests. Local planning authorities would also be given the opportunity to set out any exceptional circumstances that might be relevant.

Revision of the local plan intervention policy criteria

7. An alternative option would be to revise the policy criteria. Under this scenario, the following proposed new policy criteria would apply in addition to the legal tests set out in the 2004 Act.

8. Local planning authorities that fail to do what is required to get their plan in place, or keep it up to date, would be at risk of government intervention. A range of intervention options exist, from the issuing of plan-making directions through to the removal of plan-making powers, where the Secretary of State would arrange for a plan to be prepared in consultation with local people, and then brought into force. Decisions on intervention should have regard to:

a. local development needs; b. sub regional, regional, and national development needs; or c. plan progress.

The Secretary of State will give planning authorities an opportunity to put forward any exceptional circumstances in relation to intervention action.

9. Should these criteria be confirmed, they would be applied flexibly. They would be matters to which the Secretary of State would "have regard", along with any other material considerations. The relative weight afforded to the

different criteria would be determined by the Secretary of State, depending on the circumstances of the relevant area, and aligned with relevant statutory powers and obligations.

10. These proposed criteria would be applicable to decisions taken under intervention powers set out in sections 21, 26, 27, 27A and 28A of the 2004 Act. They would also apply to decisions on local plan and minerals and waste plan intervention taken under sections 15GA, 15H, 15HA, 15HB, 15HD, 15I of the 2004 Act (when amended by the Levelling-up and Regeneration Act 2023).

Question 87

Do you agree that we should we replace the existing intervention policy criteria with the revised criteria set out in this consultation?

Question 88

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

Chapter 11 – Changes to planning application fees and cost recovery for local authorities related to Nationally Significant Infrastructure Projects

1. This chapter seeks views on whether to raise planning application fees, and whether to introduce statutory cost recovery for local planning authorities for their role in applications for development consent under the NSIP regime.

Changes to planning application fees

2. Local planning authorities need to be appropriately resourced to provide a high-quality planning service and timely planning decisions to support the Government's priorities for economic growth, infrastructure and housing delivery. Planning application fees provide income to local planning authorities to support the delivery of their development management service. They are set nationally and, taking one year with another, are not permitted to exceed the cost to a local planning authority to process and determine a planning application. Local planning authorities are expected to spend these fees on delivering their development management services.

3. **Current planning fee levels do not generate enough income to cover the full cost of some planning applications**. In December 2023, planning application fees were increased by 35% for major applications and 25% for all other applications. Despite this increase, it is estimated that there remains an overall funding shortfall for local planning authority development management services of £262 million, based on the most recent local government spending data.

4. Those applications with the greatest shortfalls account for the majority of applications received by local planning authorities. For example, householder applications account for 52% of all planning applications received by local planning applications. The fee for householder applications is £258 per application, but based on the evidence this is not sufficient to cover the full costs in most cases. In comparison, the fees for major applications, which account for 3% of all applications received, are estimated to broadly meet cost recovery levels. Overall, it is estimated that 80% of planning applications received account for only 20% of fee income. This leaves many local planning authorities, particularly those who receive few large major applications, vulnerable to large funding shortfalls.

5. **We want to reduce this funding shortfall by ensuring that planning application fees cover the estimated costs to local planning authorities of determining those applications**. This would ensure that planning departments are better resourced and would support greater financial sustainability for local planning authorities by reducing the current pressure on wider council budgets, funded by the local taxpayer, that are relied upon by many authorities to cover funding shortfalls.

6. By increasing planning fees, it is expected that local planning authorities will have more of the resources they need to determine applications within the required statutory periods. This is essential in achieving our ambitions for housing delivery and economic growth.

7. If we proceed, we will monitor the performance of local planning authorities through the Planning Performance Dashboard and quarterly planning statistics and will review the planning performance designation regime to ensure that local planning authorities who are under-performing are held to account.

Proposed fee increase for householder applications

8. The current fee for householder applications is £258. However, we understand that the costs to local planning authorities to process these applications is significantly higher. This has an impact on the resourcing of local planning authorities, as for most, householder applications represent the greatest proportion of applications received. **We therefore propose that the fee for householder applications should be increased to meet cost recovery levels**. We estimate that, to meet broad cost recovery levels, householder application fees should be increased to £528.

