



Ministry of Housing,  
Communities &  
Local Government

# National Planning Policy Framework

Consultation proposals



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# Scope of the consultation

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|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Topic of this consultation: | <p>This consultation seeks views on the draft text of the National Planning Policy Framework. The text has been revised to implement policy changes previously consulted on through:</p> <ul style="list-style-type: none"> <li>• National Planning Policy: consultation on proposed changes (December 2015) available at: <a href="https://www.gov.uk/government/consultations/national-planning-policy-consultation-on-proposed-changes">https://www.gov.uk/government/consultations/national-planning-policy-consultation-on-proposed-changes</a></li> <li>• the housing White Paper (February 2017) available at: <a href="https://www.gov.uk/government/publications/fixing-our-broken-housing-market">https://www.gov.uk/government/publications/fixing-our-broken-housing-market</a></li> <li>• Planning and Affordable Housing for Build to Rent – a consultation paper (February 2017) available at: <a href="https://www.gov.uk/government/consultations/planning-and-affordable-housing-for-build-to-rent">https://www.gov.uk/government/consultations/planning-and-affordable-housing-for-build-to-rent</a></li> <li>• Planning for the right homes in the right places: consultation proposals (September 2017) available at: <a href="https://www.gov.uk/government/consultations/planning-for-the-right-homes-in-the-right-places-consultation-proposals">https://www.gov.uk/government/consultations/planning-for-the-right-homes-in-the-right-places-consultation-proposals</a></li> </ul> <p>This consultation also seeks views on further changes to planning policy including those announced at Budget 2017.</p> |
| Scope of this consultation: | The Ministry of Housing, Communities and Local Government is consulting on the draft text of the National Planning Policy Framework. It also seeks views on new policy proposals. In responding to this consultation we would appreciate comments on any potential impacts under the Public Sector Equality Duty.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Geographical scope:         | These proposals relate to England only.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

## Basic Information

|                                               |                                                                                                                                                                                    |
|-----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| To:                                           | This consultation is open to everyone. We are keen to hear from a wide range of interested parties from across the public and private sectors, as well as from the general public. |
| Body/bodies responsible for the consultation: | Ministry of Housing, Communities and Local Government                                                                                                                              |

|                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Duration:       | This consultation will begin on Monday 5 March 2018 and will close at 23.45 on Thursday 10 May 2018.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Enquiries:      | For any enquiries about the consultation please contact:<br><a href="mailto:planningpolicyconsultation@communities.gsi.gov.uk">planningpolicyconsultation@communities.gsi.gov.uk</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| How to respond: | <p>Consultation responses should be submitted by online survey:<br/><a href="https://www.surveymonkey.co.uk/r/NPPFconsultation">https://www.surveymonkey.co.uk/r/NPPFconsultation</a></p> <p>We strongly encourage responses via the online survey, particularly from organisations with access to online facilities such as local authorities, representative bodies and businesses. Consultations on planning policy receive a high level of interest across many sectors. Using the online survey greatly assists our analysis of the responses, enabling more efficient and effective consideration of the issues raised for each question.</p> <p>We have listened to concerns about the use of online surveys in the past and have made a number of adjustments ahead of this consultation. The online survey will allow respondents to: select the sections they wish to answer, without having to go through the whole survey; save and return to the survey later; and submit additional information or evidence to support their response to this consultation.</p> <p>Further advice on how to use these new features is available on the home page of the online survey.</p> <p>Should you be unable to respond online we ask that you complete the pro forma found at the end of this document. Additional information or evidence can be provided in addition to your completed pro forma.</p> <p>In these instances you can email your pro forma to:<br/><a href="mailto:planningpolicyconsultation@communities.gsi.gov.uk">planningpolicyconsultation@communities.gsi.gov.uk</a></p> <p>Or send to:</p> <p>Planning Policy Consultation Team<br/>Ministry of Housing, Communities and Local Government<br/>3<sup>rd</sup> floor, South East<br/>Fry Building<br/>2 Marsham Street<br/>LONDON<br/>SW1P 4DF</p> |

# Introduction

This country does not have enough homes. For decades the number of new homes has not kept pace with rising demand. That has created a market that fails to work for far too many families, resulting in soaring prices and rising rents. The Government is clear that the country needs radical, lasting reform that will allow more homes to be built.

The housing White Paper [Fixing our broken housing market](#) set out a comprehensive strategy to tackle these failures. This comprised planning for the right homes in the right places, building homes faster, diversifying the market and helping people now. Further detail on a number of these reforms was set out in [Planning for the right homes in the right places](#) in September 2017.

[Budget 2017](#) built on this strategy to put us on track to reach 300,000 net additional homes a year. It included additional proposals to change planning policy and legislation to bring forward more land in the right places, invest in infrastructure (including investment from the Housing Infrastructure Fund as announced on 1 February) and a more active Homes England to diversify the market. This includes the manifesto commitment to capture increases in land value and reinvest that in local infrastructure, essential services and further housing.

