



Ministry of Housing,
Communities &
Local Government

Government response to the draft revised National Planning Policy Framework consultation

A summary of consultation responses and the Government's
view on the way forward



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Foreword

Our broken housing market is one of the greatest barriers to progress in Britain today. The Government wants to fix this and provide people with the opportunities and the security that come with a place to call their own. To do this we need to build many more of the right homes in the right places, whilst protecting the environment and providing the facilities and opportunities communities need.

This Government has undertaken major reforms of the planning system, in particular to give councils and developers the backing they need to get more homes built more quickly.

This started with a clear strategy in the housing White Paper *Fixing our broken housing market*, February 2017. We then undertook further consultation on *Planning for the right homes in the right places* in September. On 5 March 2018 we consulted on the implementation of this strategy – with 80 proposals that seek to get more homes built in communities that people want to live in. We published a proposed first full revision of the National Planning Policy Framework (the Framework) since its publication in 2012, and we consulted on this draft to ensure it delivers the outcomes our communities need.

The consultation paper published alongside the draft Framework highlighted the key changes and sought views on the draft text that we consulted on, which included:

- structural changes, in particular dividing the document into clear chapters
- incorporation of policy proposals on which the Government had previously consulted
- updates and changes to other aspects of planning policy, such as planning for town centres and transport.

The consultation closed on 10 May and all responses have been carefully considered. The Government has made a number of important changes in response to the consultation, as set out in the various sections of this document.

The Framework that comes into force today is a reflection of the engagement we have had with everyone seeking to improve the communities we live and work in. The reforms are ambitious, and will see us using land suitable for housing much more effectively, at the same time as protecting our valuable environmental assets for future generations.

The Framework is only part of our strategy to fix our broken housing market. At Autumn Budget 2017 we committed more than £15 billion of new financial support over the next five years, taking the total to at least £44 billion to boost the delivery of housing and unblock barriers to more building.

To build more of the homes we need, we have committed over £9 billion to affordable housing and are raising the Housing Revenue Account borrowing cap by £1 billion for local authorities to build more council housing in areas where it's needed the most. We have also launched our £5 billion Housing Infrastructure Fund to help unlock up to 600,000

homes in areas of high housing need. For people living in the private rented sector, we are introducing reforms to rebalance the relationship between tenants and landlords to deliver a fairer, good quality and more affordable sector, including by banning letting fees and capping tenancy deposits.

In addition, housing deals provide an opportunity to support our commitment to create a housing market that delivers 300,000 homes per year by the mid-2020s and beyond. For example, the first deal agreed between the Government and a local area supports Oxfordshire's ambition to plan for 100,000 homes by 2031. To support this, the Government has agreed up to £215 million of new funding and the implementation of time-limited planning freedoms and flexibilities. The Government will bring forward a temporary flexibility on housing land supply in Oxfordshire in the Autumn.

To reduce the gap between the amount of land allocated for housing and the number of housing completions, the Build Out review, chaired by Sir Oliver Letwin, published its draft analysis in June and will produce its final report and recommendations ahead of Autumn Budget 2018. Further, by the end of 2018, a review led by Bridget Rosewell will make recommendations as to how the planning appeal inquiries process could be improved.

Overview

There were 29,224 responses to the draft revised Framework consultation. Not all respondents answered every question. All responses have been analysed and given full consideration in the preparation of the final Framework. We are grateful to everyone who took the time to respond.

The table below provides a breakdown of the general consultation responses by type of respondent.

Type of consultation respondent

Personal view	1,726
Local authority ¹	336
Neighbourhood planning body, parish or town council	204
Private sector organisation ²	290
Interest group or voluntary organisation ³	442
Other	224
Total	3,222

We also received responses in the form of a number of campaigns on specific issues. The table below provides a breakdown of the overall number of responses including campaigns and general submissions.

Campaigns

Woodland Trust campaign	8,095
General Aviation	4,530
Local Wildlife Sites campaign	13,020
National Parks campaign	357
General submissions	3,222
Total	29,224

During the consultation, the Planning Advisory Service and Royal Town Planning Institute hosted consultation events to seek the views of a variety of stakeholders.

This document provides a summary of the consultation responses received, the views of event attendees and views expressed at additional events and meetings. It does not attempt to capture every point made. This document sets out the changes the Government has made in response to points raised in the consultation and where the Government has not made changes, the reasons are explained.

¹ Including National Parks, Broads Authority, the Greater London Authority and London Boroughs.

² Including house builders, housing associations, businesses and consultants.

³ Including trade associations and charitable organisations.

Many of the proposals had been available for consultation previously, for example through the housing White Paper *Fixing our broken housing market*, and where the consultation on the draft revised Framework raised no new issues, responses to previous consultations should be read. We have also taken into consideration comments on the draft national planning guidance that was published alongside the draft revised Framework. The Government has had regard to its responsibilities under the Equality Act 2010 during the preparation of the Framework.

1. Introduction

Question 1

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

Question 1 response

There were 650 responses to this open question. Points raised include:

- Local authorities, private sector organisations and interest groups were supportive of the clarification in paragraph 6, namely that endorsed recommendations of the National Infrastructure Commission may be material when preparing plans or determining applications.
- Some respondents requested that reference to the ambitions of the 25 Year Environment Plan, including the Climate Change Act 2008, should be made in the introduction, as they are key to ensuring sustainability.
- There were suggestions that other planning policy documents, such as Planning Policy for Traveller Sites and National Planning Policy for Waste, should be incorporated into the Framework for more clarity and ease of reference.

Government response

The introduction has been amended to make clear that the Framework needs to be read as a whole, including its footnotes and annexes. This is in response to comments on some other chapters questioning the status of the footnotes, which have equal weight to the rest of the text. As this chapter deals with the status of the document and how it should be read alongside other policy statements, no further changes have been made in relation to the wider points noted above. The Government does not intend to merge other planning policy statements into the Framework at the present time. The Government's response to questions 41 and 42 set out the reasons for the decision not to merge the Planning Policy for Traveller Sites and National Planning Policy for Waste with the Framework at this time.

2. Achieving sustainable development

Question 2

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

Question 2 response

There were 1,300 responses to this question. About a third (31%) of respondents agreed with this proposal, less than half (41%) disagreed (for a variety of reasons) with a further 28% not sure. Points raised include:

- There was considerable support (60%) from private sector organisations for the proposed changes, whereas various interest groups and individuals expressed concerns about the differences from the 2012 Framework.
- Respondents raised a broad range of comments in relation to sustainable development objectives. These included having a clear definition of sustainable development, reinstating paragraphs and text from the original document, suggestions about re-phrasing the net gains section of paragraph 8 and whether the sustainable development objectives should be criteria against which proposals can be considered.
- In relation to the objectives, points which were raised most frequently related to ensuring high quality design, defining what is meant by a 'safe built environment', climate change and the importance of low carbon development. On the balance between the objectives, the most common concern was a perceived emphasis on housing and the economy.
- A number of respondents sought a reference to additional definitions of sustainable development or associated strategies, the most common being the UK Sustainable Development Strategy, UN Sustainable Development Goals and the 25 Year Environment Plan.
- In relation to the presumption in favour of sustainable development, the most commonly raised points related to the use of specific wording in the former paragraph 14, in the context of various legal decisions.
- The most commonly proposed addition to footnote 7 was local wildlife sites. Other requested additions related to other local designations, priority habitats and heritage and landscape areas, and also links to other types of policy such as health. Private sector organisations raised concerns that the footnote included non-environmental designations such as Green Belt. There was more support for a footnote which clearly set out the relevant policies than requests for it to be changed back to an indicative list.

Government response

The consultation revealed widely diverging views on both sustainable development and the presumption in favour of sustainable development. Having taken these views into account, the Government considers that the opening part of this chapter does not require further substantive change. It retains a balance between the economic, social and environmental objectives of planning, while setting out more clearly and succinctly how these relate to the implementation of the Framework. The Government does not consider that adding further definitions of sustainable development or references to wider strategies is necessary for these overarching objectives to be understood.

We have made minor changes to the text of the presumption in favour of sustainable development in response to feedback. Having considered these responses, the changes are not designed to alter the general effect of the policy from that which was consulted on, but rather to be clear about its scope and how it is intended to be applied. Reference is made to 'uses' rather than 'development' in the context of addressing objectively assessed needs through strategic policies (paragraph 11b), recognising that some of the uses that need to be planned for, such as open space, may not require 'development'.

Adjustments have been made to what is now footnote 6: to make clearer that the policies referred to in paragraph 11d are ones in the Framework itself; to add a reference to sites that should be given the same protection as habitats sites (for consistency with chapter 15); and to improve the consistency between the policy terms used and updates to the glossary. The Government considers that it is appropriate to list some non-environmental designations in the footnote, given the protection afforded to areas such as Green Belt elsewhere in the footnote. Local wildlife sites have not been added to the footnote, as the Government does not consider that these areas or assets are equivalent to the other policies that are listed. We have, however, made changes to chapter 15 and the glossary to ensure that these sites are recognised sufficiently in the Framework in light of the comments received.

Question 3

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?

Question 3 response

There were 964 responses to this question. Over a third of respondents (37%) agreed with the proposed changes, about a third (31%) disagreed and a further 32% were not sure. Points raised include:

- About half of local authorities (54%) and private sector organisations (50%) supported the deletion of the core principles.
- Of those who supported the change, about half of the respondents felt it would reduce duplication and simplify the structure of Framework. Less than half expressed conditional support, considering that deleting the principles would be acceptable as long as their content was transferred to the other chapters (as the consultation proposed).
- Of those who opposed the changes, respondents provided a range of reasons for retention. The main reasons were that the core principles provided a clear, succinct and easy to find summary which provided the context for planning. There were concerns that splitting up principles would make them more difficult to find and risked relegating them in importance.
- Respondents identified aspects of the core principles, which they considered had not been replicated in the chapters, with key themes being around quality of design, economic development (not just housing development) and community involvement and empowering and involving local people.
- A small number of respondents suggested compromises such as including a shorter summary of the core principles and highlighting text on core principles in chapters.