9. Increasing the householder fee to estimated cost recovery levels would represent a high increase compared to previous increases. We recognise there is a balance to be struck between managing costs for applicants and reducing the funding shortfall for local planning authorities. A cost recovery level householder fee would still be low when compared to other professional fees associated with an application, and is estimated to represent less than 1% of the average overall costs of carrying out the development itself. Homeowners also benefit from a range of permitted development rights which allow householders to improve and extend their homes without the need to apply for planning permission. We therefore suggest that the increased fee would not deter development or increase the likelihood of unauthorised development, but we would like to obtain views on whether a smaller increase to the householder fee (e.g. 50% increase) would be more appropriate.

10. It is anticipated that an increase in householder application fees could be delivered through affirmative regulations by the end of the year, subject to available parliamentary time.

Question 89

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

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.

If Yes, please explain in the text box what you consider an appropriate fee increase would be.

Question 91

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

Yes
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

11. In addition to householder applications, other applications where the estimated costs to local planning authorities are greater than the fee received are applications for prior approval before exercising certain permitted development rights, section 73 applications for the variation or removal of conditions to a planning permission, and applications for the approval of details reserved by condition.

12. As part of the proposals for implementing the new section 73B route introduced in the Levelling-up and Regeneration Act 2023 (to enable material variations to planning permissions), we have already consulted on the application fees for the new Section 73B route, as well as changing the fee for section 73 applications to align with this. The consultation included seeking views on increasing the fee for major applications due to the complexity of dealing with these types of application. We have completed initial analysis of the consultation responses on this proposal. The majority of respondents were broadly in support of setting a higher fee for section 73 applications and aligning this with the fee set for 73B applications for major development, reflecting the work entailed with dealing with these types of applications. To inform any final decision on this fee, we are working with the Planning Advisory Service to collect evidence from local planning authorities on the cost of dealing with these types of applications.

13. However, we are interested in views on other application types (excluding section 73 and section 73B applications) where we have been told the current fee does not cover the cost to the local planning authority of processing and determining these applications, and on what the fee should be. It would be helpful if evidence, through benchmarking of fees and costs, can be provided in support of your response.

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.

Fees for applications where there is currently no charge

14. There are some applications which are not currently subject to fees. These include listed building consents, consent to undertake relevant demolition in a conservation area, and works to trees that are protected because they are located in a conservation area or by a Tree Preservation Order. Fees are not charged for these applications, principally for the reason that owners cannot opt out of these designations and such designations confer burdens with regard to preservation and maintenance that are in the public interest. However, each of these applications incurs costs to local planning authorities. They often require additional publicity, and consideration by technical experts such as heritage and conservation or tree officers. This cost burden is felt most strongly in local planning authorities with a high proportion of these applications.

15. We are interested in views on whether a fee should be charged for any of these applications, or any other applications which do not currently charge a fee. This could be to cover the full cost or a small flat administration fee only to cover the administration, consultation and publicity costs of applications.

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.

Localisation of planning application fees

16. An increase in fees for householder applications and other applications would help boost local planning authority resourcing, but we know that nationally set fees do not always reflect the full costs for all local planning authorities.

17. Allowing local planning authorities to set their own fees would enable authorities to cover the actual costs specific to that authority in determining planning applications. It would also introduce greater accountability and transparency to the planning fees system, as local planning authorities would need to be able to demonstrate their charges are justifiable and based on cost.

18. However, we recognise that localisation of planning fees could lead to greater variance between local planning authorities, as well as complexity for applicants and the development sector, who may pay different fees for the same category of development for different local planning authorities. It would also place additional burdens on local planning authorities who would be required to publish and regularly review their own fee schedules.

19. Through this consultation we would like to seek views on two possible models for localisation of planning fees.

Model 1 – Full Localisation

20. Full Localisation assumes that fees would no longer be set nationally. Instead, all local planning authorities would have to set their own planning fees, within the existing fee categories and exemptions set by the Secretary of State. This would allow local planning authorities to set their own fee levels to achieve, but not exceed, cost recovery while providing some level of certainty over the different categories of development and general principles which apply to all applications.

Model 2 – Local Variation (from default national fee)

21. Local Variation would maintain a nationally set default fee but give local planning authorities the option to vary the fees within prescribed limits where they consider the nationally set fee does not meet their actual costs. Unlike full localisation, this model would not place a mandatory duty on all local planning authorities to set their own fees if they are content that the nationally-set fee will cover their costs, but would allow authorities who wish to set their own fees, within the existing fee categories and exemptions set by the Secretary of State, to have discretion to do so. This could be for all fees, or just select fee categories if local planning authorities wish to be selective in which fees should be set locally.

