

QUESTIONS AND DRAFT RSN RESPONSE FOR CONSULTATION WITH MEMBERS 6TH SEPTEMBER 2024

MHCLG CONSULTATIONS IN BLACK TYPE. DRAFT RSN RESPONSES IN RED.

CHAPTER 3

PLANNING FOR THE HOMES WE NEED

Question 1: Do you agree that we should reverse the December 2023 changes made to paragraph 11?

NO

We do not support the whole premise of the proposed new approach that is based on housing stock. It bases in existing housing stock as the basis and doesn't reflect what is actually needed in future, which the population and household projections would do in the current approach. Obviously the 2014 basis was well out of date. The whole housing stock basis is just plain wrong for working out what is in future needed. It also penalises authorities that have delivered huge amounts of housing in recent years and assumes that more is needed as well.

There is a real risk that the proposals potentially have negative effects on urban areas where effectively the proposals push people out of those areas into rural locations because that is where the housing stock is in significant proportions. It creates a pattern of that is really directing developments to rural areas -where the infrastructure isn't available - and drawing people out of urban areas where the infrastructure is available - because the proposals create lower levels of housing ambition in those urban areas. This is compounded by the real concerns that the market in rural areas would not be able to deliver the level of development. When combined with the wider changes in terms of the five- year supply and in particular the retention of the housing delivery test, there becomes a real risk that authorities will very quickly be in a situation where the presumption in favour of sustainable development appeals kick-in and that potentially results in undermining the plan led approach to development.

It is essential that there is genuine understanding that " Authorities would be able to justify a lower housing requirement than the figure the method sets based on local constraints on land and delivery, such as existing National Park, protected habitats and flood risk areas, but would (as now) must evidence and justify their approach through local plan consultation and examination"

The references to "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" are mainly urban concepts and increasing densities, for instance, can ruin the existing rural character.

We cannot just keep adding more and more developments onto our rural towns.

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?

NO

As we refer to in answer to Q 1 above in rural areas it remains essential that local character can be taken into account when local authorities consider their ability to meet the assessed housing needs. In particular significant uplifts in density in most cases will remain inappropriate as it would result in development wholly out of character with the existing area. This can apply in non -protected areas. There is a real risk of damage to rural economies through inappropriate developments impacting negatively on an area's tourism offer.

URBAN UPLIFT

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

NO

It is impossible to answer this question without details of what impact the proposed change would have on the increased number of homes required to be delivered in rural areas.

Our analysis of the proposals as set out in the "Outcome of the Proposed Revised Method" which accompanied the Consultation, shows the following distribution based on the standard urban and rural classifications:

- For Urban with Major Conurbation local authority areas as a whole there was a reduction of 5.4%, a decrease of 7,961 houses (current 146,987, proposed 139,026), which as a decrease per 1,000 total dwelling stock is 0.9 houses per 1,000
- For Urban with Minor Conurbation local authority areas as a whole the increase is 24.6%, an increase of 2,053 houses (current 8,353, proposed 10,406), which as an increase per 1,000 total dwelling stock is 2.1 houses per 1,000
- For Urban with City and Town local authority areas as a whole the increase is 30.3%, an increase of 20,174 houses (current 66,487, proposed 86,661), which as an increase per 1,000 total dwelling stock is 3.1 houses per 1,000
- For Urban with Significant Rural (rural including hub towns 26-49%) local authority areas as a whole the increase is 50.7%, an increase of 16,836 houses (current 33,206, proposed 50,041), which as an increase per 1,000 total dwelling stock is 5.0 houses per 1,000
- For Mainly Rural (rural including hub towns >=80%) local authority areas as a whole the increase is 67.7%, an increase of 11,521 houses (current 17,025, proposed 28,546), which as an increase per 1,000 total dwelling stock is 6.3 houses per 1,000
- For Largely Rural (rural including hub towns 50-79%) local authority areas as a whole the increase is 71.4%, an increase of 23,694 houses (current 33,166, proposed 56,860), which as an increase per 1,000 total dwelling stock is 5.9 houses per 1,000

It can be seen from the above that despite the NPPF Consultation stating that "the government supports the principle of directing housing growth to our larger urban

areas and that the proposals will maximise delivery in urban areas, the proposals mean:

- In Predominantly Rural Areas overall – an increase of 70.2% (32,215 additional houses, or 6% per 1000 of the dwelling stock.
- In Predominantly Urban Areas - an increase of 6.4% (14,267 additional houses, or 0.9% per 1000 of the dwelling stock

CHARACTER AND DENSITY

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

NO

As we refer to in answer to Q's 1 & 2 above in rural areas it remains essential that local character can be taken into account when local authorities consider their ability to meet the assessed housing needs. In particular, significant uplifts in density in most cases will remain inappropriate as it would result in development wholly out of character with the existing area. This but can apply in non -protected areas. There is a real risk of damage to rural economies through inappropriate developments impacting negatively on an area's tourism offer.

The character of our rural towns is important and although they may be better served by transport and other infrastructure than more rural areas, they are poorly served compared to what is described in the Consultation as "urban areas". Urban areas are not defined.

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 support the concept of localised design codes etc. But to be applied to all local plans and not limited to "areas that provide the greatest opportunity for change, such as greater density."

STRENGTHENING AND REFORMING THE PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT ("THE PRESUMPTION")

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

NO.

The NPPF, with amendments, does not include, within its glossary a definition of sustainable development. Instead, the section being amended leans heavily on the high-level definition created by the United Nations and that used for the global Sustainable Development Goals. It then adds to these with three sets of economic,

social, and environmental objectives with the stated aim of them being pursued, in both plan making and decisions, ‘...in mutually supportive ways.”

There are no proposals to amend the plan making requirements of the NPPF in relation to sustainable development. This is a missed opportunity when it comes to strengthening the requirements on Local Planning Authorities (including National Parks) to plan in a way that genuinely pursues the social, economic, and environmental sustainability of their rural communities.

It is not always the absence of a Local Plan that results in development that might be considered ‘unsustainable;’ there is also a risk of failing to plan for the future sustainability of small settlements and the settlement pattern of which they form a part.