Government response

There was again a diverse range of views on this change. On balance, to remove duplication and ensure that important policy messages are aligned with relevant topic chapters, the Government considers that it is right to delete the core principles section and incorporate its key messages elsewhere in the Framework. We do not consider that significant points have been lost as a result of this change, in view of the policies and protections set out in other chapters of the revised Framework.

Question 4

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?

Question 4 response

There were 978 responses to this open question. Points raised include:

- Given the broad nature of the question, some respondents raised matters that had been identified in response to question 2 on the presumption in favour of sustainable development and sustainable development objectives. The majority of these comments were about a perceived lack of emphasis on the natural environment throughout the chapter.
- Neighbourhood planning bodies and many interest groups were supportive of the policy in paragraph 14b that protects neighbourhood plans from unplanned development in certain situations. Local planning authorities and private sector organisations were less supportive of the proposed changes, as they consider that the protections for neighbourhood plan areas could suppress overall housing delivery.
- Neighbourhood planning bodies and local authorities thought that paragraph 14 was not clearly worded and requested further clarification to provide the additional certainty to neighbourhood plans to reflect the Government's intention.

Government response

We have retained the protection for neighbourhood plans that plan positively to meet their housing need as introduced by the Written Ministerial Statement of 12 December 2016. The Government considers that this existing policy continues to strike a suitable balance between enabling development and supporting neighbourhood planning. The wording has, however, been clarified to ensure that it is easier to understand and apply in practice.

3. Plan-making

Question 5

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?

Question 5 response

There were 869 responses to this question. Over a third of respondents (35%) agreed with the changes, about a third (30%) disagreed and over a third (35%) were not sure. Points raised include:

- Local authorities were generally supportive of the change to the 'justified' test, to provide 'an appropriate strategy' rather than 'the most appropriate strategy'. However, private sector organisations and neighbourhood planning bodies perceived this as weakening the test of soundness and lowering the bar for local planning authorities.
- Some local authorities expressed concerns that the duty to cooperate will become a duty to agree through the new 'effective' test wording, although the greater emphasis on joint working was generally supported by developers and interest groups.
- Local authorities, private sector organisations and neighbourhood planning bodies considered that the wording of the 'positively prepared' test (in meeting 'as much need as possible') was too vague and that this was at odds with the wording in paragraph 11, which seeks to meet needs in full.
- A variety of stakeholders, including local planning authorities, neighbourhood planning groups, and other stakeholders considered that the 'positively prepared' test placed too much emphasis on housing at the expense of infrastructure and other types of development.

Government response

The Government recognises respondents' concerns about the changes to the 'positively prepared' test. Respondents considered that this may place too much emphasis on addressing housing need at the expense of other aspects of sustainable development (such as infrastructure and the environment), and would benefit from clarification as to the extent to which objectively assessed needs should be met. As a result we have amended this to make it clearer that authorities should seek to meet objectively assessed needs of all types.

Question 6

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

Question 6 response

There were 1,109 responses to this open question. Points raised include:

- Although local authorities supported the flexibility in the plan-making chapter, interest groups considered that the shift in emphasis to 'mandatory' strategic policies and 'optional' local policies might have adverse impacts on health, equality and the environment. There was also confusion over how this would apply in practice, as well as in relation to the terminology used in the chapter.
- Individuals and environmental organisations considered that the natural environment should be given greater emphasis as a strategic priority.
- A variety of respondents sought clarification on specific matters relating to the statement of common ground, evidence base requirements and plan reviews.
- There was support across all stakeholder groups for the intention to increase transparency and accountability, and to reduce complexities and delays arising from the use of viability assessments.
- Private sector organisations and local authorities raised concerns that frontloading viability assessments could be onerous and slow down plan-making. There was also uncertainty about how to assess sites for viability at the plan-making stage with calls for clearer policy and guidance on how to use site typologies to assess viability.
- Respondents highlighted that even if viability is assessed for plan-making, changing market or site conditions could mean that viability still needs to be considered at the decision-making stage.
- Some respondents were supportive, in principle, of the use of digital tools in plan-making where this would assist public involvement and policy presentation.

Government response

The Government acknowledges that changes in terminology used when describing plans and policies of different scales has caused confusion. In addition, the way that new flexibilities have been expressed, including through an emphasis on the requirement to plan for strategic priorities, was perceived by some as an intention to make planning at the local scale optional. The Government considers that everywhere should be covered by up-to-date plans that address the issues that need to be covered, and has amended the final Framework to make this clear.

The Government recognises the concerns raised about the importance of ensuring the natural environment is a strategic priority in plans. The plan-making chapter sets out the priorities which authorities should plan for, including conserving and enhancing the natural environment. However, the application of these priorities is set out in greater detail

elsewhere in the Framework. We consider that it is unnecessary to repeat this level of detail in the plan-making chapter itself, as the Framework clearly sets out the importance of the natural environment and it should be read as a whole.

National planning guidance will be further amended to provide additional detail on how some aspects of the plan-making chapter will be put into practice, including: the statement of common ground, evidence base requirements and plan reviews. For plan reviews, guidance will clarify the circumstances where an earlier review will be required. This will include making it clear that local housing need will be considered to have changed significantly where a plan has been adopted prior to the standard method being implemented, on the basis of a number that is significantly below the number generated using the standard method, or has been subject to a cap where the plan has been adopted using the standard method. This is on the basis that the Government wants to ensure that all housing need is planned for as quickly as reasonably possible.

The Government acknowledges concerns about the impact that the new approach to viability assessment could have on plan-making. The final Framework reflects the Government's intention that plans should set out policy requirements for contributions from developers towards infrastructure and affordable housing, and that those policies should not undermine the deliverability of the plan. National planning guidance sets out the approach that plan makers should take to assessing viability to ensure that the plan is deliverable.

The Government acknowledges the support for digital tools, and is delivering on the housing White Paper proposal to improve the use of these to make plans and planning data more accessible. In addition to the legislative changes already brought into force through the Neighbourhood Planning Act 2017, which give the Secretary of State powers to publish data standards for local plans and other planning documents, we will engage with local authorities and introduce data standards requiring publication of key facts in local plans and local development schemes in a machine readable format in early 2019.

Responses relating to paragraph 34 of the draft revised Framework on viability assessments in plans are summarised in Chapter 4 of this document.

4. Decision-making

Question 7

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

Question 7 response

There were 804 responses to this question. About half (45%) of the respondents did not consider that there would be any circumstances where making viability assessments public would be problematic, about a third (30%) answered 'yes' and a further 25% were not sure. Points raised include:

- Commercial sensitivity was the most commonly cited potential barrier. Examples of commercially sensitive information ranged from financial information relating to the developers to the amount of compensation paid to address issues around right to light. There were responses which stated that commercially sensitive information should be redacted and that this could be agreed between the applicant and local authority. Some local authorities have already adopted the practice of making viability assessments publicly available.
- Respondents stated that there should be exceptional circumstances which would prevent viability assessments from being published. These included issues around information relating to highly sensitive areas, including national security and vulnerable individuals.

It should be noted that the responses on several occasions did not always reflect the answer that was selected. Respondents who answered 'no' supported the proposal but noted the potential barriers in making viability assessments publicly available.

Government response

The final Framework sets out the Government's expectation that all viability assessments should be made publicly available. Improving transparency in this way will increase accountability and enhance public confidence in the planning system. The Government is encouraged to hear that some local authorities are already making viability assessments publicly available and is keen to see this practice adopted across the country. To support this approach, new national planning guidance sets out that practitioners should ensure that the findings of a viability assessment are presented clearly, and that an executive summary should be used to set out key findings of a viability assessment in a clear way.

The Government acknowledges that there will be circumstances where some of the information contained within a viability assessment may be commercially sensitive and should not be made publicly available. National planning guidance sets out an expectation that an executive summary that provides aggregated costs and does not separately identify commercially sensitive information should be provided in all cases. Where appropriate, parties may choose to make more information, such as the detailed

breakdown of the viability assessment, publicly available. The guidance also provides illustrative examples of what may be considered commercially sensitive information.

Question 8

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?

Question 8 response

There were 773 responses to this question. There was considerable support (60%) for this proposal, with over a quarter (26%) of respondents not sure and 14% answered 'no'. Points raised include:

- Respondents in all stakeholder groups considered that there could be a clearer expectation that proposals that do not comply with policy requirements should be accompanied by a viability assessment.
- A small number of respondents stated that all development proposals should be accompanied by a viability assessment, but this was very much a minority view.

Respondents provided the following examples of circumstances in which viability assessments to accompany planning applications would be acceptable:

- Previously unknown site or infrastructure costs
- Significant macro-economic changes since plan adoption
- Significant changes in site costs or values since plan adoption
- Specialist development, listed buildings or heritage assets on site
- Unallocated or windfall site
- Out-of-date local plan
- Policy requirements introduced via a Supplementary Planning Document, but not in an up-to-date plan that has been examined.

Government response

The Government welcomes the considerable support in favour of this proposal and has amended the final Framework to provide more direction to decision makers as to where there may be scope for viability assessments to accompany a planning application. National planning guidance provides illustrative examples of this, for example where significant economic change has occurred since the plan was brought into force, where development is proposed on unallocated sites or where further information on infrastructure costs is required.

Question 9

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?