The Government is announcing further progress on turning this strategy into reality, comprising:

- A draft new National Planning Policy Framework (the Framework), building on the first Framework published in 2012 that consolidated around 1,000 pages of planning policy into a single document;
- Draft updates to national planning guidance which, when finalised, will form part of the Government's online [Planning Practice Guidance](#);
- Proposals for reforming developer contributions, to be delivered through regulations; and
- Associated papers, including the Government's response to the consultations on the housing White Paper and *Planning for the right homes in the right places*.

The draft new Framework implements the Government's reforms to planning policy. Subject to this consultation, the Government intends to publish a final Framework before the summer. In developing the draft Framework the Government has incorporated:

- proposals from the previous consultations listed at the start of this document, taking into account the views raised in response to them;
- changes to planning policy implemented through Written Ministerial Statements since publication of the first Framework in 2012 (Annex A);

- the effect of caselaw on the interpretation of planning policy since 2012; and
- improvements to the text to increase coherence and reduce duplication.

The Government is ambitious about reforming housing and planning policy so that it is as effective as possible in improving the supply of homes. Therefore this consultation includes a number of further changes to policy, beyond those consulted on previously, to help ensure that more land is brought forward for development and that permissions are turned into homes as soon as possible.

The Government is also considering what further planning reforms could support this objective. These would be subject to the outcomes of Sir Oliver Letwin's review of build out and future consultation, and include:

- a new permitted development right for upwards extensions; and
- more effective ways of bringing agricultural land forward for housing.

The Government welcomes comments on the ways in which the draft Framework implements changes to planning policy on which the Government has previously consulted, and on the merits of the new policy proposals that it includes. It now challenges developers, local authorities, communities, councillors and professionals to work together to ensure that great developments in line with the Framework are brought forward and to enable more people to meet their aspiration for a home of their own.

# Summary of proposals

The Framework was first introduced in 2012. It brought together around 1,000 pages of planning policy and guidance into a single document. Critically, and in line with the Government's housing ambitions, it established a 'presumption in favour of sustainable development'.

This revised Framework:

- makes a number of structural changes, in particular dividing the document into clear chapters;
- incorporates policy proposals on which the Government has previously consulted; and
- incorporates additional proposals on which this document is consulting.

However there is much continuity – the presumption in favour of sustainable development remains at the heart of the Framework, and more text has remained the same than changed. Its length, in terms of the number of words, has been reduced.

The sections below outline the main changes proposed to the Framework. This document does not cover minor changes, such as updated references or movements of paragraphs to improve the flow of the text.

## Chapter 1 Introduction

**The revised text reflects these previous announcements or consultation proposals:**

Paragraph 6 clarifies that endorsed recommendations of the National Infrastructure Commission may be material when preparing plans or determining applications.

**Q1** Do you have any comments on the text of Chapter 1?

## Chapter 2 Achieving sustainable development

**The revised text reflects these previous announcements or consultation proposals:**

The wording of the presumption in favour of sustainable development (paragraph 11) has been reordered to reflect the way that plan and decision-making are approached in practice. The draft text also sets out an expectation for objectively assessed needs to be

accommodated unless there are strong reasons not to, including any unmet needs from neighbouring areas.

The current Framework includes examples of policies which provide a specific reason for restricting development. This is proposed to be changed to a defined list, which is set out at footnote 7 and includes Ancient Woodland and aged or veteran trees. This approach does not preclude other policies being used to limit development where the presumption applies, if the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.

**The revised text also proposes these policy changes:**

Paragraphs 8-10 have been amended to clarify the role of the three high-level objectives for planning, and explain more clearly how these relate to the presumption in favour of sustainable development.

Additional changes to the presumption in favour of sustainable development clarify that the policies which provide a specific reason for refusing development (at footnote 7) relate to areas or assets of particular importance identified elsewhere in the Framework. The decision-making part of the presumption has also been changed to provide greater clarity, so that it refers to circumstances where “there are no relevant development plan policies, or the policies most important to determining the application are out of date”; and to “refusing” rather than “restricting” development. These changes are intended to improve the application of the presumption, by addressing aspects that have been subject to litigation about their scope or meaning.

**Q2** Do you agree with the changes to the sustainable development objectives and the presumption in favour of sustainable development?

Paragraph 14 is based on the Written Ministerial Statement of 12 December 2016, to provide additional certainty for neighbourhood plans in certain circumstances, including where there is substantial under-delivery of housing. It protects certain plans in circumstances where the adverse impacts of allowing development that conflicts with a neighbourhood plan are likely to significantly and demonstrably outweigh the benefits. This revised wording is considered to be more effective than setting out the ‘weight’ that should be given to plans in particular circumstances.

It is proposed that the ‘core planning principles’ section in the existing Framework is deleted, to remove duplication with other chapters, and ensure that important policy messages are aligned with relevant topic chapters to maximise their effectiveness. The content of the core principles has been retained, and been moved to the most appropriate parts of the revised Framework.