The majority of housing that will exist in 2050 already in existence. Focusing only on the sustainable characteristics of additional development without making the future sustainability of the whole settlement pattern to which it is being added, is clearly a mistake and could result in negative unintended consequences.

Proposals being prepared by the Government for New Towns and major new urban extensions, mean there is a clear danger for rural areas that the existing pattern of small towns and villages will be starved of development and become increasingly unsustainable from a social and economic perspective.

Where a current 5-year land supply does not exist, or is out of date, development proposals must be accepted by decision takers unless they cross one of two set of ‘bars’.

Firstly, there is a relatively low bar to resisting these proposals where there is a landscape designation in place e.g. National Park, SSSI or similar. Secondly, there is a very high bar for resisting development proposals on the grounds of poor access/transport, poor design, or insufficient contribution to affordable housing requirements. This high bar is defined as: “...any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.” Again, the policy relating to what is, and is not, affordable housing, is also under review.

We do not see how this exclusive focus on a 5-year land supply, coupled with a high bar for refusal in the case of essential social infrastructure, can be argued as a contribution, or can be ‘presumed’ to lead to, sustainability in the short term – at least in the rural context. We agree it may, in the long term, place a very strong incentive on LPAs to create a better plan-led approach to both creating and retaining a sustainable pattern of development across all settlements. **Measures to ensure that rural LPAs can recruit an adequate planning team in order rapidly to achieve both an extant Local Plan and 5-year land supply are where the political and financial investment should be placed.**

In the short term there are risks of creating further unsustainable and extensive urban growth in rural areas that are both ‘popular’ with developers and within relatively easy reach of urban centres. **There is nothing in this amended policy that will encourage or support the creation of small scale and affordable**

housing to fulfil the needs of the rural economy / community in terms of social/affordable housing.

The RSN supports the suggestions made by ACRE as set out in blue below with the text of the revised wording in the NPPF Consultation being in black

a) all plans, including Neighbourhood Development Plans, should promote the sustainability of the existing settlement pattern (including by retaining existing social and economic infrastructure in rural areas) ~~a sustainable pattern of development~~ that seeks to meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;

b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

i. the application of policies in this Framework that protect areas or assets of particular importance ~~provides a strong reason~~ would significantly and demonstrably outweigh the benefits of restricting the overall scale, type, or distribution of development in the plan area⁷; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or where the policies within major urban areas for the supply of land are out-of-date⁹, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance ~~provides a strong reason~~ would significantly and demonstrably outweigh the benefits of restricting the overall scale, type, or distribution of development in the plan area⁷; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits to the community as whole in which the development is placed, when assessed against the policies in this Framework taken as a whole, in particular those for the location and design of development (as set out in chapters 9 and 12) and for securing affordable homes.

RESTORING THE 5-YEAR HOUSING LAND SUPPLY

Question 7: Do you agree that all local planning authorities should be required to continually demonstrate 5 years of specific, deliverable sites for decision making purposes, regardless of plan status?

YES.

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

YES

RESTORING THE 5% BUFFER

Question 9: Do you agree that all local planning authorities should be required to add a 5% buffer to their 5-year housing land supply calculations?

NO. At least not if the targets for rural areas remain as projected.

The issue is not that local planning authorities do not allocate enough land for housing and jobs, it is the delivery which is the challenge and should be targeted.

It is important to recognise that local planning authorities, in allocating land for housing through a local plan already include sufficient sites to exceed their housing land requirement figure in order to provide flexibility in the market and to reflect that not all sites that are allocated will come forward for development.

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

NO

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

YES

MAINTAINING EFFECTIVE COOPERATION AND THE MOVE TO STRATEGIC PLANNING

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

YES

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

NO RSN RESPONSE

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

NO RSN RESPONSE

CHAPTER 4

A NEW STANDARD METHOD FOR ASSESSING LOCAL HOUSING NEED

THE CURRENT STANDARD METHOD FOR ASSESSING LOCAL HOUSING NEED; THE GOVERNMENT'S PROPOSED APPROACH; SETTING A NEW HEADLINE TARGET

STEP 1 – SETTING THE BASELINE – PROVIDING STABILITY AND CERTAINTY THROUGH HOUSING STOCK

New Standardised methodology and its interaction with the Presumption in Favour of Sustainable Development (PSFSD)

The importance of a plan-led approach to development is as relevant in rural as urban areas. However, there is a significant risk that the scale of growth arising from the new Standard Methodology will seriously undermine the plan led approach and ultimately the achievement of sustainable development objectives in rural areas.

Analysis by the Rural Services Network (see the answer to Q3 above) of the housing requirement figures that arise from the new standard methodology show that in Predominantly Rural Areas there will be an increase of 70.2% in housing numbers. This compares with 6.4% for Predominantly Urban Authorities.

The use of the standard methodology is mandatory and will set a housing number for each local authority. It will form the basis for local authorities' Local Plans and for them to set the housing requirement for their area. In principle the inclusion of an up-lift to take account of the lack of affordability is helpful as the lack housing development in some LPAs has exacerbated problems of affordability. So too is the statement that LPAs can adopt a lower figure if they can justify to a Planning Inspector that they face particular constraints that make it difficult to accommodate the housing number. However, the scale of increase in the housing numbers in many rural councils will be difficult to accommodate. This includes LPAs that have maintained an up-to-date Local Plans, on-going 5 -year housing land supply (5 YHLS) and have supported growth.

Many of these authorities include national and international landscape and environmental protected areas, restricting site supply. They also have small planning teams that lack the capacity to undertake the detailed process of identifying deliverable sites. In consequence they are going to struggle to quickly put in place the required 5YHLS, so triggering the Presumption in Favour of Sustainable Development (PFSD). Experience has consistently shown that this has three negative consequences. Firstly, new developments that are out of scale with the host rural community and do not provide the type or tenure of housing that would meet their housing needs. Secondly, in turn, this fuels community suspicion and resistance to new development, including for rural exception site schemes. Thirdly, it reduces the supply of rural exception sites as it raises landowner expectation that their land will be either allocated or granted permission under PFSD.