Question 9 response

There were 618 responses to this open question. Points raised include:

- There was recognition that reviews can be beneficial for a range of reasons including: to ensure policy compliance and support the delivery of stalled sites via 'clawback' or 'overage' arrangements, capture value for infrastructure and affordable housing, incentivise build out, increase transparency and boost public confidence that benefits of development will be delivered.
- There was a strong consensus that review mechanisms should not be mandatory as this would add complexity and uncertainty, particularly for small sites, and would place additional resource burdens on local authorities. The majority view was that local authorities should have the flexibility to decide whether review mechanisms are needed.
- There were concerns from all groups (except private sector respondents) that reviews might result in reduced developer contributions and should only be used to increase contributions.
- Private sector respondents thought that if reviews are to be used to capture value if conditions improve, they should also be used to reduce costs if conditions worsen.
- Respondents called for the guidance to be clear that where a proposal complies with policies, a review is not needed. The exception to this was respondents who support the Mayor's of London's approach to such mechanisms. Some private sector respondents opposed the Mayor's approach.

Government response

The Government acknowledges the view that review mechanisms should not be made mandatory and notes the uncertainty and complexity that this could potentially create in practice. However, there is a recognition that review mechanisms can be beneficial in ensuring policy compliance and increasing public confidence that the benefits of development will be delivered. The Government is not proposing to make the use of review mechanisms mandatory. New national planning guidance sets out how viability can be reviewed during the lifetime of a project.

Question 10

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

Question 10 response

There were 886 responses to this open question. Points raised include:

- There was support for the approach to viability assessment in principle, but concerns from all the stakeholder groups that it would be difficult in practice. There were concerns that to assess viability sufficiently at the plan-making stage would require more resources and engagement with stakeholders, which could slow down plan-making.
- Respondents noted that even if viability is assessed for plan-making, previously unknown site or infrastructure costs and changing market conditions between the plan being adopted and the site coming forward will mean that a viability assessment may still need to be submitted in support of a planning application.
- There was support for the Existing Use Value plus (EUV+) approach set out in the draft national planning guidance to establish benchmark land value from the majority of the respondents within each group, except for some private sector organisations. There was also support for the wording in guidance which states that overpaying for land is not a relevant justification for not meeting policy requirements.
- There was strong cross-sector support for the pre-application engagement and frontloading section of Chapter 4. Respondents were supportive of early engagement between the applicant and the local planning authority and the role local communities and statutory / non-statutory consultees have in the planning process (paragraph 41). Many respondents wanted more resources available to local planning authorities to support them in providing pre-application engagement and advice to applicants and some argued that pre-application should be mandatory.
- A cross section of respondents sought stronger enforcement powers for local planning authorities to use and more resources for enforcement teams. Respondents stated that local authorities should also publish a local enforcement plan. There was also support for making enforcement action mandatory rather than discretionary.

Government response

The Government recognises that, even where there is an up-to-date plan that sets out relevant policies, in particular circumstances there could still be a need for viability assessment to be submitted with a planning application and this is acknowledged in the final Framework. The final Framework also emphasises that it is for the decision maker to apportion the appropriate weight to a viability assessment. National planning guidance sets out the recommended approach to undertaking viability assessments, including establishing a benchmark land value and making information and assessments on developer contributions publicly available.

The Government has heard two important yet contradictory arguments on how land should be valued for the purposes of viability assessments. The first argument states that it is important that the market value of land is used, in order to ensure that landowners have

sufficient returns to bring land forward for development. There is concern that land markets will freeze if this approach is not taken. The second argument states that because viability assessments can be used to negotiate policy requirements down, market transactions 'bake in' the practice of overbidding for land and then negotiating down policy requirements. This leads to continued under-delivery of infrastructure and affordable housing.

The Government recognises the tension between these views, and has set out in new national planning guidance how land should be valued for the purposes of viability assessments. Existing Use Value Plus (EUV+) has been retained, and further guidance has been introduced on the use of Alternative Use Values (AUV). The guidance has been refined to make clearer how a landowner premium should be determined as part of EUV+. This sets out how data, including market data, should be used and that adjustments should be made to reflect the cost of policy compliance.

This approach seeks to ensure that plan makers will be able to determine landowner premiums that reflect local circumstances, and which provide a sufficient incentive for landowners to continue to bring land forward for development, while also making a sufficient contribution to infrastructure and affordable housing. The Government will keep this guidance under continuous review, supported by a more transparent reporting regime for viability assessments and developer contributions.

In relation to other aspects of Chapter 4, the Government notes the strong cross-sector support for pre-application engagement and the request for local authorities to have more resources to provide pre-application advice. The draft changes in relation to pre-application engagement were intended to further support and encourage front loading of the process. The Government welcomes the support for these changes, which have been taken forward in the final Framework. The Framework does not require pre-application engagement to be undertaken.

As the Framework makes clear, local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively in a way that is appropriate to their area. The level of resources allocated to planning enforcement is for each local planning authority to decide, having regard to local circumstances.

The final Framework includes additional wording to clarify that in respect of plans which are subject to transitional arrangements, for decision-taking purposes, consistency with policies in emerging plans should be tested against the 2012 Framework.

5. Delivering a sufficient supply of homes

Question 11

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?

Question 11 response

There were 843 responses to this open question. Points raised include:

- The overall principle of the policy, which was supported by a third of respondents.
- Of the respondents who did not agree with this policy approach, most supported the objectives of the policy but suggested that a more flexible approach should be used to encourage local authorities to plan for small sites.
- Several local authority, private sector and interest groups thought that the threshold of 0.5 hectares (Ha) was too small to encourage a good mix of sites for small and medium builders and that it should be increased to 1Ha or 2Ha, or the equivalent of approximately 40-50 units, as this is the maximum size small and medium sized builders tend to pursue.
- A number of private sector and local authority respondents suggested the proposed percentage of 20% of sites should be a percentage in relation to the housing requirement rather than the number of allocated sites.
- Local authorities expressed the view that the percentage requirement of 20% of sites was too high and inflexible to use in practice.
- All groups of respondents called for greater clarity on the implementation of the policy, for example whether the brownfield register can be used, whether windfall sites are included and how affordable housing and developer contributions will be secured on these sites.
- A number of respondents raised concerns that paragraph 69d would reduce the amount of affordable housing delivered if a site were divided into smaller sites of less than 10 units.

Government response

The Government set out in the housing White Paper its desire to see planning policy support more small sites. Specific proposals on this were subject to consultation. The Government considers that planning policy should support bringing forward small and medium sites to support SME builders, speed up delivery of housing and diversify the house building market. The main suggestions made through the consultation were about increasing the size threshold of sites, reducing the overall percentage requirement, making

it a percentage of the total housing requirement and identifying the sites using the brownfield register rather than just in plans.

In light of these points, the policy has been amended to require local planning authorities to ensure that at least 10% of their housing requirement (rather than 20% of sites allocated) should be accommodated on sites of one hectare or less (rather than 0.5 Ha) that have been identified as suitable for housing (through the development plan or brownfield registers). The new policy is at paragraph 68 of the Framework.

Question 12

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?

Question 12 response

There were 898 responses to this question with over a quarter of respondents (27%) not sure about the proposal. Weak support (20%) was shown for the proposal and about half (53%) did not support it. Points raised include:

- More than half (52%) of private sector organisations were supportive of the proposal because it would increase the speed and delivery of housing. Support was also shown by 39% of private sector organisations for increasing the threshold to make it more ambitious.
- Minimal support (9%) was shown from local authorities for the proposal - some were concerned that the threshold is too high and it increases too rapidly, while others expressed concerns that the policy could be used by developers to release more attractive land for building.
- Respondents across groups raised concerns about the threshold applying to local authorities who will be reliant on the market and the house building industry to deliver plan numbers.

Government response

The Housing Delivery Test was consulted on through the housing White Paper and the Government continues to consider that it is an appropriate way of measuring housing delivery against planned delivery, and of putting suitable policy consequences in place where delivery is below expectations. Equally, it is recognised that local planning authorities would like more powers to drive build out. The Government understands this argument and will consider it further following the outcome of the Letwin Review.

Views on the 75% threshold varied from it being too high, to not being sufficiently ambitious. On balance, the Government considers that the 75% threshold is an appropriate definition of substantial under-delivery of housing. We therefore intend to apply the presumption in favour of sustainable development where delivery is below 75% of the housing required from 2020. Transitional arrangements for the 2018 and 2019 measurements will remain as included in the draft revised Framework.

Question 13

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

Question 13 response

There were 851 responses to this question. Over a quarter (28%) of respondents agreed with this proposal, about a third (33%) were not sure and over a third (39%) disagreed with it. Points raised include:

- There was considerable support (62%) from private sector organisations for the proposals in ensuring that the housing needs of first time buyers (or those looking to rent their first home) are catered for within the housing market.
- Local authorities showed minimal support (19%) for the proposal, with most comments focusing on locating sites outside of existing settlements, the potential for undermining local plans, inhibiting integration and the lack of transport infrastructure or facilities.
- Respondents in most groups expressed concerns about the potential for the policy to undermine rural exception sites, which supports in perpetuity housing and local need. Concerns were raised about the proportion of market housing allowed on entry-level exception sites and the potential reduction in affordable homes delivered, by making entry-level exception sites more attractive to developers than rural exception sites.

Government response

The Government is committed to supporting those looking to rent or buy their first home, and the entry-level exception sites policy is a key tool to support this ambition. Having considered the responses, we intend to proceed with the policy, but with adjustments to make clear that the sites should offer affordable housing, to apply a limit on the overall size of the sites, and to exempt National Parks, Areas of Outstanding Natural Beauty and Green Belts (given the wider limitations on the scale of development permissible in these areas). We will also monitor the impact of entry-level exception sites in rural areas. The new policy is at paragraph 71 of the Framework.