- Q3** Do you agree that the core principles section should be deleted, given its content has been retained and moved to other appropriate parts of the Framework?
- Q4** Do you have any other comments on the text of Chapter 2, including the approach to providing additional certainty for neighbourhood plans in some circumstances?

## Chapter 3 Plan-making

**The revised text reflects these previous announcements or consultation proposals:**

The housing White Paper proposed a number of changes to plan-making policy, which build on the changes in law introduced through the Neighbourhood Planning Act 2017. These are reflected in the plan making chapter as follows:

- a) a new plan-making framework which defines strategic priorities and allows authorities to plan for these in the most appropriate way;
- b) amendments to the tests for a ‘sound’ plan, to make clear that it should set out ‘an’ appropriate strategy rather than ‘the most appropriate strategy’ (to avoid the need for disproportionate work to demonstrate that a strategy is optimal);
- c) enabling spatial development strategies to allocate sites if there is unanimous agreement;
- d) the new requirement for authorities to review plan policies every five years following the date of adoption, with updates, if necessary, to reflect changing circumstances;
- e) tightening the evidence which is expected in respect of both local and strategic policies to support a ‘sound’ plan, to allow for a more proportionate approach; and
- f) introducing the expectation that plans should use digital tools to assist consultation and presentation of policies.

The *Planning for the right homes in the right places* consultation also proposed changes that are reflected in the chapter. These are:

- a) setting out that to meet the test of soundness authorities (including Mayors and combined authorities with plan-making powers), when preparing plans, will need to prepare and maintain a statement of common ground, as evidence (where appropriate) of the statutory duty to cooperate;
- b) changing the ‘effective’ and ‘positively prepared’ soundness test so that these more clearly encourage agreements and joint working; and
- c) a new approach to viability, through which plans are expected to be clear about the contributions expected in association with development. This will help ensure that requirements on developments set through plan policies are deliverable, more

transparent and provide more certainty about what will be expected at the decision-making stage.

Paragraph 23 reflects changes to the Town and Country Planning (Local Planning) (England) Regulations 2012 which come into force on 6 April 2018, requiring local planning authorities to review their local plans every five years from adoption. Under the Neighbourhood Planning Act 2017, local planning authorities must consider whether to revise the document following such a review, and publish their reasons if they decide not to do so.

**The revised text also proposes these policy changes:**

Paragraph 21 expects strategic policies to be distinguished clearly in plans, to allow clear scope for local policies to be formulated.

Further changes are also proposed to the tests of ‘soundness’, to:

- a) ensure a consistent approach to examination, by extending their application to all strategic and local plans, so that policies in a spatial development strategy are assessed against the same criteria as strategic policies in a local plan;
- b) amend the ‘positively prepared’ soundness test to emphasise the role of plans in meeting objectively assessed needs for housing;
- c) strengthen the ‘effective’ soundness test to emphasise effective joint working, as evidenced by the Statement of Common Ground which enables authorities to record where agreements have and have not been reached; and
- d) make clear that the tests will be applied proportionately to local policies according to the extent to which they accord with strategic policies.

**Q5** Do you agree with the further changes proposed to the tests of soundness, and to the other changes of policy in this chapter that have not already been consulted on?

**Q6** Do you have any other comments on the text of Chapter 3?

## Chapter 4 Decision-making

**The revised text reflects these previous announcements or consultation proposals:**

Paragraph 58 takes forward the reforms to viability assessment proposed in the *Planning for the right homes in the right places* consultation. The policy makes clear that where a proposed development accords with all relevant policies in the plan there is no need for a viability assessment to accompany the planning application. This should speed up the decision making process by reducing scope for delay caused by negotiation of developer

contributions. The policy also expects all viability assessments to reflect the Government's recommended approach which is set out in draft revised national planning guidance published alongside the Framework.

**Q7** The revised draft Framework expects all viability assessments to be made publicly available. Are there any circumstances where this would be problematic?

In support of the revised Framework, draft national planning guidance says that plans should define circumstances in which viability assessment is carried out at the decision making stage. The guidance gives some illustrative examples of circumstances which plan makers could identify as requiring viability assessment at the decision making stage.

**Q8** Would it be helpful for national planning guidance to go further and set out the circumstances in which viability assessment to accompany planning applications would be acceptable?

The guidance says plans can set out when and how review mechanisms may be used to amend developer contributions to help account for significant changes in costs and values and provide certainty through economic cycles. Plans can set out how review mechanisms will be used to identify any significant increase in the overall value that occurs over the lifetime of a large or multi-phased development, and how that increase in value will be apportioned between the local authority and the developer to provide more certainty for delivering supporting infrastructure.

**Q9** What would be the benefits of going further and mandating the use of review mechanisms to capture increases in the value of a large or multi-phased development?