22. Localisation of planning fees would require primary legislation to establish the broad enabling powers, through the Planning and Infrastructure Bill, subject to Parliamentary timings. We would then set out in regulations the principal requirements for local planning authorities, which would include establishing a charging schedule.

Question 94

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

Please give your reasons in the text box below.

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

Please give your reasons in the text box below.

Increasing fees to fund wider planning services

23. Currently planning fees can only be charged at a level which covers the cost to a local planning authority in determining planning applications. However, there are wider planning services, for example plan-making and enforcement, heritage and conservation and design services, for which no fees are charged. These services therefore have to be funded through other council budgets. The costs to delivering these wider services was estimated to be approximately £384 million in 2022-2023.

24. It is estimated that to cover the costs of the wider planning services all existing planning fees would need to increase by 157%. Increasing planning fees, whether set centrally or through local fee setting, to a level above the costs of determining planning applications to fund wider planning services would require primary legislation.

25. Increasing planning fees to cover the costs of other planning services would provide additional income for local planning authorities but would result in much higher fees which could risk deterring some development. It could also be argued that wider planning services represent a public service that should be paid for by other council budgets, funded by the taxpayer, not by individual applicants.

26. We are interested in views on the principle of allowing planning fees to fund wider planning services and if so, what would an appropriate increase be and should this apply to all applications or, for example, just applications for major development. We are also interested in views on what functions within the wider planning services could be funded through planning fees.

Question 96

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

If yes, please explain what you consider an appropriate increase would be and whether this should apply to all applications or, for example, just applications for major development?

Question 97

What wider planning services, if any, other than planning applications (development management) services, do you consider could be paid for by planning fees?

Cost recovery for local authorities related to NSIP

27. Hosting and neighbouring local authorities play an important role in the development consent order process, which is critical to building infrastructure to grow the economy (see Chapter 7). Although development consent order decisions are not made by local planning authorities, they play a crucial role in the development consent order process. Their role is critical to enabling government objectives for infrastructure to be delivered in a way which takes account of local impacts and context. Applicants are required to consult local planning authorities under section 42 of the Planning Act 2008, and authorities help to secure effective connections to local infrastructure, identify and mitigate local impacts, and address the impact of construction and operation of major projects on local communities and the environment. Local authorities are often responsible for monitoring and enforcing Development Consent Order requirements and provisions and any relevant section 106 infrastructure obligations.

28. **Evidence from local authorities has highlighted that engagement with the development consent process can be time-consuming and resource intensive**. Local authorities do not currently have a statutory power to charge fees for their services in relation to applications for development consent orders, and have limited capacity to resource the work needed to support the development proposals that understand and respond to local needs and issues. While local authorities can seek to negotiate planning performance agreements with applicants, which can provide funding for an agreed level of service, these can be uncertain and lead to lengthy negotiations which can slow an authority's ability to resource work in a timely and effective way.

29. Under section 42 of the Planning Act 2008 applicants are required to consult those local authorities listed under section 43 of the Act on proposed applications for development consent under the NSIP regime. This includes host local authorities (both upper and lower tier authorities), districts and unitary authorities which border a host district or unitary authority, and upper tier authorities which border a host upper tier or unitary authority. These are sometimes referred to as ABCD authorities (under section 43 of the Act, authorities are referred to as A, B, C or D authorities; further guidance has been provided by the Planning Inspectorate[footnote 16]. Additionally, under section 120 of the Act an order granting development consent may impose requirements in connection with the development. This may include requirements to obtain the approval of the Secretary of State or 'any other person' (which includes local planning authorities). In practice, responsibility for the work done for approval (or discharge of requirements) is often undertaken by local authorities.

30. Under section 54A of the Act, the Secretary of State may make regulations for public authorities to charge fees in relation to any advice, information or other assistance provided in connection with applications or proposed applications for development consent orders or any other prescribed matter relating to NSIP The Infrastructure Planning (Fees) (Amendment) Regulations 2024 inserted Regulation 12A into the Infrastructure Planning (Fees) Regulations 2010 (as amended). This enables a limited number of prescribed public authorities (but not including local authorities) to charge fees for the provision of relevant services in connection with NSIP in accordance with a statement published on its website which sets out the fees and services (and subject to certain other procedural requirements).

