

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

For Ministry for Housing, Communities and Local Government

Date September 2024

Landscape Institute response

The Landscape Institute is pleased to respond to the government's review of the NPPF and its proposed changes.

The Landscape Institute (LI) aims to lead and inspire the landscape profession to ensure it is equipped to deliver its purpose under our Royal Charter for the benefit of people, place and nature, for today and for future generations.

The Landscape Institute provides a professional home for over 6,000 landscape managers, landscape architects, landscape planners, urban designers, and landscape scientists, and many other landscape professionals working across urban and rural areas.

Our responses to the Consultation questions are set out in this document below. However, in the context of the government's wide-ranging proposals to review the planning system and its ambitious targets for growth and development, we would first like to take this opportunity to set out some key principles that we hope will influence and shape the government's proposals.

For further information or to discuss these proposals, please contact our Policy team at policy@landscapeinstitute.org.

Key Principles

1. **Prioritise Landscape Considerations in Planning:** Landscape is everywhere and the space between and around buildings is important as the buildings themselves. Recognise the fundamental role that landscape-led approaches play in good planning and the importance of the planning system in delivering good and functional landscape.
2. **Emphasise Green Infrastructure:** Clearly define and prioritise the importance of conserving and enhancing a multi-functional green infrastructure (GI) network, which includes but is not synonymous with green space. Identify and protect sites for nature, striving for high-quality standards and outcomes across all areas. Understanding and enabling Green Infrastructure (GI) is key to making best use of land, natural assets and systems to deliver a range of ecosystem services. GI is therefore much broader than greenspace, which it encompasses. GI can make significant contributions to public health, climate resilience, water and flood management, nature recovery and social equity. The Landscape Institute strongly supports a requirement for planning authorities to produce GI strategies, based on the relevant guidance from Natural England, and for all new development to demonstrate appropriate and proportionate contributions to GI, as is already required in some adopted local plans. We would wish to see the NPPF make such a requirement explicit.
3. **Encourage a Systems Approach to Regional Planning:** Foster cross-working to achieve synergies and greater resilience, as opposed to silos. Advocate joined-up, cross-boundary, regional strategies that reflect natural rather than political constituencies. These would take into account water management, nature recovery, and green infrastructure networks, and be guided by landscape character assessment. This requires a co-ordinated approach from MHCLG and DEFRA and potentially other Government Departments as well as local policy and decision-makers.
4. **Value the potential of Greenbelt land in contributing to Ecosystem Services:** Develop a comprehensive, co-ordinated green belt strategy in which development decisions provide opportunities for restoring and enhancing green belt areas – recognising their potential value rather than allowing neglect and decline. Prioritise previously developed sites for new developments, but only after thorough biodiversity and character assessments and seeking to conserve and enhance natural assets and deliver Environmental Net Gain.
5. **Continue to apply Strategic Environmental Assessments (SEAs) to plans, policies and projects:** Maintain the requirement for SEAs in strategic planning to inform decisions at an early stage and reduce the risk of unintended adverse consequences.

6. **Ensure Quality and Affordability in Housing:** Local planning authorities should develop and use local design guides and require demonstrable climate resilience and information on whole life costs and sustainability for new buildings, enabling better end user awareness of likely maintenance costs. The objective should be to produce places that are built to last, meet the needs and aspirations of users and have minimal adverse impact on the environment.
7. **Recognise the Role of Landscape in addressing Climate Change:** Well-considered and informed siting, layout, topography, orientation and micro-climate design and management make significant and cost-effective contributions to climate resilience and energy efficiency, particularly in new housing developments. Good functional landscape design and management adds considerable value for people and nature going well beyond simple aesthetics.
8. **Make space for Nature:** Require local plans to allocate sites for nature protection and recovery, making use of development of all kinds to create opportunities to create and extend GI and Nature Recovery Networks.

The Landscape Institute would welcome opportunities to work with the government and contribute advice on these matters, emphasising the benefits of applying landscape and natural systems design and management in the planning system. Adopting a landscape-led approach to development offers opportunities to deliver a range of Government policy objectives and make places fit for people and nature.

For further information or to discuss these proposals, please contact our Policy team at policy@landscapeinstitute.org.

Consultation Questions

Question 1

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

We agree but propose that Paragraph 61 includes a justification for lower housing requirements on the basis of local constraints such as existing and proposed Protected Landscapes and their settings. This ties in with Paragraph 182 (the importance of dealing with new developments that impact the setting of protected areas) and Footnote 7 (the constraining areas which include protected and national landscapes, and national parks). We would wish to see Footnote 7 include candidate and proposed designated areas and

reference to the settings of such designated areas (as referred to in Para 182). We want to ensure that housing quality as well as quantity is tackled.

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?

Yes, we would be very supportive of new mechanisms for cross boundary strategic planning, which we think should be landscape led and at landscape scale, taking account of the likes of water catchment areas and landscape character, rather than being constrained by local authority boundaries. We would like to engage with the government on any working groups looking at that. This is an opportunity to use strategic planning to promote green infrastructure (as defined in the Glossary), nature recovery networks and sustainable water and flood risk management.

Question 3

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

We would wish to see universal strategic planning areas (which we see as having merit) defined by environmental as well as economic considerations.

Question 4

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

No, removing references to character (Paragraph 130) and the use of design codes is strongly opposed. The application of these is fundamental to good place-making and does not necessarily preclude greater density of development (which does not always need to be vertical in nature). The proposed change would undermine the effectiveness of Natural England's long-established national map of 159 distinct character areas in guiding decision-making. These national landscape character areas have been further refined at local plan level in accordance with Natural England's published guidance and provide an important and objective evidence base that informs site allocations and design and management decisions.

Character reflects the various facets of a landscape, providing a factual basis for assessing the place and considering necessary changes. This is critical to design and planning processes. The use of landscape character assessment in decision-making reflects UK compliance with the statutory obligations of the European Landscape Convention.

A strategic-level, landscape-led, cross-boundary approach is needed to better integrate new developments (housing and other projects) into a wider setting, incorporating Green Infrastructure and Nature Recovery Networks.