Question 14

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

Question 14 response

There were 1,102 responses to this open question. Points raised include:

- Local authorities and interest groups raised concerns about how changes to policy will affect the delivery of affordable housing.
- Private sector organisations and local authorities called for further clarity and guidance on local housing need and five year housing land supply.
- The omission of a reference to Garden City principles was a concern among many interest groups, private sector organisations and local authorities.
- There were calls for a stronger policy approach to accessible housing for older and disabled people.
- Although there was support for local planning authorities to provide housing requirement figures to designated neighbourhood plan areas, respondents raised concerns about the burden of additional work and consistency in approach to providing these figures and requested more guidance.
- All groups of respondents highlighted the need for more clarity in the rural housing section.

Government response

The Government welcomes the range of respondents' comments on Chapter 5. We have amended the text to ensure that the policy intent is as clear as possible across the chapter, including on affordable and rural housing, and will be publishing updated guidance on five year housing land supply, local housing need and housing for older and disabled people. We have strengthened the policy approach to accessible housing through a change to Chapter 12 (see response to question 29). We have also specifically referenced social rent in the definition of affordable housing in the glossary.

The Government notes the support for the reinstatement of the Garden City principles. The Government remains committed to these and has included a reference in the final Framework, as part of expanded text on planning for larger scale developments in which we also set out policy on high-level locational principles and aligning development with infrastructure. We have retained the proposal to create increased certainty in planning for housing needs in neighbourhood plan areas, which was widely welcomed in the consultation. We will also be publishing updated national planning guidance so that plan-makers can more easily understand how housing requirement figures can be determined for the neighbourhood level.

A number of responses to this question provided comment on the proposed local housing need method. The Government is aware that lower than previously forecast population projections have an impact on the outputs associated with the method. Specifically it is

noted that the revised projections are likely to result in the minimum need numbers generated by the method being subject to a significant reduction, once the relevant household projection figures are released in September.

In the housing White Paper the Government was clear that reforms set out (which included the introduction of a standard method for assessing housing need) should lead to more homes being built. In order to ensure that the outputs associated with the method are consistent with this, we will consider adjusting the method after the household projections are released in September. We will consult on the specific details of any change at that time. It should be noted that the intention is to consider adjusting the method to ensure that the starting point in the plan-making process is consistent in aggregate with the proposals in *Planning for the right homes in the right places* consultation and continues to be consistent with ensuring that 300,000 homes are built per year by the mid 2020's.

6. Building a strong, competitive economy

Question 15

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?

Question 15 response

There were 717 responses to this question. About half of respondents (53%) agreed with the proposed policy changes, 20% disagreed and 27% were not sure. Points raised include:

- There was considerable support (74%) for the policy changes from private sector organisations and more than half of local authorities (59%) were also supportive.
- Respondents highlighted that the Framework could be more specific, particularly with how planning could help to support productivity, address barriers to investment and link more effectively with other economic strategies. They also suggested providing linkages to the Industrial Strategy and the requirement to set out an economic strategy / vision.
- There was some support for development outside settlements and a recognition that some sites may need to be outside of them. However, a range of respondents expressed concerns about the sustainability of such proposals and the impact on development outside settlements on infrastructure.
- There were concerns across a range of local authorities about the impact of permitted development rights on the availability of employment land. They considered that there needed to be stronger protection in the Framework against the loss of such sites.

Government response

The Government welcomes the support for the proposed policy changes and has reflected them in the final Framework. We consider that sufficient reference has been made in paragraphs 80 and 81 to the importance of the Industrial Strategy (and the role of Local Industrial Strategies) to ensure that their relevance for the planning system is understood. The concerns in relation to development outside of settlement boundaries are acknowledged. However, having taken the range of views into account, the Government considers that the policy strikes an appropriate balance between recognising the social and economic needs of rural areas and conserving the environment – especially taking into consideration the safeguards outlined in the policy.

The Framework does not have a direct bearing on the extent or operation of permitted development rights, although the Government recognises that their use has a bearing on the amount of employment land and commercial floorspace available. We have taken this point and the views received into account in finalising the Framework, although we do not

consider that further changes to this chapter or Chapter 11 (Making effective use of land) are needed as a result. The Framework aims to strike a balance between recognising the need to plan for the needs of different sectors and allowing an appropriate degree of flexibility in the use of land, in response to rapid economic changes and the significant shortage of housing in many parts of the country.

Question 16

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

Question 16 response

There were 579 responses to this open question. Points raised include:

- There was considerable high level support for the emphasis on economic growth, including the rural economy. However, there was a shared sense, particularly among a number of local authorities, that the chapter could have been more explicit in its support by, for example, giving greater recognition to the role of Local Enterprise Partnerships and greater weight to the Industrial Strategy in planning.
- Local authorities, private sector bodies and interest groups expressed concerns about the loss of employment sites to residential use, which they considered to have been exacerbated by permitted development rights. There were calls for the Framework to be more specific on the protection of employment land, and also for greater recognition of the specific needs of the distribution sector.
- Individuals and interest groups requested that the chapter explicitly reference the creation of a low carbon economy.
- Individuals expressed concerns that the greater weight placed on supporting economic growth could compromise sustainability and called for a specific reference to 'sustainable economic growth'.
- Private sector organisations expressed concerns that the chapter missed the opportunity to address the economic implications of Brexit.

Government response

The positive feedback on the emphasis placed on economic growth is welcomed. The Government's view on comments received in relation to the Industrial Strategy and the effect of permitted development rights is set out in its response to question 15. In addition to the changes already made, the final Framework includes an expanded paragraph to explain how both planning policies and decisions should recognise and address the specific locational requirements of different sectors, including distribution.

Additional references to low carbon and sustainable economic growth have not been included, as the importance of these high-level concerns is identified in Chapter 2. The Government does not consider that specific additional reference needs to be made to Brexit, as the Framework is intended to provide a sufficiently robust and flexible context for meeting the country's needs once we have left the European Union.

7. Ensuring the vitality of town centres

Question 17

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

Question 17 response

There were 588 responses to this question. More than half (59%) agreed with the proposed policy changes, 27% were not sure and 14% disagreed. Points raised included:

- There was considerable support (74%) from local authorities for the proposals with some wanting further clarity as to what constitutes a 'reasonable period'.
- More than half (59%) of neighbourhood planning bodies agreed with the proposals, with some wanting further recognition of the dynamic nature of the retail market.
- More than half of private sector organisations (56%) agreed with the proposals, although some felt that planning ahead for retail needs over ten years was too long. They also wanted clarity as to what constitutes a 'reasonable period', although some responses noted that what is 'reasonable' depends on the circumstances.
- Across the groups there were some calls for this chapter to have a greater emphasis on public transport and the accessibility of town centres.

Government response

The support for the policy changes is welcomed and the Government intends to implement the changes as set out in the consultation. On the specific request for clarity in relation to 'reasonable period', further advice will be set out in updated national planning guidance to assist with the application of the policy.

Question 18

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

Question 18 response

There were 491 responses to this open question. Points raised included:

- There were calls from respondents to have a more flexible approach to town centre development to allow change that responds to changing consumer preferences.
- Local authorities called for greater reference to the role of the Framework in ensuring town centres promote a healthy lifestyle.
- Respondents across groups highlighted the importance of the environment, with many stating that there needed to be better consideration of the need for green spaces in town centres.
- Respondents expressed a range of views on the impact of permitted development rights.

Government response

The Government welcomes the wide range of views that were expressed on this chapter and suggestions for improvement. In response to rapid changes taking place in the retail and leisure industries, as highlighted by many responses, we have made changes to the final Framework to encourage a more positive and flexible approach to planning for the future of town centres. This includes removing the expectation in national policy that primary and secondary frontages need to be defined (although this does not preclude authorities from doing so where their use can be justified).

Additional references to healthy lifestyles and green space have not been included, as the Government considers that sufficient policies on these matters are set out in other chapters, in particular Chapter 8 (and bearing in mind that the Framework needs to be read as a whole). The healthy and safe communities chapter also contains policy on avoiding the unnecessary loss of community facilities. This had been mentioned in the draft town centres chapter, but in the light of the changes made following the consultation the Government has decided that it does not need to be repeated here.

8. Promoting healthy and safe communities

Question 19

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

Question 19 response

There were 531 responses to this open question. Points raised include:

- Respondents across all groups provided supportive comments on the policies in this chapter.
- Local authorities and private sector organisations called for further clarity and guidance around the wording within paragraph 96, particularly in relation to addressing crime and malicious threats.
- Individuals considered that there should be greater emphasis on nature and that the chapter should have more clear references to green infrastructure and access to green infrastructure as a means of achieving a healthy place.
- Respondents requested clarity on the term 'estate regeneration'.
- Respondents stated that there should be greater emphasis and support for non-motorised travel in promoting social interaction through planning.

Government response

The Government welcomes the positive comments on the emphasis of health and well-being as a function of the planning system. We have amended the wording around connections for social interaction to emphasise the need to plan for non-motorised travel. It is not considered that further references to green infrastructure in the policies are needed, as the Framework allows for more detailed policies to be developed at the local level.

The text on anticipating and addressing malicious threats and natural hazards has been amended from 'all plausible' to 'possible' threats, so that a realistic expectation is set. The Government will consider what additional or revised guidance is needed to support the policies in this chapter, including the role of planning in reducing crime and malicious threats.