31. **We are considering whether to make provision to allow host upper and lower tier (or unitary) local authorities to be able to recover costs for relevant services provided in relation to applications, and proposed applications, for development consent under the Planning Act 2008, using the power at section 54A of the Act**. This could enable host authorities to charge fees, payable by applicants, in relation to the relevant services they provide in relation to applications (and proposed applications) for development consent. This would particularly support them in their role as a statutory consultee and in relation to the discharge of requirements. We are interested in views on what limitations, if any, should be set in regulations or through guidance in relation to local planning authorities' ability to recover costs (e.g. a set amount or prescribed maximum for the fee, or limitations on what relevant services such fees could be recoverable for), and what the impacts of full or partial cost recovery are likely to be for local authorities and applicants.

32. We consider that fee charging, under section 54A, would be most appropriate for host lower and upper tier, or unitary, authorities ('B' and 'C' authorities under section 43 of the Act). As the impacts of individual proposals can vary significantly on a case-by-case basis, depending on the nature and location of the proposal, we consider that planning performance agreements remain the most appropriate mechanism for neighbouring authorities ('A' and 'D' authorities) to recover costs. In addition, we are considering whether host authorities should be able to waive fees where a planning performance agreement is in place, to provide a more flexible approach where this would be more appropriate based on the specific circumstances of an individual development proposal.

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?

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.

Question 100

What limitations, if any, should be set in regulations or through guidance in relation to local authorities' ability to recover costs?

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.

Question 102

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

Chapter 12 – The future of planning policy and plan making

1. **This chapter sets out how local planning authorities should prepare local plans in response to this revised framework**. Our objective is to drive local plans to adoption as quickly as possible, to progress towards our ambition of achieving universal plan coverage and ensure plans contribute positively to our ambition of delivering 1.5m homes.

2. **Local planning authorities should continue to progress their plans to adoption under the existing system without delay**. Authorities without an up-to-date plan should not stop work on a plan with the intention of preparing a plan under the new system. Authorities that have an up-to-date plan in place will be in the best possible position to steer growth in their area to areas supported by their communities and lay the foundations for a plan-led system.

3. We recognise the barriers to progress plan-makers have faced in recent years. **To ensure that we achieve complete coverage of up-to-date plans as soon as possible we re-affirm our commitment to supporting local planning authorities in responding to these proposed policy changes and getting plans in place**. This might include targeted support for those required to rework plans at pace, or more tailored support to meet the individual circumstances of different places.

Transitional arrangements for emerging plans in preparation

4. **We propose transitional arrangements to maintain the progress of plans at more advanced stages of preparation, while maximising proactive planning for the homes our communities need**. These will apply differently depending on what stage of preparation the plan has reached and the extent to which it is meeting the Government's housing growth aspirations. These transitional arrangements are set out in Annex 1 of the NPPF and outlined below.

5. **To provide stability and certainty for plans at latter stages of scrutiny**, those plans at examination will continue to be examined under the version of the NPPF they were submitted under. However, if the revised LHN figure is more than 200 dwellings per annum higher than the annual housing requirement set out in the adopted version of the plan, upon introduction of the new plan-making system, the local planning authority will be required to begin preparation of a plan under the new system as soon as possible, or in line with any subsequent arrangements set out to manage the roll-out of the new system.

6. **To help local planning authorities with advanced plans to proceed to examination at pace and support the Government's ambition to build more homes**, those plans that have reached Regulation 19 publication stage but not yet been submitted for examination one month after the revised framework is published, with a gap of no more than 200 dwellings per annum between the local planning authority's revised LHN figure and its proposed housing

requirement (as set out in the Publication version of the plan), should also progress to examination under the version of the NPPF it has used when preparing the plan thus far.[footnote 17]

7. However, those with a more significant gap of over 200 dwellings per annum between the local planning authority's revised LHN figure and the emerging housing requirement will need to revise its plan in line with the revised NPPF before submitting the plan for examination no more than 18 months after the publication of the revised NPPF. **We recognise that these arrangements would require some local planning authorities to undertake unforeseen additional work and reopen engagement with communities. Therefore, the Government will provide direct funding support to help these authorities progress their plans to examination quickly**.

8. All plans at earlier stages of preparation - (i.e. plans that have not yet reached Regulation 19 stage one month after the revised NPPF is published) - should be prepared against the revised version of the NPPF and progressed as quickly as possible.