**The revised text also proposes these policy changes:**

An additional reference to non-statutory and statutory consultees has been included in paragraph 41 to highlight their role and encourage local planning authorities to refer applicants to them for pre-application advice where appropriate. Similarly, text on the need for discussions about infrastructure and affordable housing at the pre application stage has been added to paragraph 42 to encourage early engagement on these issues.

Changes at paragraph 45 reflect the fact that the local information requirements do not apply to applications for permission in principle, and that the local list of information requirements applicable to applications made on or after 31 July 2013 must have been published (or republished) during the two years before the application is made.

Changes at paragraph 46 have been made to more accurately reflect the requirements of the Seveso Directive.

New paragraphs 48 to 51 set out the weight that may be given to policies in emerging plans (previously in Annex 1), and puts into policy the approach to ‘prematurity’ previously contained in national planning guidance.

**Q10** Do you have any comments on the text of Chapter 4?

## Chapter 5 Delivering a wide choice of high quality homes

**The revised text reflects these previous announcements or consultation proposals:**

This chapter implements a number of proposals from the previous housing White Paper and *Planning for the right homes in the right places* consultations.

Paragraph 61 introduces a new standard method for the calculation of local housing need. The details of the standard method are set out in draft revised national planning guidance published alongside the Framework.

Paragraph 62 makes clear that there should be clear policies for addressing the housing requirements of groups with particular needs. Students and travellers have been added to the list, as have people who rent their homes to reflect the outcomes of the *Planning and Affordable Housing for Build to Rent* consultation in February 2017.

Paragraphs 63-64 reflect the Written Ministerial Statement of 28 November 2014 on affordable housing contributions.

Paragraph 65 implements the housing White Paper proposal that at least 10% of homes on major sites should be available for affordable home ownership, with certain exemptions.

Paragraphs 66-67 introduce an expectation that local authorities should provide a housing requirement figure for designated neighbourhood areas.

Paragraphs 69-70 take forward the housing White Paper proposals to encourage greater use of small sites, to help diversify opportunities for builders and increase the number of schemes that can be built-out quickly. Following Budget 2017 the draft text proposes that local planning authorities should ensure that at least 20% of the sites allocated for housing in their plans are of half a hectare or less. However we remain open to views as to whether this is the most appropriate threshold for ensuring a good supply of small sites while not slowing plan production, or whether a broader approach should be taken (which could include measures to promote more medium sized sites as well). Therefore we are interested in whether:

- a) the proportion of allocations should relate to the number of sites allocated as currently proposed, the number of sites identified in these and other ways (such as through brownfield registers), or the overall number of homes to be provided for;
- b) the most appropriate size threshold to ensure that a suitable mix of small and medium sized sites comes forward; and
- c) the most appropriate percentages to apply.

**Q11** What are your views on the most appropriate combination of policy requirements to ensure that a suitable proportion of land for homes comes forward as small or medium sized sites?

Paragraphs 74(c), 75 and 77 set out the policy consequences of the new Housing Delivery Test. Footnote 29 proposes that from 2020, the presumption in favour of sustainable development will apply where delivery is below 75% of the authority's housing requirement. The proposed threshold of 75% was announced at Budget 2017. The local government finance settlement technical consultation in September 2017 on New Homes Bonus revision, set out that the Government intends to go further in 2019-20. This could include linking payment of the bonus to the housing delivery test or the standard approach to local housing need. We would consult on any further changes to the bonus before proposed implementation in 2019-20.

**Q12** Do you agree with the application of the presumption in favour of sustainable development where delivery is below 75% of the housing required from 2020?

Paragraph 76 takes forward the housing White Paper proposal that the 5 year land supply position should be capable of being agreed for a one year period. The policy proposes that this should be demonstrated either through a recently adopted plan, or through a subsequent annual position statement. The minimum 10% buffer required in order for local authorities to take advantage of this policy is set out in paragraph 74(b).

Paragraph 78 provides that authorities should consider imposing a planning condition to bring forward development within two years, except where a shorter timescale could hinder the viability or deliverability of a scheme. It also encourages local planning authorities to consider why major sites have not been built out when considering subsequent planning applications.

**The revised text also proposes these policy changes:**

Paragraph 72 reflects the announcement at Budget 2017 that the Government would consult on allowing the development of exception sites to provide entry-level homes suitable for first-time buyers, where a local need is identified.

**Q13** Do you agree with the new policy on exception sites for entry-level homes?

**Q14** Do you have any other comments on the text of Chapter 5?

## Chapter 6 Building a strong, competitive economy

**The revised text incorporates these new policy proposals:**

Paragraphs 82-83 make more explicit the importance of supporting business growth and improved productivity, in a way that links to key aspects of the Government's Industrial Strategy.

The rural economy section in the existing Framework has been brought within this chapter, with new policy at paragraph 85 on the potential need for planning policies and decisions to accommodate sites for local business and community needs outside existing settlements, in ways which minimise the impact of such sites and exploits opportunities to make such locations more sustainable. This approach reflects the fact that the availability of sites to accommodate appropriate development in rural areas may be limited, particularly within existing settlements.