Increases in the average density of residential development may risk negatively impacting the sense of place, access, drainage issues, and incorporated green spaces if increased within a development plot. However, increased housing density can make efficient use of land without necessarily building high rise. Georgian terraces with communal gardens and Victorian worker cottages with small backyards have endured well and continue to provide attractive places to live. There are numerous examples of high density modern residential developments that deliver energy efficiency, climate resilience, community cohesion and communal and private open space. Good landscape planning and design can help to integrate new development into areas of established character. Local Design Codes should guide development density and ways of achieving this as appropriate to the location. Paragraph 130 provides for sensitivity to the skylines and character of historic settlements and landscapes from inappropriate development. These special and potentially irreplaceable qualities should continue to be given significant regard through the planning system.

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?

We agree that character must be a key part of the analysis, not just the opportunities for greater density and / or high-rise buildings in large new communities. Spatial visions need to be informed by character studies as part of good planning. That does not preclude the introduction of new urban forms and typologies that meet the future needs of both people and wider environmental considerations.

Good design is important regardless of the scheme's size. Therefore, design guidance should be available for both large and small schemes and should be locally referenced (although not necessarily slavishly copied). This helps developers and planning officers achieve high-quality design. If design codes move towards supporting larger schemes, alternative design guidance should be available for smaller schemes. Design codes need to recognise the

diversity of character and design principles that may be present within a defined planning authority boundary and provide appropriate advice on this.

Question 6

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

We support the presumption in favour of sustainable development (and not a route to poor quality places) with explicit reference to the need to consider locational and design policies, plus character. The areas to be safeguarded need to be defined precisely, as per Footnote 7 (as recommended to be revised). We would also wish to see explicit reference made to sustainable construction methods and sustainable whole life management (including energy efficiency and climate resilience) being demonstrated in planning submissions.

We would further propose that, in preparing sustainable local plan policies, site allocations for nature recovery and / or conservation should be required to be included to support delivery of Nature Recovery Networks.

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?

No Response

Question 8

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

No Response

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?

No Response

Question 10

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

No Response

Question 11

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

No Response

Question 12

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

Yes, we recognise the need for growth and support a cross-boundary, strategic planning approach. We would also wish to see explicit reference here to Green Infrastructure networks and Local Nature Recovery Networks being recognised as key issues needing cross-boundary, landscape-scale strategies, including formal site allocations for these purposes.

A holistic green infrastructure strategic planning approach is needed outside areas with regional elected mayors. This may involve strategic regional planning based on well-established water catchment and / or landscape character areas, bringing together unitary authorities, county councils, and other key bodies. Long-term approaches should focus on quality sustainability developments as well as quantity, in areas such as nature recovery, effective water management, urban heat island mitigation, and energy efficiency. Adequate

capital is essential to ensure Biodiversity Net Gain (BNG), and nature recovery occur in the appropriate locations.

The government's commitments to growth must be matched by equally ambitious environmental commitments, alongside increasing the quantity of development delivery. England is falling behind countries like Wales in building quality ecosystems resilient to climate change. New development of all kinds should demonstrate environmental net gain.

Cross-boundary cooperation is vital for assessing wider strategic plans for housing allocation, ensuring appropriate infrastructure (including Green Infrastructure) and access to natural green space, and addressing local housing needs.

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 would like 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?

A sound plan is based on appropriate baseline information that is positively prepared, justified, effective, and consistent with national policy. This test of soundness must incorporate landscape and associated environmental issues in accordance with Strategic Environmental Assessment (SEA) requirements to inform growth and development proposals and decisions at an early stage.

Question 14

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

Designated areas as referenced in Footnote 7 should be excluded from national housing targets, and reference should also be made to candidate or proposed designated areas and the setting of such areas, to avoid cliff-edge effects of inappropriate development on protected area boundaries. The proportion of land within these areas should be considered when calculating a Local Authority's housing targets. They should not be required to accommodate large-scale industrial sites (new Paras 84b and 85). Instead, they should have their own housing and employment targets based on local need.

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?

No Response

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?

We support the provision of genuinely affordable housing; this should not result in lower quality building or landscape standards or inappropriate segregation. We suggest that the term 'affordability' is redefined. Affordability concerns both money and the quality of life. All new housing should be sustainable and provide a resilient and hospitable quality of life for occupiers.

Question 17

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

No Response

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?

No Response

Question 19

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

No Response

Question 20

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

In principle, we support the changes in Paragraph 124c. However, the situation is more nuanced as some brownfield land can have environmental and social value, with regards to green infrastructure, nature recovery and accessible green space.

Each brownfield site is unique and will have appropriate and inappropriate uses. A 'passport' system could result in suboptimal land use. For example, a former industrial brownfield site with a good electricity grid connection may be ideal for a gigafactory, data centre, or Battery Energy Storage System. Using such a site for low-energy purposes would underutilize its resources (see old Para 86b).

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?

We support the changes in principle, but there is a need for a landscape and visual impact assessment. The Guidelines for Landscape and Visual Impact Assessment (GLVIA) is a tool to assess impacts as objectively as possible and particularly whether the test of 'substantial harm' is being avoided. We would also wish to see clarity on the definition of Previously Developed Land. Large-scale car parks, utility areas, open storage facilities, water treatment plant and reservoirs, and all-weather sports pitches are all commonly located in Green Belt areas (with artificial hard surfacing and associated structures) and could potentially be displaced by unconstrained new development into open countryside or agricultural land with adverse environmental and social effects. These implications, together with any proposals for overall environmental net gain, need to be properly assessed prior to planning allocation decisions.

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?

We would support the retention of existing glasshouse areas to support local food production and the national horticultural industry. We would also wish to see horticultural nursery areas excluded from any definition of developable PDL (together with the existing exclusions in the Glossary definition).