The revisions to the NPPF do offer some welcome safeguards that would allow an LPA to refuse a planning application submitted under PFSD. These include that the adverse impacts of the development significantly and demonstrably outweigh the harm to affect protected landscapes and habitats, the location of development

that promotes sustainable transport, achieving well designed places, or securing affordable housing. But under PFSD these will only be considered at the point of application and as experience to date has shown this is likely to result in planning by appeal.

In effect then, the application of the new standard methodology without taking account of the nature of rural areas or the resources of rural LPAs, is undermining the achievement in rural areas of the NPPF's requirement that 'the planning system should be genuinely plan.'

In a similar vein, the same impact of the PFSD will arise where LPAs fail to meet their Housing Delivery Test. Evidence consistently shows that it is not a failure of LPAs to grant planning permission but the failure of developers to build these out.

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

We do not support the whole premise of the proposed new approach that is based on housing stock. It bakes in existing housing stock as the basis and doesn't reflect what is actually needed in future, which the population and household projections would do in the current approach. Obviously the 2014 basis was well out of date. The whole housing stock basis is just plain wrong for working out what is in future needed. It also penalises authorities that have delivered huge amounts of housing in recent years and assumes that more is needed as well.

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STEP 2 – ADJUSTING FOR AFFORDABILITY

Question 16: Do you agree that using the workplace-based median house price to median earnings ratio, averaged over the most recent 3-year period for which data is available to adjust the standard method’s baseline, is appropriate?

YES

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

It only makes sense to adjust the baseline for affordability if there are proposals to ensure that the new dwellings constructed are affordable and therefore meet that need. ‘Developer Contributions’ from commercial sites will only the affordability criteria (but in many cases in the rural context even those will not be affordable) but the remainder of the development will not.

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?

YES .IT SHOULD AS IT IS A KEY COMPONENT.

We have no suggestions for how this should be incorporated,

RESULT OF THE REVISED STANDARD METHODOLOGY

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

As part of the national standard methodology a component should be included that reduces the housing numbers in areas with nationally and internationally protected landscape, habitat, and ecological designation.

Where local authorities are facing an increase in housing numbers above 50%, provision should be made for back-loading the numbers, providing LPAs with time to identify a deliverable 5-year housing land supply.

Government should take action to force developers to build out sites for which they have planning permission. These measures lie outside of the planning system but are essential for it to deliver the government's objectives and should include measures appropriate for small rural development sites. This could include:

- giving councils the ability to charge council tax and business rates on unbuilt schemes with planning permission, after reasonable time for construction.
- Providing capital grant funding on stalled market schemes on the condition that this is used to increase the supply of affordable housing, and in particular social rented, above Local Plan affordable housing requirements.

Government should direct the resources it has identified to increase the capacity of LPAs to rural local authorities where staff teams are very small and the increase in housing numbers is significant. This could include making available at nil cost to the authority sophisticated land search tools.

Irrespective of the method for assessing housing needs and the number finally required to be delivered in rural areas there is the fundamental question of whether an increase is likely to address in any meaningful way the affordable housing needs of our rural communities? This also raises questions about the definitions of affordable housing and how truly affordable the different tenures are in relation to rural workplace-based incomes.

The planning system does have a significant role in addressing the housing needs of rural (and urban) housing, but it cannot address all the complexities involved. What is clearly needed, is a strategic policy which brings together the different strands with the necessary funding to achieve the policy objectives.

CHAPTER 5

BROWNFIELD, GREY BELT AND THE GREEN BELT

BEING CLEAR THAT BROWNFIELD DEVELOPMENT IS ACCEPTABLE IN PRINCIPLE

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

YES

MAKING IT EASIER TO DEVELOP PREVIOUSLY DEVELOPED LAND

Question 21: Do you agree with the proposed change to paragraph 154g of the current NPPF to better support the development of PDL in the Green Belt?

Any review of the Green Belt may result in land being taken out of the Green Belt, but this does not automatically mean that land is a suitable location for housing. An objective approach to both exercises may not identify the same parcels of land

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?

NO RSN RESPONSE

DEFINING THE GREY BELT

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

NO RSN RESPONSE

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

NO RSN RESPONSE

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?

NO RSN RESPONSE

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?

NO RSN RESPONSE

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?

NO RSN RESPONSE

LAND RELEASED THROUGH PLAN MAKING

Question 28: Do you agree that our proposals support the release of land in the right places, with previously developed and grey belt land identified first, while allowing local planning authorities to prioritise the most sustainable development locations?

YES

Question 29: Do you agree with our proposal to make clear that the release of land should not fundamentally undermine the function of the Green Belt across the area of the plan as a whole?

YES

ALLOWING DEVELOPMENT ON THE GREEN BELT THROUGH DECISION MAKING

Question 30: Do you agree with our approach to allowing development on Green Belt land through decision making? If not, what changes would you recommend?

NO RSN RESPONSE

SUPPORTING RELEASE OF GREEN BELT LAND FOR COMMERCIAL AND OTHER DEVELOPMENT

Question 31: Do you have any comments on our proposals to allow the release of grey belt land to meet commercial and other development needs through plan-making and decision-making, including the triggers for release?

NO RSN RESPONSE

PLANNING POLICY FOR TRAVELLER SITES

Question 32: Do you have views on whether the approach to the release of Green Belt through plan and decision-making should apply to traveller sites, including the sequential test for land release and the definition of PDL?

NO RSN 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 RSN RESPONSE

GOLDEN RULES TO ENSURE PUBLIC BENEFIT

DELIVERING AFFORDABLE HOUSING

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

NO

We consider that 100% of land released from the Green Belt for residential development should be for affordable housing with at least 50% of that being Social Rent.

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?

We consider that 100% of land released from the Green Belt for residential development should be for affordable housing with at least 50% of that being Social Rent.

DELIVERING IMPROVED ACCESS TO GREEN SPACE

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

GREEN BELT LAND AND BENCHMARK LAND VALUES

Question 37: Do you agree that Government should set indicative benchmark land values for land released from or developed in the Green Belt, to inform local planning authority policy development?

YES

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

AS PER OPTION C. IN THE CONSULTATION

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?

SUPPORT

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.

There is such an affordable housing crisis in rural areas that contributions to affordable housing should not be traded off against other policies

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?