Question 20

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

Question 20 response

There were 814 responses to this open question, which raised broadly similar issues to those identified in Question 19. Points raised include:

- Respondents across all groups provided supportive comments on the policies in this chapter.
- Local authorities and interest groups called for a greater emphasis on nature / green infrastructure. They suggested that the chapter should have more clear references to access to green infrastructure as a means of achieving a healthy community.
- Local authorities, private sector organisations and interest groups identified the need for greater clarity on the Local Green Space policy.
- Local authorities raised concerns about the wording within paragraph 96, particularly in relation to addressing crime and malicious threats.
- Respondents considered the term 'open space' to be too broad and suggested it should be expanded to include environmental aspects.
- Respondents requested clarity on the term 'estate regeneration' and suggested that it should be widened to include environmental benefits.

Government response

The Government welcomes the largely positive response to the chapter. We have adjusted the wording on estate regeneration to ensure local policies consider the environmental benefits alongside the social and economic benefits already identified. The Government considers the wording and policy on open space to be appropriate for achieving the aims of this chapter (healthy and safe communities) without needing to reference environmental aspects specifically. Planning policies for the natural environment are contained in Chapter 15 and need to be read in conjunction with the policies on open space.

9. Promoting sustainable transport

Question 21

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?

Question 21 response

There were 731 responses to this question. There was considerable support (61%) for the proposed changes, while 26% of respondents were not sure and 13% did not support them. Points raised include:

- There was considerable support (73%) from local authorities and neighbourhood planning bodies (70%) for the proposed changes. However, they requested greater clarification in respect of the wording in paragraph 109 in relation to the point at which highways impacts become severe.
- Some private sector organisations and neighbourhood planning bodies raised concerns that the chapter had an urban focus and did not sufficiently recognise the needs of rural communities.
- Individuals and local authorities expressed support for sustainable modes of transport.
- There were calls for greater local flexibility in relation to parking standards.

Government response

The Government welcomes the support for the proposed changes to the transport chapter and has taken these forward in the final Framework. The wording of the paragraph dealing with highways impacts has been altered to make clear that the 'severe' test relates to road capacity rather than highway safety. Further advice on this test will be set out in revisions to national planning guidance.

The revised chapter is intended to set out principles that can apply in both urban and rural areas, but it also makes clear that sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making. The approach to parking standards remains that minimum or maximum standards may be set locally, but with maximum standards requiring particular justification, considering the effect that limits on spaces can have on on-street parking. However the text has been amended to recognise that such justification may exist in accessible locations where it is appropriate to optimise densities (in line with the new policies on making effective use of land), as well as where it is necessary for managing the local road network.

Question 22

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

Question 22 response

There were 256 responses to this question. About half (46%) of respondents agreed with this proposal, 19% disagreed and 35% were not sure. Points raised include:

- About half of the local authority respondents (54%) supported the proposed change on the basis that maintaining general aviation facilities is of national and regional importance.
- Respondents suggested that a national network of general aviation airfields should be defined in order for this policy to be effective.
- Half of the respondents from the private sector (50%) supported the proposal, recognising the importance of maintaining a domestic supply of aviation facilities to support the competitiveness of the aviation sector.
- Some respondents raised concerns about the environmental impact of general aviation and how this complied with the aim of sustainable development.

Government response

The draft revisions to the Framework included explicit recognition of the importance of general aviation facilities, but in the light of the comments received (including a campaign calling for greater protection) we have included additional text that recognises the importance of a network of airfields, and their need to adapt and change over time. A definition of general aviation airfields has also been added to the glossary.

In relation to the concerns raised in terms of the environmental impacts of the aviation sector, it is not considered that specific reference needs to be made within this policy as other chapters in the Framework require consideration of these issues.

It is important to ensure that we balance the economic contribution of the general aviation sector with housing and commercial priorities, that we identify exactly how this contribution is delivered, and what constitutes the critical infrastructure that is necessary to deliver them. The Ministry of Housing, Communities and Local Government will work closely with the Department for Transport and the project undertaken by the General Aviation Champion, Byron Davies, to identify a network of strategically important airfields to help the general aviation sector develop.

Question 23

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

Question 23 response

There were 621 responses to this question, which raised very similar issues to those identified in question 21. Points raised include:

- Local authorities expressed support for the approach set out in Chapter 9, but expressed concerns over the wording of paragraph 109.
- Private sector organisations and neighbourhood planning bodies called for greater recognition for the needs of rural communities in this chapter.
- Individuals expressed support for sustainable modes of transport and called for more carefully considered parking provision in new developments.
- There were calls for greater local flexibility in relation to parking standards.
- There were calls for policy changes to assist in addressing specific issues, this included a call for policies to reflect the need for ports to expand and the need nationally for additional lorry parking.

Government response

Many of these issues have been covered in the Government's response to the comments on question 21. In relation to ports and lorry parking, additional text has been added recognising the need for large scale transport facilities to grow (including associated infrastructure and other development), and for adequate lorry parking facilities to be provided where this has been a particular issue i.e. the provision of overnight parking, and parking for distribution centres.

10. Supporting high quality communications

Question 24

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

Question 24 response

There were 501 responses to this open question. Points raised included:

- Respondents across all groups provided supportive comments on the policies in this chapter.
- Local authorities considered that further guidance was needed to assist proper and meaningful implementation of the policy approach in local authority plan-making and decision-making.
- Respondents stated that encouragement should be given through policy for new build development to be provided with full fibre broadband infrastructure / mobile phone coverage. For example, requiring adequate duct space for multiple network providers to operate within as part of the design and build of that new development, or that developers should be required to demonstrate the securing of full fibre connections to their development as part of gaining planning consent.
- Respondents raised concerns about a lack of proper digital connectivity in rural areas. Representations from across all the groups considered that the Framework should be enhanced to have particular regard to the expansion of broadband and mobile coverage in rural areas.

Government response

The Government welcomes the positive response to the approach to support increasing broadband and mobile connectivity, and has taken the policy forward in the final Framework. We have also made some minor amendments to the text to reflect the full range of equipment to be provided for ('electronic' rather than telecommunications). While acknowledging the concerns raised about the lack of connectivity in rural areas, the Government considers that the approach put forward to support greater mobile and broadband connectivity through planning applies to all areas, whether urban or rural.

11. Making effective use of land

Question 25

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?

Question 25 response

There were 819 responses to this question. About half (49%) of respondents agreed with the proposals, 21% disagreed and 30% were not sure. Points raised included:

- About half of local authorities (45%) were supportive of the proposals, particularly paragraph 118 which gives greater weight to the value of using suitable brownfield land. However, where brownfield land has significant wildlife and historical value, respondents argued that this should be maintained.
- There was considerable support from the private sector (69%) with respondents suggesting that proposals to reallocate land in paragraph 120 would ensure that land for more deliverable uses will come forward to help address identified needs in a local area.
- There was some concern across groups that making it easier to convert to residential land would mean a decrease in employment land supply, particularly in areas close to transport hubs and town centre areas.
- The emphasis on upward extensions was broadly supported, however respondents suggested that supporting infrastructure such as car parking spaces and multiuse recycling points should be provided.

Government response

The Government welcomes the support for the proposed approach to making more effective use of land. The safeguards in the chapter, and the application of the policies in the Framework more generally, should ensure that this does not harm assets of significant wildlife or historical value. The approach to reallocating under-utilised land is aimed at avoiding long-term protection of land that has little prospect of contributing to the identified development needs of the local area, rather than undermining a necessary and deliverable supply of employment land. We will publish national planning guidance to enable local authorities to maximise opportunities that arise from delivering increased densities.

Question 26

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

Question 26 response

There were 780 responses to this question. Less than half of respondents (42%) agreed with the proposed approach, 28% disagreed and 30% were not sure.

- Respondents were broadly supportive of the principle of using land more efficiently, 'optimising' the use of land and seeking higher density development where appropriate to site context. However, many respondents expressed concern that the proposed approach to deliver higher densities, through minimum density standards, has the potential to impose inappropriate development.
- Respondents across groups associated higher densities with certain types of housing and suggested that the proposed policy would limit housing choice and quality.
- Individuals and local authorities raised concerns about the proposed flexible approach to daylight standards and its potential impact on health and well-being.

Government response

The Government welcomes support for the principle of using land more efficiently. We consider that minimum density standards can be an effective tool to ensure that a net increase in density is achieved, where this can help to address housing needs. The policy has, however, been amended to reflect concerns raised about some of the wider considerations that should be taken into account, such as the type of housing needed in an area. We will also publish updated national planning guidance to support local authorities in planning for higher densities, in particular about the importance of high quality design.

Question 27

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

Question 27 response

There were 632 responses to this open question. Points raised include:

- Respondents raised concerns about the impact of the proposed flexible approach to daylight standards on health and well-being.
- There was consensus across all groups that welcomed the recognition of the environmental contribution made by under-utilised sites, although many recommended that the phrase 'net environmental gain' be clarified to avoid potential losses in biodiversity.
- Many local authorities were concerned about the potential loss of economically important land, particularly non-residential land. They also raised concerns that this could reduce access to services and open space. Several local authorities wanted guidance on how to determine the 'reasonable prospect' of a site being used for its allocated use.
- Many respondents reiterated issues and concerns raised in response to question 26 about the potential impact of higher density development on design, housing choice and health and well-being.
- Many individuals called for further changes to permitted development rights to encourage greater efficiencies in the existing housing stock.
- Several respondents wanted to see the inclusion of 'Compulsory Purchase Powers' in paragraph 119, to encourage local planning authorities to use powers to aid housing delivery.

Government response

The Government has carefully considered the points that were made on this chapter. The changes made in relation to the approach to density have been mentioned under question 26. The Government considers that making effective use of land, and building at higher densities, can have multiple environmental, social and economic benefits. The revised Framework does, however, make clear that health and achieving acceptable living standards are important considerations and should be read in conjunction with Chapter 12 on achieving well-designed places.