Question 23

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

We agree with the proposed definition in principle but would wish to see GLVIA methodology used to inform and help identify selected sustainable sites or areas. We would wish to see footnote 7 Excluded / Protected Areas extended to include candidate sites and wider settings) and identifying land with high sustainable development potential, including Green Infrastructure networks, national landscapes, local designations, settings of protected areas, and sites for local nature and nature restoration strategies. Any development on land released from the green belt must bring tangible Environmental Net Gain benefits beyond mandatory biodiversity net gain, such as improved access to high-quality landscapes, Green Infrastructure and Nature Recovery network building and the realisation of ecosystem services delivery. Professional landscape expertise can assist in making green belt developments more acceptable and beneficial and integrate them into their wider surroundings.

Biodiversity Net Gain (BNG) mitigation should follow this hierarchy:

- Avoid loss or damage, particularly to irreplaceable habitats and those of higher value, such as woodland, ponds and high-quality grassland.
- Minimize habitat damage and loss on-site.
- Restore damaged or lost habitats.
- Offset damaged or lost habitats that cannot be restored, ideally close to the development or in an area important for nature recovery. Developers and planning authorities should consider offsetting only if avoidance, minimisation, or restoration are not possible.

For developments on Grey Belt sites, the intention should be to achieve very high-quality Environmental Net Gain outcomes. Protected areas should be identified and designated with appropriate buffer zones to prevent indirect adverse impacts.

Question 24

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

We support maintaining the protections on land safeguarded by existing environmental designations to bring about positive improvements. This includes clearly defining and reinforcing boundaries and buffer zones and ensuring no further encroachment or degradation of high-performing Green Belt areas. The Guidelines for Landscape and Visual Impact Assessment (GLVIA) are crucial in assessing value, impact and character, as well as in defining and reinforcing boundaries.

It is important to consider the setting of designated and proposed areas. Benefits to land released from the Green Belt can be achieved by applying a landscape-led approach to siting, layout, and design. There need to be more specific references to green infrastructure and special allocations for nature to conserve, restore, and enhance the environment. Local Plans could incorporate allocating sites for nature, integrating them with housing and infrastructure developments, as a way of progressing local nature restoration and environmental strategies.

We note that footnote 28 has been deleted, as its parent Paragraph 62 has been deleted. However, the footnote reinforces the aim to prioritize sustainable development on brownfield sites as a first resort and sets other important criteria for housing which should be retained within a revised NPPF.

Care must be taken to ensure that Green Belt uses are not eroded by failing to consider how these uses can be economically and sustainably retained. Underused Green Belt should not

automatically be viewed as appropriate for development and potential contributions to ecosystem services, e.g. through management interventions, should be considered and evaluated. Restoration should be considered first.

Allocations of new land will be needed for development, but there needs to be greater clarity over how decisions on sites are made and the baseline information used.

There needs to be a strong focus on defining how biodiversity net gain (BNG) and the potential for broader Environmental Net Gain can be achieved, to deliver benefits for biodiversity and society, especially through natural assets and systems, including soil conservation. Landscape expertise can apply a holistic approach to make significant contributions to delivering better development outcomes.

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?

We would welcome additional guidance within the NPPF with cross references to sources of detailed guidelines and methodologies (e.g. the GLVIA) to enable greater standardisation and certainty at a national level.

We also support local planning authorities adopting local design guidance, based on character assessments and local context and recognising current and future needs.

All Local Planning Authorities that are considering Green Belt releases should be obliged to undertake an objective and holistic Landscape Sensitivity Study of their Green Belt. Where a single Green Belt designation covers different LPA areas, it would be appropriate for a study to be commissioned by a group of adjacent LPAs.

Such studies should contain a holistic review of the whole Green Belt area (not just PDL or Grey Belt). It should consider the character of the landscape, and the different functions of the land, including for example: food production; natural habitats and linkages; green and blue infrastructure; cultural heritage; accessible open space; contribution to the setting of historic settlements, National Landscapes or heritage assets; energy and transport corridors; gaps between settlements. This would help to identify where and how land contributes to Green Belt purposes. In turn this would identify the best sites for development, and subsequent masterplans.

Such studies may reveal that the best locations for some new developments may be on greenfield sites within the Green Belt, and that in other cases, PDL or Grey Belt is not the best location for sustainable development. Further guidance could be referenced in planning practice guidance. Natural England has already produced 'An Approach to Landscape Sensitivity Assessment' to inform spatial planning and land management.

We would welcome additional guidance within the NPPF. We support local planning authorities in producing good local design based on character assessments.

Question 26

Do you have any views on whether our proposed guidance sets out appropriate considerations for determining whether land makes a limited contribution to Green Belt purposes?

The use of GLVIA is needed to assess the impact, value and character, and to test whether changes cause substantial harm.

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?

All developments should contribute to conserving and enhancing green infrastructure strategies in measurable ways, including increased tree canopy, effective water management, and spatial allocations for nature. Local plans should incorporate the use of space, balancing densification and efficient land use in ways that align with climate targets. This requires promoting good local design guides based on character assessments of areas and adhering to the National Design Code.

A joined-up strategic planning approach between planning authorities across local authority boundaries is essential. High-quality outcomes must be applied everywhere to avoid land degradation as a driver for opening it up for development.

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?

We agree with the sequential approach proposals in principle to meet growth needs, but have concerns regarding the reallocation of existing Green Belt to brownfield, PDL and Grey Belt and such sites not falling within the improvement requirements set out in para 155, which we support. We would wish to see a rigorous assessment procedure applied at a strategic scale before sequentially releasing identified retained Green Belt land for development and for substantial weight to be given to a) the contribution to GB purposes; b) sustainability of the proposals and c) mitigation of adverse impact. It's not only about identifying PDL / grey belt suitable for developments; it's also about ensuring such developments comply with sustainability standards and targets, taking into account factors such as floodplains.

Suitable brownfield lands' (Paragraph 124c) need to consider that many brownfield sites have extremely rich biodiversity. It is very important that these sites are fully protected. Brownfield sites are frequently havens for wildlife in urban areas. Even if a site doesn't have a high BNG value, it may still be important in contributing to Green Infrastructure (GI), perhaps as the only remaining green link between other urban sites, and its loss would cause further fragmentation of wildlife networks.