NO RSN RESPONSE

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?

NO RSN RESPONSE

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 RSN RESPONSE

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

NO RSN RESPONSE

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

SUPPORT

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

NO RSN RESPONSE

CHAPTER 6

DELIVERING AFFORDABLE, WELL-DESIGNED HOMES AND PLACES

DELIVERING AFFORDABLE HOUSING

Question 47: Do you agree with setting the expectation that local planning authorities should consider the particular needs of those who require Social Rent when undertaking needs assessments and setting policies on affordable housing requirements?

YES, this is a more affordable and long-term sustainable form of tenure. However, there needs to be recognition that this will require additional subsidy to deliver it. Homes England need to double the grant rates to achieve the level of social rent and viability is a real concern for achieving social rents for Registered Providers in rural areas.

The revisions to the NPPF that place greater weight on the provision of affordable housing and in particular social rented housing are welcome. Local Housing Needs assessments in rural communities consistently demonstrate the need for truly affordable rented housing. It is also the case that Affordable Rent tenure does not provide this because it is set in relation to market rents which are high in rural areas and are consequently unaffordable to rural residents as locally earned incomes in rural areas are low.

The NPPF's helpful revisions could be strengthened by including a statement in paragraph 63 that LPAs policies for affordable housing and affordable tenure mix should be informed by an assessment of affordability with reference to local incomes, house prices and private rents, including a specific rural analysis where LPAs include rural communities.

This could be expanded in the glossary definition of affordable housing to include the recommendations of the Affordable Housing Commission chaired by Lord Best that recommended that no household should pay more than 33% of their equivalised household income on housing costs. As rural locally earned incomes are lower than those in urban areas, and rural house prices and rents are

significantly higher than urban areas outside London, this calculation should be based on lower figures.

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

YES. This needs to be set locally with regard to need, incomes, and general affordability

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

YES

There is a place for affordable home ownership products, but this should be determined locally with reference to local need, incomes, and affordability. The arbitrary nature of First Homes has caused considerable concern potentially putting the remainder of affordable housing at risk, displacing more accessible home ownership products, and helping a group of households who can probably afford to purchase anyway much like the help to buy product.

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

PROMOTING MIXED TENURE DEVELOPMENT

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

YES

This is a positive move, there is a desperate shortage of social rented housing across most of the country. S106 obligations have been responsible for over half of the affordable housing built in the last five years. LPAs should determine affordable housing tenure and mix reflecting local need and laid out in the Local Plan. LPAs will need to consider the financial implications for RPs, and the need for higher levels of subsidy (for instance, from Homes England) for social renting. If additional funding is not available, either a smaller number of affordable homes will be delivered, or the rented homes will need to revert to affordable rent if subsidy is not available.

SUPPORTING MAJORITY AFFORDABLE HOUSING DEVELOPMENTS

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

REQUIRE THAT TYPE OF HOUSING (AND NOT OTHER TYPES) TO BE BUILT WHERE AN UNMET LOCAL NEED CAN BE DEMONSTRATED.

100% affordable housing sites should be supported as there is a wide range of affordable housing tenures that can be provided on the site. 100% affordable

housing sites can provide a mix of social & affordable rent, shared ownership, and intermediate rent.

Social rent would generally be the preferred tenure as it is the most affordable product, but it is difficult to deliver as rents are low, so it needs a capital subsidy. Additional funding from Homes England will be needed if social rented housing is to be built instead of other forms of affordable housing, without reducing affordable housing output. Without subsidy rented homes will need to revert to affordable rent.

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?

Maximum site sizes would not be helpful, it is arbitrary and doesn't take account of the site location, the community, housing and facilities around it. Larger 100% affordable housing sites may need to deliver a range of different affordable housing tenures to balance the occupation of site between renters and buyers.

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

It is disappointing in the extreme no suggestions have been put forward by the department given all the submissions made over the years by the RSN and other rural interest groups. Overall, some of the proposed changes are helpful, but it is disappointing that so little attention is given in the NPPF to achieving sustainable development in rural communities. Whilst some of this is down to lack of rural specific content, it is also a result of unintended consequences that arise from not taking into account the circumstances of rural areas.

There is a clear need for a comprehensive rural housing strategy rather than trying to 'tweak' an urban base policy to address the different rural issues.

The provision in the NPPF that "where a need for affordable housing is identified, planning policy should specify the type of affordable housing required [including the minimum proportion of social homes required], and expect it to be met on site (with two exceptions) is welcomed.

Local Planning Authorities should be permitted to determine that the proportion of the totally assessed local housing need that is generated by the 'Affordability Criteria' should be allocated only to homes that are truly affordable (but to include affordable home ownership products) to those household on local rural level wages/salaries.

Homes England needs to introduce a national rural housing target. Only soft rural targets apply at present based on regional level.

It is considered by several of our members that the Vacant Building Credit particularly disadvantages rural areas. This policy allows a developer to subtract the floor area of any vacant buildings on the site from the affordable housing requirement, meaning in reality that any affordable housing is effectively extinguished from the outset. This policy automatically assumes that any such

brownfield land is low in value. In rural areas this may not be the case and some of our members report that they have seen some developments locally where very high value sites have immediately escaped any affordable housing provision due to having buildings upon them.

Site thresholds is another area that needs addressing. While the NPPF does identify the ability for designated rural areas to set a threshold of five or fewer this designation isn't automatic and in fact relates to S157 of the Housing Act and has to be applied for through the Secretary of State. As we have argued many times the ability to set a threshold of five or fewer should automatically apply to all rural communities with populations less than 3,000. Site thresholds should be set by each LPA.

Rural areas have significant elderly populations, and many elderly households have a desire to move into more manageable bungalow style homes freeing up their larger family homes. They do not want to move away from the area having spent time and energy establishing social groups and support within the community. Provision Needs to be made within the NPPF so as to encourage developments of this kind.

We welcome the continuation of the policy specifying that “local planning authorities should support the development of exception sites or community led development on sites that would not otherwise be suitable as rural exception sites.”