**Q15** Do you agree with the policy changes on supporting business growth and productivity, including the approach to accommodating local business and community needs in rural areas?

**Q16** Do you have any other comments on the text of chapter 6?

## Chapter 7 Ensuring the vitality of town centres

**The revised text incorporates these new policy proposals:**

Paragraph 86d clarifies that in allocating sites to meet the need for town centre uses, policies should look at least ten years ahead (though not necessarily over the full plan period, if longer, given uncertainty in forecasting long-term retail trends). It also provides that town centre boundaries should be kept under review so that identified needs for town centre uses can be accommodated, recognising that it is difficult for retail forecasts to look beyond ten years. Where town centres are in decline, the text (at paragraph 86g) has been expanded to provide a clearer policy approach.

Changes have also been made to policy on planning applications for town centre uses. Paragraph 87 amends the 'sequential approach' to planning applications, so that out of centre sites should be considered only if suitable town centre or edge of centre sites are

unavailable or not expected to become available within a reasonable period. This addition makes clear that suitable town centre or edge of centre sites do not have to be available immediately, in order to avoid prejudicing town centre or edge of centre sites that are in the pipeline but not available straight away.

Paragraph 90 removes the expectation that office developments outside town centres are subject to an impact assessment, where the development is over a certain floorspace threshold. This change has been made as the Government considers that the approach to offices is covered sufficiently by the sequential approach, and is aware that there is no generally accepted or used method for assessing office impacts.

**Q17** Do you agree with the policy changes on planning for identified retail needs and considering planning applications for town centre uses?

**Q18** Do you have any other comments on the text of Chapter 7?

## Chapter 8 Promoting healthy and safe communities

**The revised text reflects these previous announcements or consultation proposals:**

Paragraph 94 reflects the housing White Paper proposal that policies and decisions should consider the social and economic benefits of estate regeneration, and that authorities should use their planning powers to help deliver estate regeneration to a high standard.

**The revised text also proposes these policy changes:**

Paragraph 92 gives additional recognition to the role that planning can play in promoting social interaction and healthy lifestyles. Paragraph 96 introduces new policy on the ways in which planning policies and decisions can help to counter malicious or natural threats, especially in crowded places and should take into account wider defence and security requirements.

**Q19** Do you have any comments on the new policies in Chapter 8 that have not already been consulted on?

**Q20** Do you have any other comments the text of Chapter 8?

## Chapter 9 Promoting sustainable transport

### **The revised text reflects these previous announcements or consultation proposals:**

Paragraph 103b reflects the housing White Paper proposal that authorities should be expected to identify additional development opportunities arising from strategic infrastructure investment.

Paragraph 107 incorporates the Written Ministerial Statement of 25 March 2015 on parking standards.

### **The revised text also proposes these policy changes:**

This chapter has been substantially revised to improve its structure. As part of this, a new introduction explains the variety of ways in which transport should be considered as part of the planning process, so that transport issues are recognised and addressed as fully as possible.

Paragraph 105f sets out new policy to recognise the importance of maintaining a national network of general aviation facilities.

Policy on assessing the transport impact of proposals (now at paragraphs 108-110) has been amended to refer to highway safety as well as capacity and congestion in order to make it clear that we expect that designs should prioritise pedestrian and cycle movements, followed by access to high quality public transport (so far as possible) as well as to reflect the importance of creating well-designed places.

**Q21** Do you agree with the changes to the transport chapter that point to the way that all aspects of transport should be considered, both in planning for transport and assessing transport impacts?

**Q22** Do you agree with the policy change that recognises the importance of general aviation facilities?

**Q23** Do you have any other comments on the text of Chapter 9?

## Chapter 10 Supporting high quality communications

**The revised text reflects these previous announcements or consultation proposals:**

Paragraph 112 indicates that plan policies should set out expectations in relation to the delivery of high quality digital infrastructure, which provides access to services from a range of providers. This reflects Government's support for the further expansion of electronic communications networks, including next generation mobile technology and full fibre broadband connections, and the role that planning can play in this alongside other regulatory frameworks.

**Q24** Do you have any comments on the text of Chapter 10?

## Chapter 11 Making effective use of land

**The revised text reflects these previous announcements or consultation proposals:**

This chapter combines existing policy with a number of proposals from the housing White Paper or and previous consultations. The housing White Paper proposals include:

- a) expecting plans to have a clear strategy for using land (paragraph 117);
- b) making more intensive use of existing land and buildings (paragraph 118d-e);
- c) avoiding building homes at low densities in areas of high demand, and pursuing higher-density housing in accessible locations, while reflecting the character and infrastructure capacity of each area (paragraph 123); and
- d) taking a flexible approach to policies or guidance that could inhibit making effective use of a site – although the proposed policy now refers specifically to daylight and sunlight issues, as these are considered to be the most relevant consideration in this context (paragraph 123c).