(Paragraph 155) We stress the importance of retaining important green infrastructure links. The erosion of GI is increasing the fragmentation of wildlife networks. We suggest adding a clause (d) stating: 'Full consideration should be given to how new enhancements can benefit existing green infrastructure networks and help develop new infrastructure links.'

(Paragraph 152 a) Grey Belt: Sufficient checks and balances should be put in place to ensure that areas of high biodiversity, which may not be perceived as areas of particular value otherwise, are adequately protected and any important role as part of GI is recognized.

(Paragraph 156) Development of all types provides an opportunity to extend or create green infrastructure as an integral part of planning and managing our urban and suburban areas. It's important that local authorities understand the vital role that green and blue spaces and corridors and natural assets such as urban and highway trees play in this respect. Further details can be found in the Landscape Institute's publication "Green Infrastructure and Integrated Approach to Land Use."

Regarding the provision of green space, this paragraph should highlight the importance of setting high local standards, especially in areas of environmental deficiency or degradation.

In terms of meeting national standards, this includes high-quality biodiverse sustainable drainage systems with reference to CIRIA, natural play areas (re Play England), and appropriate planting to support local biodiversity.

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?

We strongly agree that the release of land must not undermine the function of the Green Belt, nor the generally undervalued but significant contributions made to ecosystem services including biodiversity. The potential opportunities and functions of the Green Belt are not fully realised in its planning purposes and therefore under-appreciated at present. Releasing some land for development should unlock funding and provide a very strong imperative to improve the quality and functionality (as well as the aesthetics) of the remaining Green Belt.

Green Belt's proximity to cities means that they should be delivering much more to support existing / new communities in their environmental functions. Where a single Green Belt covers land in different LPA areas, they need to work together on their releases to ensure that the overall function of the Green Belt is not fundamentally undermined.

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?

We would wish to see the principles of the IROPI (Imperative Reasons of Over-riding Public Interest) test applied together with the comprehensive Sustainability Assessment for any Green Belt decisions outside the Local Plan process. Any such development allowed should incorporate all appropriate high quality infrastructure provision, including Green Infrastructure and appropriate impact mitigation measures.

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?

We should take advantage of opportunities to add environmental value to sites through biodiversity and accessible green infrastructure landscape enhancement schemes, underpinned by sound plans and strategies. In addition to housing, commercial and infrastructure developments can have a significant, positive impact on the landscape. Large-scale commercial buildings and sites can be useful locations for solar PV farms, producing renewable energy on otherwise underused land and avoiding the need to use agricultural sites. The functional requirements of such developments, including associated external works and infrastructure, should not preclude the need for high quality building and landscape design and the mitigation of adverse impacts.

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?

No Response

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?

No Response

Question 34

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

No response

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?

No Response

Question 36

Do you agree with the proposed approach to securing benefits for nature and public access to green space where Green Belt release occurs?

Yes, however, we would wish to see Green Infrastructure (GI) referred to as part of the essential provision of infrastructure, rather than being conflated with, and potentially confused with accessible green space. GI provision would embrace tree cover, green roofs and walls, SuDS, biodiversity value, micro-climate management, air and water quality and climate resilience through natural assets and systems. Some of these ecosystem services would come from accessible public green space, which is also important for its social, health and recreational benefits, but this would be a component of a multi-functional GI network.

New development proposals should incorporate proposals for tangible contributions to the Government's 25-year Environment Plan and other policy commitments on energy, carbon and water and deliver overall Environmental Net Gain.

Ideally opportunities will be identified at a local level to ensure that they respond to specific local need, as well as fitting into landscape-scale considerations regarding biodiversity enhancements.

Individual Planning Authorities arrive at their own interpretation of Green Belt guidelines - there is not a universal consistent pattern to designation. Tighter definition of criteria might generate development opportunities. At the same time the implementation of Management Plans for the Green Belt can play an active part in nature recovery and modernising access for health and wellbeing.

Green Belt policy and new development should be informed and guided by landscape and associated professional expertise. Planning Authorities who are developing policies, demanding landscape standards and enforcing environmental conditions need in-house access to appropriate relevant expertise and resources.

Question 37

Do you agree that Government should set indicative benchmark land values for land released from or developed in the Green Belt, to inform local planning authority policy development?

No Response

Question 38

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

No Response

Question 39

To support the delivery of the golden rules, the Government is exploring a reduction in the scope of viability negotiation by setting out that such negotiation should not occur when land will transact above the benchmark land value. Do you have any views on this approach?

Golden rules need to be precisely defined for each development and cost of provision allowed for as essential. Viability valuations are always a contentious issue. Government should favour independent expert advice to inform viability assessments together with an

open book approach for speculative housebuilding enabling uplift (or payback) based on actual returns.

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?

No Response

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?

See response to Q39

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?

The LI would wish to see significant and proportionate environmental net gain delivered as part of all GB development and / or a defined contribution to strategic environmental projects, together with high design standards.

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?

No Response

Question 44

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

No Response

Question 45

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

No Response

Question 46

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

(Paragraph 152b) Local Planning Authorities should not be required to identify additional Green Belt sites when their low level of housing delivery is due to developers choosing to delay building on allocated sites, or because of inadequate services (e.g. sewerage systems) or other over-riding constraints which are beyond the LPA's control.

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?

No Response

Question 48

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

No Response

Question 49

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

No Response

Question 50

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

No Response

Question 51

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

No Response

Question 52

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

No Response

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?

To ensure that social housing incorporates good quality external space with communal facilities (play, sports, gardening, passive recreation, food growing, community events, etc) and on-site management that encourages social interaction and community cohesion.

Question 54

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

No Response

Question 55

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

No Response

Question 56

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.

Do you agree with these changes?

No Response

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?

No Response

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?

No Response

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?

If the term ‘beauty’ is removed, references will still need making to the pleasing visual effect, the functionality, character and heritage of local places in landscape, namely the high-quality design of public and private external space, that reflects the local character, uses local materials, is sustainable, and pleasing to populations, as well as being healthy for people and planet, demonstrating energy efficiency, climate resilience and sustainable construction. Planners will need guidance from the NPPF to ensure sensitive approaches.