9. Where there is an "operative"[footnote 18] Spatial Development Strategy (SDS) in place that is less than 5 years old, the SDS will continue to provide the housing requirement for relevant emerging local plans.

10. Minor and technical amendments to the existing NPPF transitional arrangements have also been proposed to ensure accuracy.

Question 103
Do you agree with the proposed transitional arrangements? Are there any alternatives you think we should consider?

Further plan-making reforms

11. It is currently our intention to implement the new plan-making system as set out in the Levelling- up and Regeneration Act from summer or autumn 2025. We anticipate that all current system plans that are not subject to the transitional arrangements set out above will need to be submitted for examination under the existing 2004 Act system no later than December 2026. This, coupled with the transitional arrangements, represent a significant extension to the previous proposals[^19], with the potential to benefit plans that are at earlier stages of preparation, and providing more time for local planning authorities to reflect on the revised NPPF and progress positive plans that will stand up to scrutiny at examination. Further details of the Government's intentions around plan-making reform will be published in due course.

Summary

12. Through these proposed transitional arrangements, the intention is to provide absolute clarity to local planning authorities preparing local plans, making clear which version of the NPPF should be used for their preparation and examination, and to set out the overall direction of travel for further reform of the system so authorities can start to plan for this.

Question 104
Do you agree with the proposed transitional arrangements?

Future changes to the NPPF

13. National policy, like plans, needs to be accessible and user friendly. The creation of National Development Management Policies, the Act's digital reforms, supporting work to embed common data standards and the use of digital platforms all bring opportunities to improve the way that national policies are presented and used. For example, it would help local planning authorities producing digital local plans, and those using them, if national policies were in a format that enabled them to be accessed in an integrated way.

14. We therefore intend to explore the creation of a more accessible and interactive, web-based set of national policies (both in the form of National Development Management Policies and national policies for plan-making). PDF versions of policies would be retained for those who need them. As we develop our approach to revising national policy, taking into account the responses to this consultation, we will engage with the sector to inform our approach (e.g. through user research).

15. At present, National Planning Policy for Waste and Planning Policy for Traveller Sites sit alongside the NPPF. As part of the wider changes to national planning policy that would be required through implementing the Levelling-up and Regeneration Act – and in particular the creation of National Development Management Policies – we will consider how policies for these matters should be set out in future, including which aspects need to form part of the suite of proposals for National Development Management Policies.

Question 105
Do you have any other suggestions relating to the proposals in this chapter?

Chapter 13 – Public Sector Equality Duty

1. We would like to hear about any potential impacts of any of the above proposals on businesses, or of any differential impact on persons with a relevant protected characteristic as defined by the Equality Act 2010 compared to persons without that protected characteristic, together with any appropriate mitigation measures, which may assist in deciding final policy approaches in due course.

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?

Chapter 14 – Table of questions

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

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?

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

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

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?

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

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?

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

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?

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

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

Question 12: Do you agree that the NPPF should be amended to further support effective co-operation on cross boundary and strategic planning matters?

Question 13: Should the tests of soundness be amended to better assess the soundness of strategic scale plans or proposals?

Question 14: Do you have any other suggestions relating to the proposals in this chapter?

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?

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?

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

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?

Question 19: Do you have any additional comments on the proposed method for assessing housing needs?

Question 20: Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?

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?

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?

Question 23: Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend?

Question 24: Are any additional measures needed to ensure that high performing Green Belt land is not degraded to meet grey belt criteria?

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?

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?

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?

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?

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?

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?

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?

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?

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?

Question 34: Do you agree with our proposed approach to the affordable housing tenure mix?

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?

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?

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?

Question 38: How and at what level should Government set benchmark land values?

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?

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?

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?

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?

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?

Question 44: Do you have any comments on the proposed wording for the NPPF (Annex 4)?

Question 45: Do you have any comments on the proposed approach set out in paragraphs 31 and 32?

Question 46: Do you have any other suggestions relating to the proposals in this chapter?

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?

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

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

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

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

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

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?

Question 54: What measures should we consider to better support and increase rural affordable housing?

Question 55: Do you agree with the changes proposed to paragraph 63 of the existing NPPF?

Question 56: Do you agree with these changes?

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?

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?

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?

Question 60: Do you agree with proposed changes to policy for upwards extensions?