We also welcome the acknowledgement that “to promote sustainable development in rural areas, housing should be allocated where it will enhance or maintain the vitality of rural communities. Planning policy should identify opportunities for villages to grow and thrive, especially where this will support local cell services. However, in the rural context it will remain important That existing communities are not ‘swamped’ by large scale development, - especially those for market housing which will not meet the identified local housing need.

Along with a number of other rural organisations we propose six planning measures that would improve the delivery of rural affordable housing. We will separately supply supporting evidence. We recognise that successful delivery requires a number of mutually supporting measures to be in place and a package of non-planning measures is proposed.

The six planning measures referred to are as follows:

Measure 1

The NPPF should require that local authority assessments of size type and tenure, as set out in paragraph 63, include a specific assessment (through agreed templates to assist in their undertaking) of housing needs in communities with populations of 3,000 or fewer, leading to adoption of a specific target in the Local Plan for delivering rural affordable housing in these communities.

Reason

The housing needs of rural communities are often disguised by the collection and analysis of data at local authority level which will include large towns. In consequence strategic spatial development policies, site allocations and affordable housing policies often do not reflect the housing needs of rural communities. Collecting data at a level disaggregated to an appropriate spatial scale to identify rural housing needs is possible, as illustrated by the work of ARC 4, amongst others. The resulting evidence base would increase the delivery of the right type of housing to meet rural housing needs by:

- Informing the adoption of spatial development policies that support housing development that meets housing needs and contributes to meeting wider social and economic objectives of the Local Plan in a rural context.
- Encourage LPAs to allocate deliverable sites for development in smaller communities. This would require that they are able to take an affordable housing contribution from small sites in rural communities – see Measure 2
- Help set a rural affordable housing delivery target against which performance can be reported on performance through Annual Monitoring Reports and spur action where the target is being missed.

Measure 2

Allow all LPAs responsible for rural communities to take an affordable housing contribution from sites of 9 dwellings or fewer by changing the definition of designated rural areas in NPPF paragraph 65 to, parishes of 3,000 or fewer population and all parishes in National Parks and AONBS.

Reflecting NPPF paragraph 64, the expectation should be that the contribution is as on-site provision, but with the ability to take a commuted sum of equivalent value to the affordable housing. If the latter, priority should be for this to be used to support the delivery of rural affordable housing in these smaller rural communities

Reason

The mainstay of site supply in villages are small sites, often less than 10 dwellings. Currently, it is not possible to take an affordable housing contribution from these sites in approximately 66% of parishes with populations of 3,000 or fewer. Changing the definition would:

- Increase the supply of affordable housing across rural England
- Ensure that those living in rural areas have the same opportunities to access affordable housing as their counterparts in urban areas and in 33% of other smaller parishes
- Ensure Local Planning Authorities can fulfil the requirements in NPPF paragraph 63

- Reduce the land price gap between market sites and rural exception sites, reducing 'hope value' and land prices for RES to make these schemes financially unviable.

The proposed definition:

- Aligns with Homes England definition of 'rural' for its investment through the Affordable Homes Programme
- Aligns with the statutory rural exemptions from Right to Acquire and Leasehold exemption that retain affordable housing in areas where it is difficult to replace stock that has been sold.
- It is transparent and readily understood, easy to evidence and update, efficient and simple to apply, provides consistent coverage across rural England.

Measure 3

Improve the adoption and implementation of the rural exception site (RES) policy across rural England by:

- a) Introducing a National Development Management Policy for Rural Exception Sites – Rural Exception Sites should be exempt from CIL.**
- b) Introducing through Statutory Instrument a bespoke Rural Exception Site Planning Permission in Principle (aka RES Planning Passport), supported by the National Planning Practice Guidance.**
- c) Changing the NPPF glossary definition of RES to specify these sites should be within or adjoining rural settlements.**
- d) Changing the NPPF definition of affordable housing to widen who is able to develop social housing, including that for social and affordable rent.**

Reason

For many small rural communities, the only route to meet their affordable housing need is through rural exception sites. However, delivery through this route is half that of five years ago and 56% of completions over the last four years have been in six local authorities. The proposed changes would improve the numbers and speed of delivery by:

- Providing a clear policy that can be applied consistently across the country.
- Reducing risk, costs and time that currently act as a disincentive to providers of affordable housing including RPs, LAs, landowners and Community Led Housing groups.

- Rural Housing Solutions has written a proposed NDMP for rural exception sites has been discussed and sent to MHCLG officials. Its drafting drew on the RES policies of those authorities that have a good record of delivering these sites and with input from 3 local authorities, 4 RPs and one National Park, all of whom also have a good record in delivering rural exception sites. A copy is available from Rural Housing Solutions Jo.Lavis64@googlemail.com

A proposed Rural Exception Site Planning Permission in Principle (aka Rural Exception Site Planning Passport) has been developed by Rural Housing Solutions and the Country Land and Business Association. It too benefited from the input of 3 local authorities, 4 RPs, one National Park, and landowners who have experience

of delivering rural exception sites. The RES PiP been discussed with MHCLG officials and at their request a Roundtable was held so they could explore it with key stakeholders. A copy of the proposed RES PiP and a note that followed the Roundtable are available from Avril Roberts at the CLA and Jo.Lavis from Rural Housing Solutions.

avril.roberts@cla.org.uk

Jo.Lavis64@googlemail.com

Measure 4

Strengthen the NPPF's Rural Housing Section to encourage LPAs to take a more positive and responsive approach to delivering rural affordable housing by:

- a) Changing the wording paragraph of paragraph 80 in the consultation NPPF to read as follows (proposed revisions in **bold** text):

*In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that **meet** local needs, including proposals for community-led development for housing. Local planning authorities should support opportunities to bring forward rural exception sites **on the edge or well related and accessible to rural settlements** that will provide affordable housing to meet identified local needs **in perpetuity. Land values for rural exception sites should be benchmarked at £10k a plot or five times agricultural value, whichever is the greater. A minority element of open market dwellings could be appropriate where it ensures the financial viability of the scheme. In some circumstances the landowner could be provided with a dwelling or plot for their own use where this will facilitate the release of a site, but without compromising or adding cost to the provision of the affordable housing. To increase level and speed of delivery local planning authorities are encouraged to use the Rural Exception Site Planning Passport.***