The text also reflects the White Paper proposal to give great weight to the value of using suitable brownfield land within settlements for homes (paragraph 118c) – although to give further emphasis this has been amended to substantial weight – and reflects the Written Ministerial Statement of 5 February 2018 on building upwards (paragraph 118e).

**The revised text also proposes these policy changes:**

Budget 2017 set out a number of additional proposals to make more land available for housing, especially in areas of high demand, a number of which are reflected in this chapter. These changes include:

- a) making more effective use of empty space above shops – with the proposed policy widening this to refer to other situations where under-utilised land and buildings could be used more effectively (paragraph 118d);
- b) reallocating land where there is no reasonable prospect of an application coming forward for the allocated use – with the proposed policy also setting out how alternative uses should be considered ahead of a plan review taking place (paragraph 120);
- c) making it easier to convert retail and employment land to housing where this would be a more effective use (paragraph 121); and
- d) expecting minimum density standards to be used in town and city centres and around transport hubs – the proposed policy (paragraph 123a) applying this principle to areas where there is a shortage of land for meeting identified development needs, extending the principle to town centres, and indicating that standards should seek a significant uplift in prevailing densities, unless this would be inappropriate. Paragraph 123b also proposes that minimum densities should be considered in other parts of the plan area.

Building on these changes, paragraph 123c also proposes that local planning authorities should refuse applications which they consider fail to make effective use of land, in areas where there is an existing or anticipated shortage of land for meeting identified housing needs.

**Q25** Do you agree with the proposed approaches to under-utilised land, reallocating land for other uses and making it easier to convert land which is in existing use?

**Q26** Do you agree with the proposed approach to employing minimum density standards where there is a shortage of land for meeting identified housing needs?

**Q27** Do you have any other comments on the text of Chapter 11?

## Chapter 12 Achieving well-designed places

**The revised text reflects these previous announcements or consultation proposals:**

Paragraphs 124-125 reflect the White Paper proposals that plans should, at the most appropriate level, set out a clear design vision and expectations, supported by visual tools such as design guides and codes. The revised text also reflects the White Paper proposal that widely accepted assessment frameworks such as Building for Life should form part of the 'toolkit' used by authorities in assessing design (paragraph 128).

Additional emphasis has been placed on the importance of pre-application discussions in securing good design (paragraph 127). The text also implements the White Paper

proposal that design should not be used as a reason to object to development where the scheme complies with local policies (paragraph 129).

**The revised text also proposes these policy changes:**

As a consequence of the above, the text at paragraph 130 has been revised to make clear that “outstanding or innovative designs” should not be given great weight where they are in conflict with local design policies, or would not be sensitive to their surroundings.

Policy on advertisements has been shortened; the text from the existing Framework which has been deleted will be moved to guidance.

**Q28** Do you have any comments on the changes of policy in Chapter 12 that have not already been consulted on?

**Q29** Do you have any other comments on the text of Chapter 12?

## Chapter 13 Protecting the Green Belt

**The revised text reflects these previous announcements or consultation proposals:**

The Framework maintains the strong protections of the Green Belt and retains a high bar before Green Belt land may be released. Paragraphs 136-137 implement the housing White Paper proposals that certain criteria should be satisfied before ‘exceptional circumstances’ are used to change Green Belt boundaries, and that where Green Belt is released first consideration should be given to land which has been previously-developed or which is well-served by public transport.

The housing White Paper also proposed a number of other changes to Green Belt policy that are reflected in the chapter – to:

- a) make clear that neighbourhood plans may amend detailed Green Belt boundaries, once the need for a Green Belt change has been demonstrated (paragraph 135);
- b) expect policies to set out how the impact of removing land from the Green Belt can be offset (paragraph 137); and
- c) provide that facilities for existing cemeteries, and development brought forward under a Neighbourhood Development Order, should not be regarded as ‘inappropriate development’ (paragraphs 144b and 145f).

**The revised text also proposes these policy changes:**

Paragraph 144g reflects the proposal in the December 2015 consultation to allow brownfield land in the Green Belt to be used for affordable housing, where there is no substantial harm to openness. The proposal broadens the previous proposal to allow brownfield land in the Green Belt to be used for Starter Homes so that, subject to Green Belt protections, all residential developments that contribute to meeting an identified local affordable housing need can use brownfield land, allowing local planning authorities to use this land more flexibly in response to local circumstances.

Current policy allows buildings in the Green Belt in association with uses such as outdoor sport and cemeteries, but does not allow material changes in the use of land for such purposes, even if there would be no harm to openness. To allow a more consistent approach, paragraph 145e provides that material changes of use that preserve openness are not inappropriate development in the Green Belt. In addition, paragraphs 144b and 144f make clear that facilities for burial grounds and allotments, and rural exception sites, are not inappropriate development.

**Q30** Do you agree with the proposed changes to enable greater use of brownfield land for housing in the Green Belt, and to provide for the other forms of development that are 'not inappropriate' in the Green Belt?

