

Summary of NPPF and Planning Reforms government consultation

1.1 The new Government is consulting on draft revisions to the National Planning Policy Framework (NPPF) and various planning reforms to be legislated. The consultation commenced on 30th July 2024 and closes on 24th September 2024.

1.2 The Government has committed to growing the economy and building 1.5 million new homes. To achieve this, it is proposed that housing need figures for local authorities will use the same 'standard method' of calculation and this approach will be mandatory. In the previous iteration of the NPPF (Dec 2023), the standard method was an advisory starting position and local planning authorities were able to put forward their own methodology for deriving housing need figures if circumstances demonstrated the standard methodology was not appropriate. National Parks were exempt from using the standard method.

1.3 The standard method has been amended to improve the level of affordability in unaffordable locations. In doing so, the calculation increases the housing need for areas that where people are struggling with the affordability of buying a home.

1.4 There is a stronger emphasis on local authorities working together strategically, including picking up the shortfall if a local authority cannot deliver all their housing need.

1.5 There are no changes to the protection of National Parks in the NPPF or in legislation. However, other topic areas are proposed to be given significant weight, in particular there is an emphasis on renewable energy, and the Government asks whether or not this is appropriate in sensitive areas.

1. Strategic Planning

2.1 Planning reforms through a 'Planning and Infrastructure' Bill will reintroduce strategic planning. The government is proposing to introduce a 'Model of Universal strategic planning covering functional economic areas' and legislate this approach within the next 5 years, with 'Spatial Development Strategies' (SDS) to promote more 'effective' cross boundary strategic planning at Mayoral authority level. Areas that are already have mayoral authorities can proceed with their SDS.

2.2 As the PDNPA straddles more than one Mayoral authority¹ we shall respond to the consultation to request that we be considered wholly part of the East Midlands Mayoral Authority area (with appropriate cross referencing to other areas). This aligns with our previous approach to strategic planning when Regional Spatial Strategies were in force.

2.3 The legal 'duty to co-operate' will remain until these changes to legislation are made. Changes to the NPPF puts greater emphasis on the need for cross-authority partnership, in particular accommodating unmet housing need and other strategic issues.

2. Calculating Housing Requirements

3.1 The government is proposing to reinstate the 5-year housing supply mechanism to demonstrate Local Authorities have sufficient land for housing, with a 5% buffer.

3.2 The standard methodology (SM) to establish local housing requirements remains in place with some amendments to the calculation method.

¹ South Yorkshire Combined Mayoral Authority, West Yorkshire Combined Authority, East Midlands Combined Authority, Greater Manchester Combined Authority

3.3 The changes to the SM calculation are to use existing housing stock as the baseline (instead of household projections) + 0.8% each year, plus an affordability accelerator for areas where the ratio of average earnings to average house prices is more than four times. This is to reflect the Government's thinking that a greater supply of housing is needed in unaffordable areas. We know that in the majority of settlement of the National Park the ratio of average earning to average house prices is more than four times and this will be reflected in our constituent Local Authority housing figures (see above for changes to DDDC).

3.4 The SM will be the method of calculating housing need, not an advisory one. There will be no exceptional circumstances to use an alternative method to the SM to calculate housing need. However, the Government acknowledges that there are data gaps for some areas in terms of calculating housing need, which will require the publication of further guidance.

3.5 Planning authorities can use local 'hard constraints' such as National Parks, protected habitats and flood risk to justify a lower housing requirement through local plan consultation and examination, but must demonstrate they have *'taken all possible steps, including optimising density, sharing need with neighbouring authorities, and reviewing Green Belt boundaries, before a lower housing requirement will be considered'*.

3.6 In issuing this new requirement for wholesale use of the SM, the Government published the outcome of the proposed revised method². The outcomes are set at Local Authority level rather than Local Planning Authority level. For information, East Midlands area sees a change to the annual housing delivery rate from 20,793 to 27,382. Derbyshire Dales District Council (DDDC) Local Authority area sees an annual housing delivery rate change from 216 to 571.

3.7 The reason for the change to the SM is to remove urban uplift and distribute growth to a wider range of urban areas.

3. Affordable Housing

4.1 The infrastructure levy will not be introduced (as proposed in the Levelling-up and Regeneration Act 2023).

4.2 New national policy will support the delivery of housing and associated infrastructure. There is a clear message coming through that the Government supports social rented housing and this should be a key aspect of all housing needs assessment. However, it will be for the LPA to set out the amount needed for each type of affordable housing on housing sites, with an emphasis on promoting a more diverse tenure mix.