Question 61: Do you have any other suggestions relating to the proposals in this chapter?

Question 62: Do you agree with the changes proposed to paragraphs 86 b) and 87 of the existing NPPF?

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

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?

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?

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

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

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

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

Question 70: How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity?

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

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

Question 73: Do you agree with the proposed changes to the NPPF to give greater support to renewable and low carbon energy?

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?

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?

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?

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

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

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?

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

Question 82: Do you agree with removal of this text from the footnote?

Question 83: Are there other ways in which we can ensure that development supports and does not compromise food production?

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?

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?

Question 86: Do you have any other suggestions relating to the proposals in this chapter?

Question 87: Do you agree that we should we replace the existing intervention policy criteria with the revised criteria set out in this consultation?

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

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

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.

If Yes, please explain in the text box what you consider an appropriate fee increase would be.

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

Yes
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.

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.

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.

Question 94: Do you consider that each local planning authority should be able to set its own (non-profit making) planning application fee?
Please give your reasons in the text box below.

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

Please give your reasons in the text box below.

Question 96: Do you consider that planning fees should be increased, beyond cost recovery, for planning applications services, to fund wider planning services?

If yes, please explain what you consider an appropriate increase would be and whether this should apply to all applications or, for example, just applications for major development?

Question 97: What wider planning services, if any, other than planning applications (development management) services, do you consider could be paid for by planning fees?

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?

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.

Question 100: What limitations, if any, should be set in regulations or through guidance in relation to local authorities' ability to recover costs?

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.

Question 102: Do you have any other suggestions relating to the proposals in this chapter?

Question 103: Do you agree with the proposed transitional arrangements? Are there any alternatives you think we should consider?

Question 104: Do you agree with the proposed transitional arrangements?

Question 105: Do you have any other suggestions relating to the proposals in this chapter?

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?

Chapter 15 – About this consultation

This consultation document and consultation process have been planned to adhere to the Consultation Principles issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation, including personal data, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA), the EU General Data Protection Regulation, and the Environmental Information Regulations 2004.

If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Department is bound by the Freedom of Information Act and may therefore be obliged to disclose all or some of the information you provide. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Ministry of Housing, Communities & Local Government (MHCLG) will process your personal data in accordance with the law and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. A full privacy notice is included below.

Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this consultation has followed the Consultation Principles? If not or you have any other observations about how we can improve the process, please contact us via the complaints procedure (https://www.gov.uk/government/organisations/ministry-of-housing-communities-local-government/about/complaints-procedure).

Personal data

The following is to explain your rights and give you the information you are be entitled to under the Data Protection Act 2018.

Note that this section only refers to your personal data (your name address and anything that could be used to identify you personally) not the content of your response to the consultation.

1. The identity of the data controller and contact details of our Data Protection Officer

The Ministry of Housing, Communities & Local Government (MHCLG) is the data controller. The Data Protection Officer can be contacted at dataprotection@levellingup.gov.uk or by writing to the following address:

Data Protection Officer
Ministry of Housing, Communities & Local Government
Fry Building
2 Marsham Street
London
SW1P 4DF

2. Why we are collecting your personal data

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

We will collect your IP address if you complete a consultation online. We may use this to ensure that each person only completes a survey once. We will not use this data for any other purpose.

Sensitive types of personal data

Please do not share special category (https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/special-category-data/#scd1) personal data or criminal offence data if we have not asked for this unless absolutely necessary for the purposes of your consultation response. By 'special category personal data,' we mean information about a living individual's:

- race
- ethnic origin
- political opinions
- religious or philosophical beliefs
- trade union membership
- genetics
- biometrics
- health (including disability-related information)
- sex life; or
- sexual orientation.

By 'criminal offence data,' we mean information relating to a living individual's criminal convictions or offences or related security measures.

3. Our legal basis for processing your personal data

The collection of your personal data is lawful under article 6(1)(e) of the UK General Data Protection Regulation as it is necessary for the performance by MHCLG of a task in the public interest/in the exercise of official authority vested in the data controller. Section 8(d) of the Data Protection Act 2018 states that this will include processing of personal data that is necessary for the exercise of a function of the Crown, a Minister of the Crown or a government department i.e. in this case a consultation.

4. With whom we will be sharing your personal data

MHCLG may appoint a 'data processor', acting on behalf of the Department and under our instruction, to help analyse the responses to this consultation. Where we do

we will ensure that the processing of your personal data remains in strict accordance with the requirements of the data protection legislation.