**Q31** Do you have any other comments on the text of Chapter 13?

## **Chapter 14 Meeting the challenge of climate change, flooding and coastal change**

**The revised text reflects these previous announcements or consultation proposals:**

This chapter carries forward a number of housing White Paper proposals – to:

- a) refer to the risk of overheating from rising temperatures and makes clear that planning policies should support measures to ensure the future resilience of communities and infrastructure to climate change (paragraph 148);
- b) incorporate the Written Ministerial Statement of 18 June 2015 on wind energy development (paragraph 153b and its accompanying footnote);
- c) clarify that plans should have regard to the cumulative impacts of flood risk, rather than just to or from individual development sites (paragraph 155); and
- d) clarify policy on the exception test that may need to be applied when considering development in locations at risk of flooding (paragraphs 158-162).

Paragraph 149b reflects that local planning authorities are tied to national technical standards, and there is limited scope to extend local ambition. The Clean Growth Strategy sets out the Government's plans for consulting on energy performance standards in Building Regulations later this year. Local authorities can play an important role in improving the energy performance of buildings, in line with the ambitions of the Clean Growth Strategy, and this will be considered further as the Government develops its consultation proposals.

A new paragraph (163) has been added to incorporate the Written Ministerial Statement of 18 December 2014 on sustainable drainage systems (SuDS) in major developments.

**Q32** Do you have any comments on the text of Chapter 14?

**Q33** Does paragraph 149b need any further amendment to reflect the ambitions in the Clean Growth Strategy to reduce emissions from buildings?

## Chapter 15 Conserving and enhancing the natural environment

**The revised text reflects these previous announcements or consultation proposals:**

Paragraph 180 implements the housing White Paper proposal, and [the announcement made on 18 January 2018](#), to clarify that the 'agent of change' (or applicant) should be responsible for mitigating the impact on their scheme of potential nuisance arising from existing development, such as live music venues and church bells.

**The revised text also proposes these policy changes:**

This chapter has been updated to align with the 25 Year Environment Plan. It includes additional policy on strengthening existing networks of habitats (paragraph 169) and taking air quality fully into account (paragraph 180), clarifies that development within National Parks and Areas of Outstanding Natural Beauty should be limited (paragraph 170); and also clarifies the implications for policy on areas defined as Heritage Coast (paragraph 171).

Paragraph 173c of the revised Framework strengthens protection for ancient woodland and other irreplaceable habitats, by making clear that development resulting in their loss or deterioration should be wholly exceptional, and maintains a high level of protection for individual aged or veteran trees found outside these areas. This policy strikes a balance between protecting these important natural assets, while allowing development to proceed in the very limited circumstances where it would have significant public benefits, but we

welcome views on this during the consultation period. In particular, we are interested in views on how best to protect aged and veteran trees without preventing those important development schemes which are in the public interest.

**Q34** Do you agree with the approach to clarifying and strengthening protection for areas of particular environmental importance in the context of the 25 Year Environment Plan and national infrastructure requirements, including the level of protection for ancient woodland and aged or veteran trees?

**Q35** Do you have any other comments on the text of Chapter 15?

## Chapter 16 Conserving and enhancing the historic environment

**The revised text proposes this change:**

Paragraph 182 has been revised to clarify that World Heritage Sites are recognised internationally for their Outstanding Universal Value and that this forms part of their significance and should be taken into account.

Paragraph 189 has been revised to clarify that when considering the impact of a proposed development on a designated heritage asset, decision-makers should give great weight to the asset's conservation irrespective of whether the potential harm to its significance amounts to 'less than substantial harm' or 'substantial harm or total loss' of significance .

**Q36** Do you have any comments on the text of Chapter 16?

## Chapter 17 Facilitating the sustainable use of minerals

**The revised text proposes these policy changes:**

This chapter has been shortened slightly, the intention being to incorporate the deleted text in guidance. Additional text on on-shore oil and gas development is included at paragraph 204, which builds on the Written Ministerial Statement of 16 September 2015 to provide clear policy on the issues to be taken into account in planning for and making decisions on this form of development.

As planning for minerals is the responsibility of minerals planning authorities, the Government is interested in views on whether the revised planning policy for minerals that we are consulting on would sit better in a separate document, alongside the Government's

planning policy for waste. In addition, we would welcome views on whether the use of national and sub-national guidelines on future aggregates provision remains a relevant approach in establishing the supply of aggregates to be planned for locally.

- Q37** Do you have any comments on the changes of policy in Chapter 17, or on any other aspects of the text of this chapter?
- Q38** Do you think that planning policy on minerals would be better contained in a separate document?
- Q39** Do you have any views on the utility of national and sub-national guidelines on future aggregates provision?

## Transitional arrangements and consequential changes

### **The revised text proposes these policy changes:**

From the date of publication of the current Framework, it provided that full weight should be given to plan policies adopted prior to the Framework being published and coming into effect, even when there was a limited degree of conflict with the Framework. We do not propose to repeat this particular transitional arrangement for the revised Framework, as we do not consider that the extent of the revisions to national policy justify it.