- b) Requiring LPAs to take a positive approach to rural development, including affordable housing, through their spatial development policies. This could be achieved by changing the wording in paragraph 81 of the consultation NPPF to read (proposed revisions in **bold** text):

*To promote sustainable development in rural areas, housing should be located **to** enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will **support existing and existing and new local economic activity and services. This can be within a single village and /or providing affordable housing to support the sustainability of a cluster of small villages functionally related through shared services and facilities they provide.***

Reason

The adoption and implementation of affordable housing policies, including for rural exception sites, is very patchy and inconsistent. This often reflects the narrow interpretations of what makes a sustainable community which underpin Local Plan strategic spatial development policies. These are frequently based on outdated criteria and are unresponsive to the way rural communities' function, which can include operating as small clusters; and the way modern technology has changed how people access services and business' function. The proposed changes would:

- Support rural communities to thrive economically and diversify, including attracting new businesses including those that contribute to green growth, nature recovery and sustainable food production.
- Remove barriers to opportunity that confront many of those on low incomes living in rural areas by providing high quality homes they can afford and give them security from which they can build their lives and maintain social support networks particularly vital to more vulnerable and older members of the community.

Measure 5

Strengthen the policies for provision of affordable housing in the Green Belt by:

Provide a clear definition of what is meant by 'openness' of the Green Belt and the 'open character' of villages in the Green Belt.

- Clarify in NPPF – para 144 that a previously developed land first approach should not preclude consideration of greenfield rural exception sites where there is no deliverable previously-developed land or Grey Belt sites in the rural communities where a local housing need has been evidenced.
- Clarify in NPPF paragraph 144 that sustainable locations, can include small rural communities, where a small scheme of affordable homes can meet local housing needs and contribute to the social and economic well-being of the community.

Reason

The challenges of affordability and lack of social housing are acute in Green Belt villages. Yet despite NPPF paragraph 151 (f) specifying that an appropriate form of development in the Green Belt is 'limited affordable housing for local community needs under policies set out in the development plan (including for rural exception sites)', delivery of these schemes is rare. Too often they fail because of the very restrictive interpretation of what would be harmful to the Green Belt, urban centric views of what constitutes a sustainable community and lack of application of the principles that the NPPF expects LPAs to adopt to promote sustainable development. Previous experience of a brownfield first approach led some LPAs to seek to meet all development needs on previously developed land across the plan area. The result was to exclude consideration of greenfield rural exception sites in

communities where no brownfield sites existed, but an affordable housing need had been evidenced.

The changes proposed would improve delivery of affordable homes in Green Belt villages by:

- Opening up more rural exception site opportunities on Green and Grey Belt land
- Bring clarity and consistency to the application of policy, avoiding schemes being abandoned at cost to RPs, which in turn acts as a disincentive to them to develop in these areas.

Measure 6

Support and strengthen delivery of affordable housing in National Parks and AONBs by:

- **Adding to paragraph 182 a list of developments that would be considered appropriate in these protected areas, including delivery of affordable housing to meet local housing needs through rural exception sites and small sites.**

Reason

It would improve the supply of affordable housing in these protected landscapes by providing National Park Authorities and those LAs covering AONBS national policy support to take a positive approach to deliver these homes.

There is a lack of social housing and heightened acute affordability challenges in National Parks and AONBs as evidenced in the 2019 National Landscapes Review which noted, ‘There is a clear need for a steady supply of a small number of affordable homes to rent in many national landscapes.’¹ This is despite the National Parks and the Boards Circular 2010, that places an expectation on National Park authorities ‘to maintain a focus on affordable housing and to work with local authorities and other agencies to ensure that the needs of local communities in the Parks are met and that affordable housing remains so in the longer term’²

Delivery is patchy, with some National Parks, such as the North York Moors and Dartmoor, being very proactive and supportive of affordable housing, others make considerable efforts, and others adopt very restrictive approach with resultant low levels of delivery.

There is increasing evidence that the lack of affordable housing is undermining the sustainability of the national Parks and their ability to meet their statutory purposes.

The proposed additional paragraph would not undermine the pre-eminence of meeting the statutory purposes of protected landscapes as in effect it sets a clear definition on the type of residential development that would be appropriate. It could usefully go on to describe other uses that contribute to NPAs being able to

1

meet their statutory duty to foster the social and economic well-being of Park communities'

Related non-planning measures to improve the delivery of rural affordable housing

Research and practice consistently demonstrate that successful delivery requires five mutually supporting elements to be in place. In addition to positive planning policy and practice these include capital grant funding, supply of deliverable sites at a price that ensures schemes are viable, strong local housing enabling, constructive community engagement and local leadership.

Improved capital grant funding for small rural affordable housing schemes by:

- Homes England are required to adopt a national target for the delivery of affordable housing in parishes of 3,000 population or fewer.
- Providing funding and capacity support to smaller specialist Registered Providers.
- Requiring that if Registered Providers have Strategic Partnership funding, they must be required to deliver an agreed target for rural as part of that contract.
- Homes England apply a rural multiplier to grant rates for small (15 dwellings or less) rural exception sites in parishes with populations of 3,000 or fewer to cover the higher costs of developing these schemes arising from lack of economies of scale, rurality, and remoteness.
- Homes England to introduce/use 3-year funding programmes for rural affordable housing delivered through an individual or consortia of RPs, which could be SPs or non-SPs, or a combination of the two. These rural programmes would be for delivery in parishes of 3,000 population or fewer.
- Reason – these recommendations flow from research that demonstrated a significant loss of RPs willing to develop small rural schemes. This was followed by an investigation into the factors that affect RP appetite to undertake this form of delivery. The underpinning cause cited by all RPs is that Homes England grant rates are insufficient to cover the higher costs of developing these small rural schemes because of the inability to secure economies of scale, rurality, and remoteness.

Strengthening local enabling, community support and local leadership

- Early announcement of continuing and sustained national government for the national network of Rural Housing Enablers (RHEs)

Reason

Government commissioned enquiries and research into factors that affect the delivery of rural affordable housing have consistently noted the critical role played by RHEs in evidencing housing needs, identifying sites, building constructive

community engagement, and acting as an independent broker that brings all the players to the table. In recognition of their value to rural affordable housing delivery, Defra provided 18 months funding for a RHE service in every county. It ends in March 2025, jeopardising the progress that has been made in building a deliverable pipeline of small rural affordable housing schemes.