Changes to permitted development rights are out of scope of the Framework, as is compulsory purchase law, but we have added additional text on the proactive role that planning can play in land assembly, including the use of compulsory purchase powers where appropriate. The question of the balance between making effective use of land and maintaining a supply of employment land has been covered under questions 15 and 25. We will consider whether national planning guidance needs to be updated to address areas where responses sought further information on the application of the policies.

12. Achieving well-designed places

Question 28

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

Question 28 response

There were 518 responses to this open question. Points raised include:

- Respondents across all groups provided supportive comments on the focus on design quality in the revised Framework.
- There was a range of responses across the sectors concerning lack of skills in local planning authorities to assess and review design quality and the need to provide training and further resource, including funding.
- Local planning authorities called for better use of tools and techniques, as well as further promotion of community engagement.
- Private sector organisations highlighted the use of tools such as Building for Life 12 in order to speed up the delivery of planning applications.
- Respondents highlighted the need for policy to encourage sustainable, environmentally friendly development, which is in accordance with the local setting, allowing for community engagement early in the design process.

Government response

The Government welcomes the largely positive response to the chapter and has given more emphasis to the value of well-designed places in the final Framework. The recent announcement of the Planning Delivery Fund emphasises the importance that the Government places on design skills and capacity within local government. The Government recognises that the promotion of health and well-being is an important part of creating safe, inclusive and accessible developments and the text has been adjusted accordingly. We will reflect on the broad range of consultation responses and publish updated national planning guidance to support local authorities in delivering high quality places.

Question 29

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

Question 29 response

There were 632 responses to this open question. Points raised include:

- Local authorities, neighbourhood planning bodies, private sector organisations and interest groups highlighted the need to more strongly promote character, heritage and form in the revised policy, creating places that conform to the local area, but allow for innovation and variety.
- Respondents called for a stronger emphasis on a variety of tools and techniques to help deliver well-designed places, referencing these tools and encouraging community engagement in this process from an early stage.
- There were calls for further clarity in relation to paragraph 129 to avoid applications being approved which are of poor design.
- Respondents emphasised the importance of green infrastructure and the natural environment. They highlighted the need to create sustainable, environmentally friendly places, with stronger reference to terminology to reflect this, such as green infrastructure, nature, habitats and landscape.

Government response

The Government recognises the importance of using the right tools early in the process and we have made this clearer in the final Framework. The policy has also been expanded to note the importance of ensuring that the quality of permitted schemes is carried through to the completion of development.

In addition, we have strengthened the policy approach to accessible housing by setting out an expectation that planning policies for housing should make use of the Government's optional technical standards for accessible and adaptable housing. This reflects our proposal in the housing White Paper and addresses respondents' concerns that were raised as part of the responses to question 14 in Chapter 5. The option to use the nationally described space standard, where justified, has also been noted in the final Framework.

13. Protecting Green Belt land

Question 30

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?

Question 30 response

There were 1,346 responses to Question 30. About half (53%) of respondents agreed with the proposed changes, though for widely different reasons. Less than a quarter (20%) of respondents disagreed with the changes and over a quarter (27%) were not sure. A large majority of comments related to the use of brownfield land. There were a wide range of points made including:

- Local authorities approved of the increased opportunities to provide affordable homes, but thought we could allow limited edge-of village housing and fuller use of brownfield land within a settlement, even if it has a greater impact than existing development. There was no significant opposition to the policy on change of use in paragraph 145.
- Many members of the public and parish councils rejected any building in the Green Belt and wanted its ecological benefits recognised.
- Many respondents in the private sector would prefer a radical overhaul of all Green Belts to find poor quality land to release for housing, including market housing.
- Some objectors in all groups were concerned that redevelopment of every brownfield site in the Green Belt was being advocated.

Government response

We welcome the wide range of responses to this question. We have carefully considered all the comments and concluded that it is appropriate to incorporate the proposed changes in the Framework. The restrictions on the location of housing in the Green Belt are in place to prevent gradual erosion of Green Belt boundaries over time and to maintain openness, which is a key characteristic of the Green Belt. The revised Framework does however continue to make clear that plans may provide for limited affordable housing for local community needs.

We note the calls for a complete ban on development within the Green Belt. This was not within the scope of the consultation and there is no plan for a national review of Green Belt policy.

The policy to allow some development on brownfield land does not override the need to have regard to all material considerations, including other policies in the Framework.

Question 31

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

Question 31 response

There were 578 responses to this open question. Points raised include:

- Respondents highlighted the need to recognise and enhance the ecological / green infrastructure potential of Green Belt, or the adoption of an unqualified 'brownfield first' rule.
- Some respondents called for the Framework to recognise the ecological / green infrastructure / food-growing role of Green Belt as a sixth purpose.
- There were calls for guidance on how compensatory improvements to remaining Green Belt would be secured.
- There were requests for definitions of terms such as 'village', 'substantial harm' and 'underutilised'; clarity on 'infilling' at village edges and inclusion of old farm buildings as brownfield.

Government response

The Government welcomes the range of additional suggestions made by respondents and has carefully considered them. A number of individuals, parish councils and environmental interest groups sought a strict 'brownfield first' rule to minimise Green Belt release. The revised Framework does make clear that other options should be considered fully before it is concluded that Green Belt releases are appropriate (and we have added some additional words to put this beyond doubt). This includes whether as much use as possible has been made of suitable brownfield sites.

Policies elsewhere in the Framework, on the need to protect and enhance biodiversity and environmental quality, apply in Green Belt as they would elsewhere, when appropriate. The Government's view is that there is therefore no need to amend the five purposes of Green Belt.

We will consider the need for guidance on securing compensatory improvements to remaining Green Belt if other areas of Green Belt are de-designated.

The Government does not consider that further definitions are required in relation to the Green Belt chapter, as most of the terms it employs are well-established.

14. Meeting the challenge of climate change, flooding and coastal change

Question 32

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

Question 32 response

There were 996 responses to this open question. Points raised include:

- Respondents welcomed the strengthened policies on sustainable drainage. The introduction of the cumulative impacts policy was broadly welcomed in relation to flood policy, together with the clarification of the exception test, but respondents sought additional guidance on the application of the sequential and exception tests, particularly where their requirements could be relaxed to support flood resistant homes.
- It was widely perceived that there had been a weakening in respect of the requirements relating to climate change, particularly with regard to the reference to the Climate Change Act 2008. Respondents requested a reversion to the 2012 wording.
- About one third of respondents did not support the inclusion of the Written Ministerial Statement on wind energy into the Framework, with many requesting further that footnote 40 be deleted. Its inclusion was viewed to be out of step with the Clean Growth Strategy.
- Respondents requested a greater emphasis on green energy in the Framework.

Government response

The Government welcomes the positive responses to the proposals for strengthening national policy for sustainable drainage systems and the cumulative impacts policy, and will therefore take forward these proposals.

Following careful consideration of responses, the Government considers that there is already sufficient scope for applicants to bring forward renewable and low-carbon energy projects, for example under paragraphs 151 and 152. However, it is important that wind energy proposals are plan-led and follow consultation with local communities that could be affected. The Government has been clear that the need for renewable energy does not automatically override environmental protections and the planning concerns of local communities, and will therefore retain the wording of what is now footnote 49.

There was no intention to weaken the policy framework for addressing climate change through the revisions to this chapter, and so we have reinstated the reference to the Climate Change Act from the 2012 Framework. However it is not considered that the exact wording of former paragraph 93 needs to be reinstated, as the revised Framework makes the importance of addressing climate change very clear.

The Government recognises the important contribution that green energy can make towards sustainable development and has considered the proposals for measures to further encourage green and low carbon energy. However, following careful consideration of the responses, we consider that the measures within the Framework are sufficient to enable green energy generation and its use, for example under paragraph 151.

Question 33

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

Question 33 response

There were 621 responses to this question. Less than half (42%) of respondents considered that there should be further amendments, less than half (42%) of respondents were not sure and 16% did not consider that there should be further amendments. Points raised include:

- Local authorities called for energy efficiency measures to be prioritised so that new houses do not need to be retro-fitted at a later date. Building Regulations were seen as the most appropriate mechanism to secure energy efficiency in buildings rather than the planning system.
- There were calls for greater flexibility for local authorities to set their own standards around energy efficiency and emissions.
- Interest groups welcomed the planned review of the Building Regulations, with many respondents reserving comments until then.
- Respondents expressed support for greater use of renewable energy.

Government response

The Government remains fully committed to meeting its climate change targets and recognises the important contribution that the energy efficiency of buildings has to make in meeting these targets.

As set out in the Clean Growth Strategy, and welcomed by respondents, the Government intends to consult on further improving energy requirements for new homes where the evidence suggests that there are cost effective and affordable opportunities, and it is safe and practical to do so.

A number of local authority respondents stated the view that the text in the revised Framework restricted their ability to require energy efficiency standards above Building Regulations. To clarify, the Framework does not prevent local authorities from using their existing powers under the Planning and Energy Act 2008 or other legislation where applicable to set higher ambition. In particular, local authorities are not restricted in their ability to require energy efficiency standards above Building Regulations. The Government remains committed to delivering the clean growth mission to halve the energy usage of new buildings by 2030.

The Government welcomes the alternative policy approaches raised by respondents and looks forward to receiving more detailed and considered views on further improving energy requirements for new homes through the Building Regulations consultation in due course. Consequently, the Government proposes no amendments to the Framework at this stage.

15. Conserving and enhancing the natural environment

Question 34

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?