The GLVIA needs taking into consideration in terms of impact assessment and promoting good design. This is to ensure community buy in, and to support synergies including sense of place, identity and pride in where people live.

There’s also an economic imperative around ‘Creating character that responds to the local context’ (Historic England). Places become more attractive to investment and retain talent.

Local planning authorities need the resources to access design expertise, design review panels and having design professionals on their staff to advise and promote good design.

It would be advantageous for the NPPF to make an explicit reference as follows as being applicable to all development. “The design and management of spaces between and around buildings make as important a contribution to good place-making as the buildings themselves.”

Question 60

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

We support the changes but would like green space and greenery to be embedded into building design, given the impact of tall building proposals on the broader townscape or landscape. There are many examples of extensive planting being integrated into medium and high-rise buildings.

The aesthetics and quality of the building are important – the taller and more visible a building is, the greater the quality should be and the more scrutiny it should receive during planning. As buildings increase in height and density, they need to incorporate more green elements such as balconies, climate screen roofs, roof terraces, green walls and climbing plants, providing residents with close access to green amenities. This makes them more visually acceptable and respects the character of the streetscape.

Dense urban developments can be accompanied effectively by high-quality landscape approaches, such as those seen in Freiburg, Germany. However, it should be noted that taller buildings may be more costly to manage and run, and are not very energy-efficient in construction.

(Para 124e). Deleting the word 'height' risks leading to unacceptable negative impacts on streetscapes. It may be better to replace the words 'be consistent with' with 'complement'

Question 61

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

The chapter ought to include specific references to the way soft landscape or landscape design can be incorporated and embedded in buildings e.g. roof terraces and balcony open space, green roofs, green walls embodying water detention into the built environment. This makes attractive and functional landscape and embeds it into the construction from the outset. Provision must also be made for ongoing maintenance and management of 'vertical greenery'.

Careful consideration should be given to the provision of external space in tall buildings. Balconies should be wide enough to be functional e.g. to accommodate sitting / dining outside. Ground space needs to be designed and managed to deliver benefits to residents as well as landscape quality. Micro-climate effects of tall buildings need to be considered (wind turbulence, shade, glare, etc) Trees can reduce the visual impact of tall buildings,

provide biodiversity and mitigate weather effects, but can prevent overlooking of space and pose a possible security risk. Community sensitive expert design is needed to deliver sustainable solutions.

High density housing may be better delivered in terms of whole life cost, environmental impact and user experience by low and medium-rise terraced housing rather than high rise. Numerous successful examples include Georgian terraces, Scottish tenements, Victorian worker housing and the Vauban precinct of Freiburg, Germany (which is an exemplary contemporary case study).

Question 62

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

We agree with the proposed changes in principle. However, positive landscape interventions on major logistical developments and business parks would make a significant contribution to nature and working conditions, adding value, increasing the quality of life and making investment more attractive. Such areas should be made more people-friendly to support those who work there. The areas should include green space, walkable routes / footpaths, tree planting, water and wildlife to create a greener place, a healthier, more enjoyable area to work in with amenities, and micro-climates that reduce the heat generated. These make for more enjoyable work environments, and if well connected to town centres there may be ways of reducing car dependency. These large-scale developments also present important opportunities to contribute to renewable energy generation. The expansive buildings and vehicle access areas form ideal locations for solar power generation without impinging on agricultural land or requiring BNG offsetting.

We would like to see an extra paragraph added to chapter 6 'Building a strong, competitive economy' regarding adherence to good design principles when locating and designing energy and transportation infrastructure. For context, some Local Authorities have produced guidance on accommodating infrastructure within local landscapes. It would be helpful if National Grid could produce national best-practice guidelines on the siting and design of pylons and power lines, using the following documents:

<https://www.nationalgrid.com/electricity-transmission//sites/et/files/documents/37291-Visual%20Impact%20Provision%20Technical%20Report.pdf>

<https://www.nationalgrid.com/electricity-transmission/document/84136/download>

<https://www.nationalgrid.com/stories/energy-explained/what-is-a-T-pylon>

Linear developments such as energy and transport routes offer opportunities to connect green infrastructure and nature recovery networks. The NPPF should require such developments to include Environmental Net Gains as part of their design.

Question 63

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

No Response

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?

No Response

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?

Sensitivity of the site location and context (via strategic-level planning) is at least as important as scale. If strategic-level decisions are being made over allocating sites for development, considerations must include an expert assessment of landscape and visual impact taking account of landscape character and capacity, key natural capital assets and design proposals.

Question 66

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

Please refer back to our earlier comments on GLVIA and green infrastructure. As well as scale, it's important to note the sensitivity of setting. This has lots of implications in terms of skills, resources and attention to detail, all of which need highlighting more.

Question 67

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

Yes, but subject to due regard being given to other relevant policies relating to sustainability, environmental designations and design standards, rather than being used as a justification to cut costs, time or quality.

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?

Yes

Question 69

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

We agree – Transportation schemes offer the potential to offer a range of landscape benefits, such as creating and linking up green infrastructure and nature recovery networks if provision for these environmental net gains are embedded in the project design and budget, including ongoing management. The LI would welcome opportunity to work with government on updated guidance.

Question 70

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

Landscape provision is a vital and cost-effective measure in promoting healthy communities and reducing childhood obesity. Access to open space and the quality of design is very important, improving air and water quality and increasing interaction with nature. Plant material makes a fundamental contribution to urban cooling, delivering significant health benefits for young, older and vulnerable people in urban environments.

Question 71

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

No Response

Question 72

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

We agree, given the need to significantly increase the generation of clean, renewable power. Onshore wind is part of the solution. However, GLVIA must be applied to inform developers and decision makers on potential environmental and visual effects and mitigation measures. The effects of associated works and apparatus, such as excavations, foundations and cabling, on sensitive landscapes, including soils and peat deposits will need to be given due regard.