MEETING THE NEEDS OF LOOKED AFTER CHILDREN

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

NO RSN RESPONSE

DELIVERING A DIVERSE RANGE OF HOMES AND HIGH-QUALITY PLACES

Question 56: Do you agree with these changes?

YES

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?

In rural communities, especially ones that are under considerable market-led development pressure, there is a clear need to create additional housing for those who are not being served by the market.

The definitions of 'affordable housing', 'social housing', 'local needs housing' etc. used in relation to this are therefore very important for these communities and are often the 'make or break' issue over the way in which a proposed development is received. The use of 80% of market rates is widely discredited, especially in rural areas that are under significant development and visitor pressure. The suggestion that rents 20% below market rents are affordable is a 'one-size-fits-all' approach and is not sensible in the rural context where workplace-based incomes are much lower than the national average and where rents are higher, and the cost of living is higher generally. **A separate definition is needed for rural areas.**

Along with ACRE we propose a substantial change to the definition of 'affordable' as used by the NPPF and the remainder of the housing and planning 'system'. We suggest changes to the wording of the Glossary and the Ministerial Statement on First Homes, see below. The objectives of these suggested changes are:

- The term 'affordable housing' or 'affordable rent' must only be used where it results in homes being genuinely affordable in the local area and local economy. It should therefore only apply to rented housing where rents are controlled by local government to a formula that places most weight on a relationship with local wages i.e. a strengthened version of that used for social rent. This removes the definition that uses a % discount from local market prices.
- The restriction on 'affordable rent' should be lifted from only applying only to Registered Providers (as recommended by the National

Community Land Trust Network), whilst retaining a restriction to landlords operating on a not-for-profit basis

- The term 'affordable housing' should be used consistently in all parts of housing and planning system, including the assessment of local need for housing that is not being met by the market, by using the revised formula that applies to social rent, see above.
- We would prefer that the concept of discounted purchase (First Homes) be discontinued. However, if this approach remains, homes sold in this way must only be considered 'affordable' if the discounted initial, and subsequent, sale price is arrived at by reference to the local social rent formula.

The suggested amendments to the Glossary definition of affordable rent and Ministerial Statement on First Homes

Red = Government proposals Blue = ACRE/RSN suggested amendments **WILL NEED TO REFLECT THE COLOURS IN THE FINAL UNTRACKED VERSION**

NPPF Annex 2 Glossary

Affordable housing: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions⁹⁰:

a) **Affordable housing for rent:** meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, ~~or is at least 20% below local market rents~~ (including service charges where applicable); (b) the landlord is a ~~not-for-profit provider deemed appropriate by the local planning authority, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider)~~; and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision ~~(and, in this context, is known as Affordable Private Rent).~~

b) **First Homes:** is as set out in the 'Affordable Homes Update' Written Ministerial Statement dated 24 May 2021, and amended in 2024. First Homes come forward through the First Homes exception sites and through developer contributions.

~~**Starter homes:** is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan preparation or decision making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter~~

~~home to those with a particular maximum level of household income, these restrictions should be used.~~

~~b)c) Discounted market sales housing~~ is that sold at a discount ~~of at least 20% below local market value calculated in relation to social rent in the LPA area.~~ Eligibility ~~and rate of discount~~ is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.

~~e)d) Other affordable routes to home ownership~~ is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low-cost homes for sale ~~(at a price equivalent to at least 20% below local market value calculated in relation to social rent in the LPA area)~~ and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision or refunded to Government or the relevant authority specified in the funding agreement.

First Homes – proposed new Ministerial update

First Homes are a specific kind of discounted market sale housing and should be considered to meet the definition of 'affordable housing' for planning purposes. Specifically, First Homes are discounted market sale units which:

a) must be discounted ~~by a minimum of 30% against the market value by an amount that is related directly to the equivalent calculated social rent in the LPA area, including any developer or management company site management fees.~~

b) are sold to a person or persons meeting the First Homes eligibility criteria (see below).

c) on their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and,

~~e) after the discount has been applied, the first sale must be at a price no higher than £250,000 (or £420,000 in Greater London).~~

~~First Homes are the government's preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations.~~

MAKING THE SMALL SITE ALLOCATION MANDATORY

Question 58: Do you have views on why insufficient small sites are being allocated, and on ways in which the small site policy in the NPPF should be strengthened?

AWAIT COMMENTS FROM OTHERS

REQUIRING “WELL-DESIGNED” DEVELOPMENT

Question 59: Do you agree with the proposals to retain references to well-designed buildings and places, but remove references to ‘beauty’ and ‘beautiful’ and to amend paragraph 138 of the existing Framework?

YES

SUPPORTING UPWARD EXTENSIONS

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

NO RSN RESPONSE

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

NO RSN RESPONSE

CHAPTER 7 – BUILDING INFRASTRUCTURE TO GROW THE ECONOMY

BUILDING A MODERN ECONOMY

CHANGES TO THE NPPF TO SUPPORT THESE MODERN ECONOMIES

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

YES

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

NO RSN RESPONSE

DIRECTING DATA CENTRES, GIGAFABRIQUES, AND LABORATORIES INTO THE NSIP CONSENTING REGIME PROCESS

Question 64: Would you support the prescription of data centres, gigafactories, and/or laboratories as types of business and commercial development which could be capable (on request) of being directed into the NSIP consenting regime?

NO RSN 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?

NO RSN RESPONSE

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

NO RSN RESPONSE

CHAPTER 8

DELIVERING COMMUNITY NEEDS

PUBLIC INFRASTRUCTURE

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

YES

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

YES

A 'VISION-LED' APPROACH TO TRANSPORT PLANNING

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

YES

PROMOTING HEALTHY COMMUNITIES

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

In the rural context by only allowing for residential development which meets local needs (including affordability).

A fair funding formula for Government support to local government generally and specifically in respect of its Public Health and Social Care Services.