Question 34 response

There were 1,095 responses to this question. About half (52%) of respondents agreed with the proposed approach, 23% disagreed and 25% were not sure. Points raised include:

- About half of all the responses to this question supported the proposal and would also like to see the revised Framework more closely aligned with the 25 Year Environment Plan.
- There was strong support for strengthening protection for areas of particular environmental importance, and in particular additional policy on strengthening existing networks of habitats.
- Although respondents welcomed an increased level of protection for ancient woodlands, it was not clear to them why aged or veteran trees outside such areas had been decoupled from ancient woodland and are no longer considered to be 'irreplaceable habitat'.

Government response

The Government agrees that planning policy should support the 25 Year Environment Plan. Further amendments have been made to the revised Framework to reflect this, while ensuring that the Framework continues to be a stand alone document. The final Framework includes clear references to where the planning system can support net gains for biodiversity. The Government is launching a consultation on the wider implementation of net gain principles shortly.

The response to the issue raised in relation to irreplaceable habitats is answered in the response to question 35.

Question 35

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

Question 35 response

There were 1,263 responses to this open question. Points raised include:

- Respondents stated that the principle of net gain should be strengthened, and more guidance and clarity provided.
- There were calls for the revised Framework to be more closely aligned with the 25 Year Environment Plan, for example with regard to net gain and green infrastructure.
- There was strong support for the agent of change principle.
- Some respondents were concerned about the definition of the term 'major development' in Areas of Outstanding Natural Beauty and that it could restrict appropriate development.
- A number of interest groups and local authorities highlighted that improving public access to the undeveloped coast may not be desirable in all cases, as the aim of maintaining the character of the undeveloped coast may be compromised, particularly for protected sites.
- The wording of paragraph 175 (now 177 in the final Framework) was raised by a number of respondents, who suggested that it should be amended following the April 2018 People Over Wind judgement by the European Court of Justice, which affects a number of developments.

There were also a number of campaigns, raising points including calls for:

- Stronger protection for Areas of Outstanding Natural Beauty, retaining the wording in paragraph 115 of the 2012 Framework "which have the highest status of protection in relation to landscape and scenic beauty".
- The term 'general aviation airfields' to be included in relation to the agent of change principle.
- Aged and veteran trees to be included as 'irreplaceable habitats'.

There was a general campaign around local wildlife sites, raising various points including calls for:

- Local Wildlife Sites to be included in the list of policies that enable the presumption in favour of sustainable development to be disapplied (footnote 7 in Chapter 2).
- Councils to identify and map local wildlife-rich habitats, with Local Wildlife Sites being a critical part of these maps.

- Local Wildlife Sites to be included in the section that sets out the principles to be applied when determining planning applications, in order to avoid harm to biodiversity.
- Requiring local planning authorities to map a Nature Recovery Network.

There was also challenge to the idea that only sites for habitat restoration or creation that are identified by local partnerships should be added to maps.

Government response

We welcome the clear support for environmental protections in national planning policy. The final Framework reinforces these in various ways, including by setting out that local authorities should improve biodiversity and air quality, and updating wording to reflect the 25 Year Environment Plan. Following concerns over damage to the undeveloped coastline, we have clarified that public access should only be improved 'where possible'. The Government also welcomes support for the agent of change principle. To address an issue raised with this during consultation, we have changed 'statutory nuisance' to 'significant adverse effects', which is considered to be a more appropriate test for applying the policy.

The Government notes representations it has received on the impact of the People Over Wind judgement. The Government notes that this judgement concerns both the Habitats Regulations and the Framework. The Government is examining the implications of this judgement closely and is not proposing any changes to the Framework at this stage.

In response to the campaigns relating to this chapter and other responses received we have:

- Strengthened protection for ancient and veteran trees by including them as 'irreplaceable habitats', so that the 'wholly exceptional reasons' test in paragraph 175c) applies to both ancient woodland and ancient and veteran trees. 'Aged trees' has been changed to 'ancient trees' to align with existing terminology used by Natural England.
- Reinstated wording that makes clear that National Parks, the Broads and Areas of Outstanding Natural Beauty have the highest status of protection in relation to landscape and scenic beauty, and made clear the scale of development that may be appropriate within them.
- Explicitly referred to locally designated wildlife sites in the policies relating to biodiversity.

16. Conserving and enhancing the historic environment

Question 36

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

Question 36 response

There were 627 responses to this open question. Points raised include:

- Some respondents supported the amendment to paragraph 189 to insert the phrase ‘...irrespective of the degree of potential harm to its significance...’, on the basis it provided a welcome clarification of policy. However, others were concerned that it removed the need for any consideration of the level of harm or considered that its effect was ambiguous and unclear.
- Concerns were raised, particularly amongst the archaeological sector, that moving the policy on non-designated heritage assets of archaeological interest into a footnote risked the policy being overlooked and could therefore weaken protection for this type of asset. Private sector respondents who commented on this issue were overwhelmingly opposed to the policy itself and considered that non-designated heritage assets should not be treated as equivalent to designated heritage assets.
- Local authorities and the heritage sector in particular raised concerns that the importance of historic environment records had been downgraded, for example by amendments to the definition.
- Although some respondents supported the deletion of the term ‘optimum viable use’ from the heritage chapter on the basis that its meaning was unclear, others thought that it was a serious omission of what was an important concept in the historic environment.
- Heritage bodies considered that the policy approach to the assessment of the impact of proposed development on the significance of heritage assets needed further clarification.

Government response

The Government recognises the importance of the historic environment and has no intention to reduce, whether through the Framework or otherwise, the important protections that exist for it. Our intention in the proposed revised paragraph 189 was to clarify existing policy. It does not remove the requirement to consider the level of harm to the significance of heritage assets as set out in subsequent paragraphs, nor the specific weight that might be given in a particular case to the asset’s conservation in light of its importance as set out in this paragraph. However, we note the concerns about the effect of the amendment being unclear and have amended the revised Framework (now in paragraph 193) to provide clarity.

The policy approach to non-designated heritage assets of archaeological interest, now referred to in footnote 63, is unchanged from the 2012 Framework. However, we have made clear in the introduction to the final Framework that footnotes in the document are an integral part of national planning policy, which needs to be read as a whole.

The Government did not intend to downgrade the importance of historic environment records in revising the Framework. In light of the responses to the consultation, we have retained policy on historic environment records in the Framework and amended the text to make the approach clearer. We have also revised the reference to 'optimum viable use' and will set out in guidance where its use could be appropriate. We note the concerns about clarifying the policy approach to the assessment of the impact of proposed development on the significance of heritage assets and we will consider this issue further in revising national planning guidance.

17. Facilitating the sustainable use of minerals

Question 37

Do you have any comments on the changes of policy in Chapter 17, or on any other aspects of the text of this chapter?

Question 37 response

There were 975 responses to this open question. Points raised include:

- Respondents from most sectors supported the need to facilitate security of supplies, but there were concerns about the dropping of the word 'essential' to describe minerals. They highlighted the need to safeguard not only minerals reserves, but also the infrastructure needed to distribute them, and sought amendments to wording on landbanks.
- Individuals and some environmental organisations considered that more emphasis should be placed on renewables.
- Individuals and some interest groups disagreed with policies relating to oil and gas development, including unconventional hydrocarbons. These groups considered that these policies should be omitted due to disagreement with the principle of fossil fuels, shale development, and fracking.
- Some individuals considered policy to be unbalanced towards the economic benefits of mineral development and stated that equal weight should be given to economic, social and environmental considerations. There were some calls to provide a clear position on coal.
- There were calls for references to underground exploration and extraction operations to be omitted from paragraph 205, as ensuring their integrity and safety was the remit of the regulators, principally the Health and Safety Executive, rather than mineral planning authorities.

Government response

The Government acknowledges the support for an effective planning policy for minerals and the need to facilitate security of supplies, and the final Framework recognises that a sufficient supply of minerals is essential. In the final Framework we have made some textual changes to clarify the application of policies relating to landbanks for industrial minerals and amended the text to remove any inconsistency between paragraphs 205 and 211 in relation to coal extraction (removing, in relation to coal, the expectation that great weight is given to the benefits of mineral extraction). Having considered the responses, we have reverted to the wording in the 2012 Framework in setting out the need for sufficient minerals supply, around permitted reserves of industrial minerals, and to avoid an unintended alteration of meaning in relation to underground gas storage.

There was limited support for the inclusion in the Framework of policies for the exploration and extraction of oil, gas and unconventional hydrocarbons (which includes shale), with most responses objecting to potential shale development as a matter of principle. However, shale gas, which plays a key role in ensuring energy security, is of national importance. The Government is committed to explore and develop our shale gas resources in a safe and sustainable way. We have therefore carried forward this policy in the Framework, which would apply having regard to the policies of the Framework as a whole.

Question 38

Do you think that planning policy on minerals would be better contained in a separate document?

Question 38 response

There were 838 responses to this question. There was minimal support (19%) for separating planning policy on minerals into another document, 62% of respondents did not support a separation and a further 19% were not sure. Common reasons for opposing a separate document across most sectors included:

- Respondents considered a chapter in the Framework to be more appropriate, as it links minerals closely with policy on other land-use developments.
- Respondents raised concerns that a separate document risked weakening the position of minerals in planning. Having it in the same document helps ensure that policies for safeguarding of mineral resources and infrastructure are implemented by local authorities.
- A large number of individuals raised concerns that removing policies from the Framework would encourage fracking and would take away control of mineral production from local authorities.
- There were calls from respondents, particularly local authorities, for waste policy to return to the Framework.