Question 73

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

We are generally supportive of proposals to promote renewable and low carbon energy, subject to proper consideration of landscape and visual impacts and appropriate avoidance or mitigation measures. We would wish to see such major projects incorporate measures to deliver Environmental Net Gain and support Green Infrastructure networks.

As onshore windfarms are likely to be proposed in upland areas, many of which are in designated Protected Landscapes, great weight will need to be given to assessing the potential landscape and other environmental effects on the Purposes and Special Qualities of such sensitive areas and both whether or how these can be addressed. Decision makers may need to weigh renewable energy benefits against adverse effects on our most valued landscapes and irreplaceable habitats or heritage assets and the NPPF needs to address this tension.

We would wish to see the NPPF support the siting of energy generation, particularly solar PV, on buildings and structures rather than on greenfield sites, thus reducing adverse effects on the natural environment and otherwise productive land. Extensive roof areas of commercial / industrial buildings and car parks are obvious candidate sites for solar energy.

New commercial industrial developments should be required to demonstrate potential energy generation opportunities and greenfield solar installation applications should demonstrate that alternative PDL site location options are not viable.

We are concerned that the NPPF makes substantial reference to renewable energy generation but makes little or no reference to reducing energy demands. We take the view that UK buildings, particularly housing, continue to be designed and constructed in ways that fall far below widely known, cost-effective energy efficiency and climate resilient measures. Building Regulations have failed to reflect these deficiencies, and the planning system has been precluded from seeking more effective standards in these areas. Whilst we believe that energy efficiency, carbon reduction and climate resilience should be addressed through significant revisions to Building Regulations, we also believe that planning policy and

decisions can also make an important contribution. Landscape planning, design and management can be very effective in delivering relevant measures and solutions.

For example, orientation and layout can provide for optimal solar gain, reduced exposure to wind chill and shade from excessive direct sunlight. Landscape design incorporating well-informed planting can contribute to comfortable micro-climate conditions, providing shelter from intense weather conditions, reducing urban heat island effects and improving air quality and water runoff detention.

We would wish to see the NPPF require that the siting, layout, design and management of buildings and associated landscape treatment should demonstrate ways in which they reduce energy use and carbon emissions and provide for climate resilience over their anticipated design life expectancy.

We would also recommend amending existing NPPF paragraph 159 b) (new para 160b) as below:

*‘Any local requirements for the sustainability of buildings should reflect **or exceed** the Government’s policy for national technical standards.’*

At present, national technical standards such as Building Regulations can fall far short of optimal or best practice standards and can be used to justify sub-optimal provision. National standards should therefore be recognised as being minimal rather than absolute, where improved standards might be available to deliver more sustainable outcomes.

There should be reference to national and/or local best practise guidance on accommodating renewable energy within the landscape, explaining how to site and design schemes in a way which is as sensitive as possible to their local surroundings. Devon County Council produced such guidance in 2014, which is currently being updated. Best-practice Guidance on the siting and design of onshore wind has been produced by various Scottish Local Authorities, and by NatureScot.

In para 164c, the deleted text should be reinstated. There are some sites where repowering provides an opportunity to greatly reduce adverse landscape and visual impacts (for example by moving or removing one turbine out of several which is particularly intrusive) thereby making the development as a whole much more acceptable.

Whilst general support for renewable energy should be encouraged, it should be acknowledged in the NPPF that there are some sites which are not appropriate for renewable energy development (for many different reasons, including cumulative impacts) and LPAs must be able to refuse applications in these circumstances.

Question 74

Some habitats, such as those containing peat soils, might be considered unsuitable for renewable energy development due to their role in carbon sequestration. Should there be additional protections for such habitats and/or compensatory mechanisms put in place?

Yes, peat soils and other irreplaceable habitats should have legal protection from development. Peatland may be our largest terrestrial carbon store by volume, playing an essential role in locking in CO₂. It would be very difficult to compensate for its loss. They are likewise a haven for rare wildlife, they form a record of our past and are natural providers of water regulation. It's important to avoid developments in such areas that can cause significant (and counter-productive) releases of CO₂ e.g. from housing or from onshore wind farm cabling. The England Peat Action Plan sets out the government's long-term vision for the management, protection and restoration of our peatlands, so that they provide a wide range of benefits to wildlife, people and the planet. The NPPF should reflect their importance through strong protection and, as a last resort, compensatory mechanisms.

Native woodland should also be considered unsuitable for renewable energy development - particularly ancient woodland but also any woodland where trees are more than 20 years old, which is when they start to store carbon at a substantial rate. There should be compensation for loss of any mature trees and ancient woodland resulting from new infrastructure.

Question 75

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

Yes, in principle, but subject to the need to consider sensitivity in context not just scale especially in areas referenced in Footnote 7 (also to include candidate areas and settings).

Question 76

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

Yes, in principle, but subject to the need to consider sensitivity in context not just scale especially in areas referenced in Footnote 7 (also to include candidate areas and settings).

Question 77

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

Please see our response to Q75 and Q76.

Question 78

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

Nature-based systems and ecosystem services make a positive contribution and should be made use of in all new developments including siting, orientation, layout, micro-climate management, trees and green infrastructure.

A Materials Management / Sustainable Construction Plan needs submitting as part of planning submissions, covering the materials involved, whether there is contamination, and disposal arrangements – local where possible to minimise CO2 and traffic impacts. The impact of CO2 release from developments on soils and materials in the land is very significant and at the heart of landscape design. The planning system needs to be more proactive in scrutinising such plans to ensure compliance with policy targets.

We propose the word 'new' is removed from Paragraph 136 ("Planning policies and decisions should ensure that new streets are tree-lined"). This would widen the scope of the sentence to encourage developers (and local or highway authorities) to establish and maintain trees in existing urban areas. Trees provide multiple benefits, capturing and storing carbon and also providing shade and shelter for people in a changing climate, reducing

surface water runoff that contributes to flooding, and contributing overall to urban cooling. This links to improving people's health and wellbeing, for example with reference to the Woodland Trust's Tree Equity data and the prioritisation of trees in urban areas trees so as to deliver the most benefit for people, nature and climate.