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

NO RSN RESPONSE

CHAPTER 9

SUPPORTING GREEN ENERGY AND THE ENVIRONMENT

BRINGING ONSHORE WIND BACK INTO THE NSIP REGIME

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

NO RSN RESPONSE

SUPPORTING RENEWABLE DEPLOYMENT

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

YES

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

SETTING THE NSIP THRESHOLD FOR SOLAR GENERATING STATIONS AND ONSHORE WIND

Question 75: Do you agree that the threshold at which onshore wind projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50 megawatts (MW) to 100MW?

NO RSN RESPONSE

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?

NO RSN RESPONSE

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

NO RSN RESPONSE

TACKLING CLIMATE CHANGE

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

NO RSN RESPONSE

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?

NO RSN RESPONSE

Question 80: Are any changes needed to policy for managing flood risk to improve its effectiveness?

NO RSN RESPONSE

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

NO RSN RESPONSE

AVAILABILITY OF AGRICULTURAL LAND FOR FOOD PRODUCTION

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

NO – TO DO SO WOULD SEND OUT THE WRONG MESSAGE

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

The long-awaited Land Use Framework should be introduced as soon as possible to bring clarity when alternative uses of land are being considered.

SUPPORTING WATER RESILIENCE

Question 84: Do you agree that we should improve the current water infrastructure provisions in the Planning Act 2008, and do you have specific suggestions for how best to do this?

SUPPORT

Question 85: Are there other areas of the water infrastructure provisions that could be improved? If so, can you explain what those are, including your proposed changes?

NO RSN RESPONSE

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

NO RSN RESPONSE

CHAPTER 10

CHANGES TO LOCAL PLAN INTERVENTION CRITERIA

REMOVAL OF THE LOCAL PLAN INTERVENTION POLICY CRITERIA OR REVISION OF THE LOCAL PLAN INTERVENTION POLICY CRITERIA

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

NO RSN RESPONSE

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 RSN RESPONSE

CHAPTER 11

CHANGES TO PLANNING APPLICATION FEES AND COST RECOVERY FOR LOCAL AUTHORITIES RELATED TO NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECTS

CHANGES TO PLANNING APPLICATION FEES

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

YES

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.

One based on full cost recovery. This would still be a relatively small cost of the proposed 'development'

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 – it should be higher than £528. This would still be a relatively small cost of the proposed 'development'

PROPOSED FEE INCREASE FOR OTHER PLANNING APPLICATIONS

Question 92: Are there any applications for which the current fee is inadequate? Please explain your reasons and provide evidence on what you consider the correct fee should be.

NO RSN RESPONSE

FEES FOR APPLICATIONS WHERE THERE IS CURRENTLY NO CHARGE

Question 93: Are there any application types for which fees are not currently charged but which should require a fee? Please explain your reasons and provide evidence on what you consider the correct fee should be.

NO RSN RESPONSE

LOCALISATION OF PLANNING APPLICATION FEES

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

YES.

To ensure full cost recovery based on the local costs involved.

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.

Full Localisation – Placing a mandatory duty on all local planning authorities to set their own fee.

This is entirely commensurate with local decision making where locally elected councils are accountable to their electorate

INCREASING FEES TO FUND WIDER PLANNING SERVICES

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

YES

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?

A fee related to the cost recovery of (say) 25% of the wider planning services

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?

Plan making.

COST RECOVERY FOR LOCAL AUTHORITIES RELATED TO NSIP

Question 98: Do you consider that cost recovery for relevant services provided by local authorities in relation to applications for development consent orders under the Planning Act 2008, payable by applicants, should be introduced?

YES

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 RSN 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 RSN 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 RSN RESPONSE

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

NO RSN RESPONSE

CHAPTER 12

THE FUTURE OF PLANNING POLICY AND PLAN MAKING

TRANSITIONAL ARRANGEMENTS FOR EMERGING PLANS IN PREPARATION

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

NO RSN RESPONSE

FURTHER PLAN MAKING REFORMS

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

One of our member authorities has raised with us an issue which may also affect other rural areas regarding the Government's proposals. They say:

"We are at an advanced stage of preparing our Local Plan and should benefit from the proposed transitional arrangements – the plan will be out for its Reg 19 consultation in October and is based on our current LHN dwellings per annum; the Government's proposals will give us a LHN of 264 dpa, a 115% increase. We expect to submit the plan in February/March 2025.

Once this plan is adopted, then we would expect our five-year housing land supply to be based on the 123 dpa requirement.

We are corresponding with the Planning Advisory Service regarding what we see as a grey area as to what happens once the NPPF is published/operative until the adoption of this plan.

It seems that once the NPPF is published, our 5YHLS would need to be demonstrated against our revised LHN of 264 dpa as there will not be up to date adopted policies in place. Our current 5YHLS is 7.7 years but with the 115% increase in our LHN this will automatically reduce to around 3.6 years, rendering adopted policies as being out of date.

Past experience of not being able to demonstrate a 5YHLS has not been good and so we would expect to see a significant number of applications on unpreferred sites, undermining a plan led approach to housing growth.

The Council is looking to take a positive approach to meeting the considerable uplift in LHN by committing to an early partial review of the plan, even in advance of commencing the Reg 19 consultation.

It would be helpful if the Government through the transitional arrangements could safeguard the 5YHLS to the current LHN where plans are well advanced to ensure a plan-led approach to housing growth and not the wild west”.

FUTURE CHANGES TO THE NPPF

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

NO RSN RESPONSE

CHAPTER 13

PUBLIC SECTOR EQUALITY DUTY

Question 106: Do you have any views on the impacts of the above proposals for you, or the group or business you represent and on anyone with a relevant protected characteristic? If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how. Is there anything that could be done to mitigate any impact identified?

The RSN along with other rural organisations are submitting a more substantive submission on Q.106 over the ‘rural proofing’ of the NPPF and related emerging Government policy towards planning and growth in rural areas.

In the case of the NPPF, the impact of rurality on people living in rural areas, and the risk of disadvantage arising from it compared to those living in non -rural areas, should be addressed as if it were classed as a protective characteristic in the Public Sector Equality Duty.