Transitional arrangements are also proposed which will apply the previous Framework to the examining of plans which are submitted on or before the date which is six months after the date of the publication of the new Framework.

We do not propose to take forward transitional arrangements for the amended 'positively prepared' and 'effective' soundness tests, nor for the introduction of statements of common ground. Although transitional arrangements were consulted on in the *Planning for the right homes in the right places* consultation, the introduction of the statement of common ground as a way of evidencing joint working and the duty to cooperate is not a significant change in practice, and so we do not consider that it requires a transitional period.

The housing White Paper set out transitional arrangements for the application of the presumption in favour of sustainable development as applied through the consequences of the Housing Delivery Test. These step the application from delivery of less than 25% of the housing requirement in 2018 and 45% in 2019. From 2020 it will be introduced from 75%, as announced at Budget 2017.

To reflect the policy on neighbourhood plans set out in the Written Ministerial Statement of 12 December 2016, neighbourhood plans which are more than two years old will also be covered by the policy at paragraph 14 of the revised Framework until 12 December 2018.

**Q40** Do you agree with the proposed transitional arrangements?

The National Planning Policy Framework needs to be read in conjunction with the Planning Policy for Traveller Sites and the Planning Policy for Waste. The Government is considering whether any consequential changes should be made to these documents as a result of the proposed changes to the Framework set out in this document.

**Q41** Do you think that any changes should be made to the Planning Policy for Traveller Sites as a result of the proposed changes to the Framework set out in this document? If so, what changes should be made?

**Q42** Do you think that any changes should be made to the Planning Policy for Waste as a result of the proposed changes to the Framework set out in this document? If so, what changes should be made?

## Glossary

The glossary has been amended to reflect changes throughout the Framework.

**Q43** Do you have any comments on the glossary?

# Going further

The Government is clear that we need to get more homes built. Budget 2017 set out an ambition to put England on track to deliver 300,000 new homes a year. The package set out in the housing White Paper, including the policies we are implementing through the revised Framework, goes a long way to achieving this. But more needs to be done. The Government is considering what further planning reforms could support this ambition.

The use of permitted development rights to create new homes has played a vital part in increasing housing delivery in recent years. Since April 2015, permitted development rights have created over 30,000 new homes through changes of use from offices, agricultural, retail and other buildings. The Government is interested in finding more solutions to making the most of the spaces we have in delivering the homes we need in the right places.

The Written Ministerial Statement of 5 February 2018 made clear that planning policies and decisions should allow the use of airspace above existing residential and commercial premises to create new homes. This approach makes sure that we are using the space we have available efficiently and reduces the need to build out. The Government is exploring what opportunities there are to further support this approach through a new permitted development right for upwards extensions for new homes where existing buildings are lower than the prevailing roofline. This would be subject to engagement with neighbours. A future consultation will seek views on where best this permitted development right should be applied.

The revised Framework recognises the importance of making the most of existing spaces, making clear that plans should seek more intensive use of existing land and buildings and include minimum density standards in town and city centres and around transport hubs. The Government does however recognise that there are locations where meeting needs through more effective use of urban land will not be possible, and in these instances there will be a need to find extra land to deliver the homes needed locally. Where this is the case the Government wants to ensure that these developments deliver the right homes and that the value generated by releasing land is supported by local infrastructure and communities. To this end, the Government is exploring wider measures to support farm diversification and housing in the rural economy.

The Government will continue to explore options for reforming developer contributions. Further information is set out in the separate consultation document, *Supporting housing delivery through developer contributions*.

# About this consultation

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

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

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Ministry.

The Ministry of Housing, Communities and Local Government will process your personal data in accordance with DPA and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

Individual responses will not be acknowledged unless specifically requested.

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

Are you satisfied that this consultation has followed the Consultation Principles? If not or you have any other observations about how we can improve the process please contact us via the [complaints procedure](#).

# Annex A: Written ministerial statements

The draft Framework reflects the changes to planning policy implemented through the following Written Ministerial Statements since publication of the first Framework in 2012:

|                                                                |                  |
|----------------------------------------------------------------|------------------|
| Support for small scale developers, custom and self-builders   | 28 November 2014 |
| Sustainable Drainage Systems                                   | 18 December 2014 |
| Starter Homes                                                  | 2 March 2015     |
| Parking: helping local shops and preventing congestion         | 25 March 2015    |
| Housing standards: streamlining the system                     | 25 March 2015    |
| Local Planning (which covers onshore wind farms)               | 18 June 2015     |
| National Planning Policy Framework: technical adjustment       | 22 July 2015     |
| Green Belt protection and intentional unauthorised development | 17 December 2015 |
| Neighbourhood planning                                         | 12 December 2016 |
| Extending buildings upwards to create new homes                | 5 February 2018  |