Government response

The Government recognises respondents' concerns about removing planning policy on minerals from the Framework and putting it in a separate document. The minerals chapter will be retained within the Framework so that it can be considered alongside other land-use planning policies, so that appropriate safeguarding of minerals sites will continue, and appropriate planning for minerals is co-ordinated alongside other needs, such as infrastructure and housing. For reasons set out in the response to question 42, the Government does not intend to integrate waste planning policy into the Framework, but the two policy documents should be read in conjunction with each other.

Question 39

Do you have any views on the utility of national and sub-national guidelines on future aggregates provision?

Question 39 response

There were 592 responses to this question. Points raised include:

- Across all groups the most common response was that the Government needs to review and update its sub-national guidelines on aggregates, which underpin the 'managed supply system'.
- Respondents called for updated guidance on the Managed Aggregate Supply System (MASS) and continued Government support to the MASS via funding of Aggregate Working Parties.
- There was support for a revised method for forecasting demand for aggregates.
- Some individuals and environmental organisations emphasised the need to consider the environmental impact of new sites and giving a greater say to local people.

Government response

The Government recognises that planning for minerals is essential to increasing the supply of housing and other development, and that without updated guidelines, there is a real risk of under-provision and possible sterilisation of mineral resources. A number of representations have pointed out that while the MASS may be acknowledged in the Framework, it has ceased to function in practice. The Government notes the case that has been made for revitalising the MASS. Doing so raises important questions of resources, capability and how to do so in a modern, data-science led way. The Government intends to explore these issues after the publication of the Framework.

Transitional arrangements and consequential changes

Question 40

Do you agree with the proposed transitional arrangements?

Question 40 response

There were 514 responses to this question. About a third (30%) of respondents agreed with the proposed transitional arrangements, over a third (35%) disagreed and the remaining were not sure. Points raised include:

- There was a mixed response from local authorities, with 38% agreeing with the approach and 37% disagreeing. They requested further clarity on the status of plans examined under the 2012 Framework once the final Framework is published.
- Some respondents expressed concerns about the potential impact of the proposed transitional arrangements on the London Plan, and whether spatial development strategies were being treated in a consistent way.
- Some private sector organisations suggested the Housing Delivery Test thresholds and the transitional arrangements should be implemented faster.
- Neighbourhood planning bodies raised concerns that the transitional arrangements could have a negative impact on neighbourhood plans and suggested that they should be considered up-to-date for five years instead of two.
- Local authorities, interest groups and private sector organisations all raised concerns about decisions being taken in line with the revised Framework, which may conflict with an emerging or recently adopted local plan, where transitional arrangements allow plans to be examined under the 2012 Framework.
- There were calls for further guidance to provide clarity on housing delivery in the context of the proposed arrangements.

Government response

The Housing Delivery Test transitional arrangements reflect the fact that historic delivery rates will be used in the 2018 and 2019 Housing Delivery Test results. The Government considers that the proposed transitional arrangements are appropriate for the first two calculations.

The transitional arrangements for neighbourhood plans reflect the Written Ministerial Statement of 12 December 2016 (insofar as relevant), which enables more plans to be considered under the protection afforded in paragraph 14 up to and including December 2018, and goes further to enable a phased introduction of the Housing Delivery Test. We do not therefore consider that further changes are necessary.

The Government has considered the comments made in relation to the Framework's transitional arrangements for spatial development strategies. The Government has amended footnote 69 of the Framework so that 'submission' in the context of transitional arrangements for spatial development strategies means the point at which copies of all representations made, in accordance with regulation 8(1) of the Town and Country Planning (London Spatial Development Strategy) Regulations 2000, or equivalent, are sent to the Panel.

Question 41

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?

Question 41 response

There were 410 responses to this question. Half of respondents (50%) were not sure about the need for changes to the Planning Policy for Traveller Sites as a result of the revisions to the Framework and over a quarter of respondents (27%) supported changes. Of those responses which support changes to the Planning Policy for Traveller Sites as a result of the revised Framework, points raised included:

- Respondents, particularly local authorities, requested clarity regarding a range of policy issues including but not limited to: the scope of paragraph 62 of the revised Framework in relation to gypsies and travellers (with several responses stating that the current wording of this paragraph is confusing in terms of its reference to travellers and is inconsistent with the Planning Policy for Traveller Sites); whether planning for gypsy and traveller housing is a strategic or local policy; and how the needs of travellers covered by the Framework are identified from the local housing need figure.
- Respondents raised the issue of integrating the Planning Policy for Traveller Sites into the Framework, with more than half of these responses being from local authorities. A range of reasons were cited for integrating the policies, including fairness, clarity and ease of policy application.
- Many respondents went beyond suggesting consequential changes to the Planning Policy for Traveller Sites as a result of the revised Framework, and instead made broad ranging comments about the substantive content and application of the Planning Policy for Traveller Sites. Several of these responses related to the practical implications of the current Planning Policy for Traveller Sites definition of travellers.

Government response

The Government does not intend to merge the Planning Policy for Traveller Sites into the Framework at this time, but is considering whether any changes may be required to the Planning Policy for Traveller Sites. In addition to considering responses to the consultation on the revised Framework, the Government is also reviewing responses to the Powers for dealing with Unauthorised Development and Encampments consultation⁴, which closed on 15 June. This consultation included a question about whether there are any specific barriers to the provision of more authorised permanent and transit sites and, if so, whether there is any action that the Government could take to help overcome those barriers.

⁴https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/697354/Consultation_-_unauthorised_encampments.pdf

Paragraph 1 of the Planning Policy for Traveller Sites and paragraph 4 of the revised Framework retain the current position and confirm that these two policy documents should be read in conjunction with each other. We have made changes to the Framework to provide greater explanation of how particular new Framework policies are to be read with the Planning Policy for Traveller Sites to facilitate the effective operation of the two systems alongside one another. As a result of these changes, Chapter 5 has been clarified to make clear beyond the avoidance of doubt that, while the Planning Policy for Traveller Sites sets out how housing needs should be assessed for those falling within the definition in Annex 1 of that document, the needs of all travellers should be assessed in planning policies.

There are some aspects of the revised Framework which will only apply to settled travellers. An assessment of impacts of revised Framework policies on travellers covered by the Framework and those covered by the Planning Policy for Traveller Sites has been considered within the National Planning Policy Framework Public Sector Equality Duty assessment.

Question 42

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?

Question 42 response

There were 387 responses to this question. More than half of respondents (58%) were not sure if there should be consequential changes, 22% stated that there should be changes and 20% did not consider changes necessary. Key points raised include:

- The most commonly raised suggestion, particularly by local authorities, was that National Planning Policy for Waste should be merged with the Framework to ensure that waste policy is embedded in the overall approach to national planning policy.
- Respondents requested that reference should be made in National Planning Policy for Waste to the Government strategies, such as the 25 Year Environment Plan; Industrial Strategy – including reflecting the Circular Economy, and the forthcoming Resources and Waste strategy.
- Respondents stated that National Planning Policy for Waste should reflect the new plan-making framework, the statement of common ground, five year plan review requirement, Green Belt, density and agent of change policies set out in the revised Framework.
- Those who were against making consequential changes generally did not make comments, but, of those who did, reasons were provided such as the Framework should be read in conjunction with National Planning Policy for Waste so no changes would seem necessary.

Government response

Paragraphs 1 of National Planning Policy for Waste and 4 of the revised Framework continue to make clear that these two policy documents should be read in conjunction with each other. The Government considers that some consequential changes to National Planning Policy for Waste will be needed to reflect the revised Framework. However, in order to align with the update to the National Waste Management Plan taking place next year, and the forthcoming Resources and Waste Strategy, the revision to National Planning Policy for Waste will take place over a longer timeframe, and for this reason will remain separate to the Framework.

Glossary

Question 43

Do you have any comments on the glossary?

Question 43 response

There were 750 responses to this open question. Points raised include:

- Overall many respondents, particularly individuals, viewed the glossary as a useful addition for those readers with a limited knowledge of the planning system.
- Some respondents stated that the definition of ‘irreplaceable habitats’ should be expanded to include a wider range of habitats such as aged / veteran trees, hedgerows and heathland.
- Local authorities called for the proposed definition of ‘deliverable’ to be reconsidered, as it may result in them being unable to prove a five year land supply and place additional burdens on local authorities to produce evidence. Private sector organisations were supportive of the proposed definition.
- A large proportion of respondents stated that social rent should be included in the definition of affordable housing, as its exclusion could lead to more people being forced into private renting.

Government response

The glossary has been amended in the light of the comments received, to reinstate some terms that were omitted from the draft revisions (such as historic environment, and international, national and locally designated sites of importance for biodiversity). A number of new terms have also been included where this provides clarity on points mentioned in the main text – such as designated rural areas, general aviation airfields and spatial development strategies.

The definition of irreplaceable habitats has been re-cast so that it is more explicit about what constitutes ‘irreplaceable’, and the types of habitat which the Government considers to fall within this category (which it accepts should include ancient and veteran trees, although it is not considered that some of the other suggested inclusions meet the criteria for being irreplaceable). A new definition of ‘habitats sites’ has been included, and has where relevant been used in the Framework in place of the references to European Sites and sites protected under the Birds and Habitats Directives, as a term that will be more suitable once we have left the European Union. This change in terminology does not alter the scope of the policies affected.

We have also amended the definition of affordable housing to make clear that ‘social rent’ and ‘affordable rent’ products fall within the scope of what is referred to as ‘affordable housing for rent’. The definition of ‘other affordable routes to home ownership’ has also been amended so it is clear that other low cost home ownership products should be made

available at a price equivalent to at least 20% below local market value (for consistency with the other definitions).

The Government has considered whether the definition of 'deliverable' should be amended further, but having assessed the responses it has not made additional changes. This is because the wording proposed in the consultation is considered to set appropriate and realistic expectations for when sites of different types are likely to come forward.