5. For how long we will keep your personal data, or criteria used to determine the retention period.

Your personal data will be held for two years from the closure of the consultation, unless we identify that its continued retention is unnecessary before that point.

6. Your rights, e.g. access, rectification, erasure

The data we are collecting is your personal data, and you have considerable say over what happens to it. You have the right:

a. to see what data we have about you

b. to ask us to stop using your data, but keep it on record

c. to ask to have your data corrected if it is incorrect or incomplete

d. to object to our use of your personal data in certain circumstances

e. to lodge a complaint with the independent Information Commissioner (ICO) if you think we are not handling your data fairly or in accordance with the law. You can contact the ICO at https://ico.org.uk/ (https://ico.org.uk/), or telephone 0303 123 1113.

Please contact us at the following address if you wish to exercise the rights listed above, except the right to lodge a complaint with the ICO: dataprotection@levellingup.gov.uk or

Knowledge and Information Access Team
Ministry of Housing, Communities & Local Government
Fry Building
2 Marsham Street
London
SW1P 4DF

7. Your personal data will not be sent overseas.

8. Your personal data will not be used for any automated decision making.

9. Your personal data will be stored in a secure government IT system

We use a third-party system, Citizen Space, to collect consultation responses. In the first instance your personal data will be stored on their secure UK-based server. Your personal data will remain on the Citizen Space server and/or be transferred to our secure government IT system for two years of retention before it is deleted.

---

1. Based on the sum of the annual average housing requirement across the entire plan duration, in the most recently adopted plan for each authority, including joint plans. Calculated using data provided to MHCLG from the Planning Inspectorate and local planning authorities.
2. From the March 2024 OBR forecast which is published at UK level. If the proportion delivered in England remains the same as in recent years this would imply less than 200k new homes in England in 2024-25.
3. Dwelling stock (including vacants) - GOV.UK (https://www.gov.uk/government/collections/dwelling-stock-including-vacants) (Table 125)
4. House price to workplace-based earnings ratio - Office for National Statistics (ons.gov.uk) (https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian)
5. Bramley_G._HOUSING_REQUIREMENTS_IN_ENGLAND_REVISITED.pdf (hw.ac.uk) (https://pure.hw.ac.uk/ws/portalfiles/portal/113960635/Bramley_G._HOUSING_REQUIREMENTS_IN_ENGLAND_REVISITED.pdf)
6. Independent Review of Build Out - Final Report (https://assets.publishing.service.gov.uk/media/5bd6eb3940f0b6051e77b6a6/Letwin_review_web_version.pdf)
7. fine-margins_viability-assessments-in-planning-and-plan-making.pdf (lichfields.uk) (https://lichfields.uk/media/6509/fine-margins_viability-assessments-in-planning-and-plan-making.pdf)
8. Annual Business Survey, 2024
9. Business Register and Employment Survey, 2023
10. Electricity generation costs 2023 - GOV.UK (https://www.gov.uk/government/publications/electricity-generation-costs-2023)
11. Analysis conducted in July 2024 using the Renewable Electricity Planning Database and Planning Inspectorate website by looking at the number of ground-mounted solar projects entering the planning system in England.
12. A review of England's revised draft regional and water resources management plans - GOV.UK (https://www.gov.uk/government/publications/a-review-of-englands-draft-regional-and-water-resources-management-plans)
13. Ss27-28A of the Planning Act 2008 (legislation.gov.uk) (https://www.legislation.gov.uk/ukpga/2008/29/part/3/crossheading/water)
14. Water Recycling - Drinking Water Inspectorate (dwi.gov.uk)
15. Further guidance on (https://www.gov.uk/government/publications/nationally-significant-infrastructure-projects-advice-note-two-the-role-of-local-authorities-in-the-development-consent-process/advice-note-two-the-role-of-local-authorities-in-the-development-consent-process) the role of local authorities in the development consent process, including on ABCD authorities
16. In line with any other arrangements set out for plan-making in Annex 1: Implementation
17. "Operative" means"'published under the terms of the GLA Act 1999 and is the equivalent of' "adopted"
18. Plan-making reforms: consultation on implementation, July 2023 (https://www.gov.uk/government/consultations/plan-making-reforms-consultation-on-implementation)

OGL

All content is available under the Open Government Licence v3.0, except where otherwise stated

© Crown copyright