The England Trees Action Plan 2021 to 2024 sets out the government's long-term vision for the treescape it wants to see in England by 2050 and beyond. The plan provides a strategic framework for implementing the Nature for Climate Fund and outlines over 80 policy actions the government is taking over this Parliament to help deliver this vision. This commitment should be reflected and supported in NPPF policies and in the NPPG.

Energy efficiency (e.g. Passivhaus), water management and climate resilience should be promoted in planning policy and addressed in detail through regulations and incorporated in all new construction projects, to reduce the need for energy rather than just plan to deliver more. The NPPF (and Building Regulations) could be much stronger in requiring "all new buildings to be designed to be sustainable and fit for purpose in a changing climate". For example, our climate in 20 years is predicted to be much hotter, similar to Mid France, implying the need for a new, more climate resilient approach to the planning, design and management of buildings and landscape.

With regards to new buildings with large roof areas (eg. warehouses and agricultural sheds), national policy (and Building Regulations) should require roofs to include solar pv, solar thermal and / or green roofs, and rainwater harvesting wherever possible. Where limited grid capacity makes solar unfeasible, battery-storage systems should be supported. Solar water heating technology should be integrated into all new domestic properties. Gas boilers and cooking appliances should be phased out of new domestic properties. All new properties with dedicated parking spaces should have integrated EV charging points. All new or replacement hard surfacing treatments should be water permeable unless there are over-riding technical reasons precluding this.

Para 162. b) Replace

"take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption"

with

"demonstrate effective use, wherever feasible, of landform, layout, building orientation, massing and landscaping to minimise energy consumption".

Paragraph 164: We suggest the first sentence is amended to read 'Local planning authorities should support planning applications for all forms of renewable and low carbon development except where these would result in significant adverse effects on the purposes or objectives of statutory landscape biodiversity or heritage designations.

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?

The Landscape Institute and British Association of Landscape Industries published a 2024 report on [Landscape and Carbon](#) which sets out the urgent action needed to be addressed by the sector to reduce the amount of carbon generated by development.

Several carbon assessment tools are in operation internationally – some of which crossover with the landscape industry. However, there isn't a single comprehensive tool or process that covers all contexts, and existing tools aren't necessarily compatible.

For example, within construction and architecture, standardised methodologies have been created for materials and infrastructure. There is reference in the most recent versions of these to include land-use change and planting in calculations – though there is no data available or set calculation methodology that is accepted for organic materials since the variations are too unpredictable to follow the methodology for inorganic materials.

The industry is currently coming together to agree a recommended process for data collection and for carbon calculation, following suit and collaborating with international landscape associations. To support this work, we need the government to lead on the collaboration of data collection and development of a methodology that aligns with existing built environment calculation methods that are likely to become policy in the UK (Whole life carbon assessment for the Built Environment, as well as future Environmental Net Gain).

Where majority of focus has been on Net Zero buildings, this negates the impact of the surrounding infrastructure and the land-use change. It also misses the impact of removing existing vegetation. Landscape provides one of the only solutions for reducing and sequestering carbon in development currently. Without having this data and calculation methods, **we do not have a true picture of how to build a Net Zero development.**

Having policy support would encourage users and developers to integrate and adopt it, avoiding the current fragmentation of approaches, lack of benchmarks, and limited industry-wide adoption of voluntary arrangements. Compliance with a standard, consistent tool / methodology can improve carbon accounting accuracy, develop granularity and coverage, enhance industry efficiency, and support progress towards UK net zero targets. It could create commercial opportunities for organisations developing business cases that meet public sector contracting requirements, demonstrating the use of low-carbon or carbon sequestering materials management and methodologies. It would likely provide another

layer of support, and more holistic approach for developers to consider land-use change and soft landscaping in addition to BNG.

This work overlaps with existing policy movements from which the landscape sector has so far been omitted. The Landscape Institute would be pleased to collaborate with the government on this work.

Question 80

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

Landscape interventions applying nature-based processes and the use of SuDS should be considered wherever feasible as a first option in all flood schemes as they can deliver economically, practically and functionally effective solutions. For example, the application of water management changes upstream can allow run-off water to be absorbed and detained in the catchment area before reaching settlements, with additional benefits to nature recovery and soil conservation. Tree cover and the use of soft and permeable surfaces also mitigate flood risk. Conventional engineering solutions should then be considered where natural systems cannot be applied or where they require supplementary support. All new development should aim to achieve zero additional run-off.

Question 81

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

We have illustrated throughout our response that taking account of landscape considerations in planning is of fundamental importance in addressing climate change and in terms of urban cooling.

There are many instances where changing building supply chains can help deliver low carbon housing with fewer materials and less waste whilst also benefitting the landscape. For example, the UK can grow and manage its timber supply differently to reduce imports, mend watershed issues, and lessen losses through wildfires. This includes using coppiced hardwood which delivers on a 20-year cycle (rather than 40-60 years for softwoods). Biochar can lock down carbon and aid water availability and promote microbial growth in urban soils. Hemp pumps down carbon much faster than woodland, and can be used in insulation, flooring, concrete blocks and in render. Screw piling instead of concrete foundations greatly reduces the amount of excavated soil (and hence carbon emissions).

The planning system should seek sustainable construction plans and whole life management plans but some of these matters may be better addressed through Building Regulation revisions.

Question 82

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

Yes, subject to retention of the existing constraints on development on agricultural land and a sequential consideration of land quality for food production. An amended footnote could helpfully propose that the contribution that agricultural land makes to ecosystem services should also be considered in addition to its grade classification.

Question 83

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

We need a National Land Use Framework (as recommended by the House of Lords Land Use Committee Report, 2022) that balances the competing uses of land, including food production and nature recovery, not just development requiring planning permission. Currently, the quality of agricultural land protects it from development. However, lower quality alternatives elsewhere, due to the nature of geology and soils, mean we will be more dependent on some areas for food production than others.

Local planning authorities should ensure that when development occurs on greenfield sites, there is robust provision for conserving topsoil quality and carbon storage capacity prior to and during construction. Given that topsoil is a finite resource and urban growth is likely to continue into the countryside, it is vital that this requirement is reflected in the NPPF.

The NPPF should support local plan policies that promote land allocations for allotments, market gardening and small holdings. Residential developments should incorporate opportunities for community food production and the planting and management of fruit and nut bearing plant species.

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?

We agree that the provisions should be improved.

Water is a finite resource, so there needs to be more focus on resilience regarding water supply neutrality. Landscapes can contribute to holding water on the land to address water neutrality. It's a Natural England requirement through local plan policy that developers can't extract more water to support residential developments unless they can prove a neutral effect on the available water resources. Nature-based solutions are needed so that the landscape can hold water better as a resource, rather than getting rid of it. The emphasis within new developments needs to be on water efficiency, making better use of grey water, and not reducing available water resources.

Water quality must not be compromised. Given the major implications for freshwater of any additional development, particularly housing estates, the Environment Agency and developers need to ensure adequate provision of sewage treatment, including phosphates and nitrates, as part of any new development. Expectations around water disposal and treatment need to be met to prevent rivers from deteriorating further.

Both these issues require a landscape-led solution, as land management will improve the quality of our water, rivers, and watercourses.

Developments must be both climate-conscious and climate-adapted to avoid the threat to human health from overheating. Part of the requirement of placemaking should be around cooling through natural green infrastructure to avoid such overheating.

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?

Looking ahead to 2100, we need to help local areas better plan and adapt to future flooding and coastal change. This requires being agile to the latest climate science, growth projections, investment opportunities, and other changes to our local environment. We call this approach 'adaptive pathways,' which enable local areas to better plan for future flooding and coastal change and adapt to future climate hazards.

As a nation, we need to improve how we integrate adaptation to flooding and coastal change into daily activities and projects, as well as long-term strategic investment plans and strategies for places and catchments. By doing so, we can better equip practitioners and policymakers to make the best decisions at the right time, benefiting people, infrastructure, the economy, and the environment.

It's not sustainable to build in areas (such as on chalk bedrock) where there is insufficient groundwater to provide a reliable water supply without causing damage to rivers and streams.

Question 86

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

No Response

Question 87

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

Yes, subject to adequate (e.g. publicity, accessibility and time period) local community consultation procedures and to due regard and responses being given to all representations.

Question 88

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

No Response

8. The current fee for householder applications is £258. However, we understand that the costs to

Question 89

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

No Response

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.

No Response

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.

No 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.

No Response

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.

The LI strongly opposes any proposal to introduce fees for protected tree or listed building applications / notifications. Currently there is no fee for trees or heritage cases as such designations are made in the public rather than private interest. The designation of TPOs,

Conservation Areas and Listed Buildings generally result in additional constraints and cost burdens on affected owners rather than conferring any financial advantage (unlike development proposals). The benefits are almost entirely to a wider public. We therefore strongly believe that this should continue to be a publicly funded service to reflect the public, rather than private, benefits and to ensure that regulations are observed. If fees were charged, there would be an increased risk of unauthorised works (despite statutory obligations) and the loss of important conservation opportunities. There would also be the loss of dialogue between experts and local authorities as tree officers and conservation officers provide a wealth of free expertise to owners of important public assets including historic buildings and trees. The benefits to the public of not charging owners for complying with imposed statutory obligations greatly outweigh the costs to the public purse.

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.

No Response

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.

No Response

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?

No Response

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?

No Response

Question 98

Do you consider that cost recovery for relevant services provided by local authorities in relation to applications for development consent orders under the Planning Act 2008, payable by applicants, should be introduced?

No Response

Question 99

If yes, please explain any particular issues that the Government may want to consider, in particular which local planning authorities should be able to recover costs and the relevant services which they should be able to recover costs for, and whether host authorities should be able to waive fees where planning performance agreements are made.

No Response

Question 100

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

No Response

Question 101

Please provide any further information on the impacts of full or partial cost recovery are likely to be for local planning authorities and applicants. We would particularly welcome evidence of the costs associated with work undertaken by local authorities in relation to applications for development consent.

No Response

Question 102

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

No Response

Question 103

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

No Response

Question 104

Do you agree with the proposed transitional arrangements?

No Response

Question 105

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

To speed up the planning process, enhance efficiency and transparency, better engage and address the various needs of the public and key stakeholders, and better protect our environment, we believe it is essential to promote digital innovation and implement a digitally enabled systems approach to planning as recommended by the Digital Task Force for Planning (the Task Force) in their report, *A Digital Future for Planning: Spatial Planning Reimagined* (2022).

We believe it is urgent to support the Task Force's work and recognise it as a central resource and delivery body to lead the implementation of digital planning methodology, coordinate the development of planning metadata and information management standards, share best practices, facilitate exchange and collaboration, and identify training and research needs.

As an independent, not-for-profit organisation, the Task Force has the flexibility to consolidate cross-departmental and cross-disciplinary datasets for the benefit of the public.

The Task Force also has the ability to form an academic, government, and practice partnership that supports the business case for a rapid transition to a more digitally enabled system and delivers key digital planning programmes, including:

- Creating a comprehensive national mapping system;
- Establishing an open-source common spatial data environment across environmental, social, and economic spectra by:
 - Identifying baseline data;

- Defining consistent spatial data standards;
- Resolving data licensing, security, and confidentiality issues;
- Establishing common datasets and improved monitoring;
- Developing analytics for better local and strategic planning.
- A basic set of analytic functions tailored to plan-making, including decarbonisation strategies and cross-boundary strategic planning.

By adopting a digitally enabled systems approach to planning and providing the common data environment, the Task Force's work will significantly speed up the desperately needed housing delivery in the country, while also ensuring sustainable development for communities.

We support the National Development Management Policies being better integrated with the NPPF as waste management is a fundamental part of the planning process that has significant impacts on local people.

Question 106

Do you have any views on the impacts of the above proposals for you, or the group or business you represent and on anyone with a relevant protected characteristic? If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how. Is there anything that could be done to mitigate any impact identified?

No Response