4.3 The Government asks whether there should be restrictions on there being 100% affordable housing sites.

4.4 The Government asks how it can support and increase more rural affordable housing.

4.5 Looked after children are to be considered as a specific group in housing needs assessments.

4.6 It is proposed to remove the current requirement of at least 10% of housing on major development housing sites to be affordable and of that, at least 25% of all affordable housing on such sites to be First Homes. The definition of affordable will be updated to replace Starter Homes with First Homes.

4.7 The government proposes to make it easier for non-registered providers to build affordable homes to rent. This is aimed at Almshouses and community-led development but could be exploited by private developers and make it difficult to ensure that build to rent housing remains affordable in-perpetuity.

² [outcome-of-the-proposed-revised-method.ods \(live.com\)](https://www.ods.live.com/outcome-of-the-proposed-revised-method.ods)

4. Where to build

5.1 There is a clear presumption in favour of building on brownfield land first and that we should prioritise redeveloping previously developed land (PDL) where possible, and take a sequential approach to land release (this is more relevant to planning authorities that need to consider Green Belt release). The definition of PDL will be widened to include areas of hardstanding and glasshouses.

5.2 All Local Plans are expected to have clear ambitions for housing and economic growth.

5.3 Local Plans will be required to clearly set out where development will and will not take place. This will have an impact on how we plan for development and in particular new housing. At present we refer to 'in and on the edge of', which may not be sufficient going forward.

5. Community-led development

6.1 The government will continue to strengthen the weight given to community-led projects by widening the consideration to all development rather than just housing and removing development constraints.

6. Green Belt/ Grey Belt/ Brownfield

7.1 LPAs are required to carry out a Green Belt review if they are unable to allocate sufficient land for their housing requirement. Any release of Green Belt for housing will need to contribute towards Biodiversity Net Gain and affordable housing. It is proposed that LPAs take a sequential approach to housing, releasing Grey Belt before Green Belt.

7.2 The government has introduced 'Grey Belt',

'Land in the Green Belt comprising Previously Developed Land and any other parcels and/or areas of Green Belt land that make a limited contribution to the five Green Belt purposes...but excluding those areas or assets of particular importance.'

7.3 Whilst the National Park does not have Green Belt, LPAs that adjoin our boundary do. This land is allocated as Green Belt, it is serving a purpose as a transitional landscape between urban areas and the designated national park.

7.4 The consultation proposes that development on 'suitable' brownfield sites (previously developed land) within settlements is acceptable in principle.

7.5 It is proposed that the definition of previously developed land is expanded to hardstanding and horticultural glasshouses.

7. Design

8.1 Design Codes can be used to evidence character and density and to demonstrate a need for lower housing figures.

8.2 Design codes are to remain but it is proposed that they are localised rather than district wide.

8.3 The reference to 'beauty' has been removed as it is subjective and well-designed places can be achieved using the National Design Guide and National Model Design Code.

8. Supporting green energy and the environment

9.1 Onshore wind turbines have been reinstated as an acceptable form of renewable energy and large scale schemes will fall within the Nationally Significant Infrastructure Projects (NSIP) regime.

9.2 The threshold for solar farms to be considered as NSIPs will increase from 50MW to 100MW.

9.3 'Significant weight' will be given to the development of renewable energy and low carbon development.

9.4 There is an expectation that LPAs will identify sites for renewable and local carbon development through their plan-making.

9.5 There is a new approach to supporting renewables in sensitive areas subject to other policy requirements and environmental safeguards. Sensitive areas include '*valuable habitats that provide carbon sequestration, including peatlands which are critical for mitigation and adaptation, and provide key habitats for biodiversity*'.

9.6 The Government asks how national planning policy can do more to help address climate change mitigation and adaptation.

9.7 The footnote in the NPPF 2023 (Dec) referencing food production has been removed.

9. Infrastructure and the economy

10.1 Development proposals to improve provision and modernise key public services infrastructure will be given 'significant weight' in the decision-making process – hospitals and criminal justice facilities.

10.2 It is proposed that there is support for the provision of pre-school and post 16 education facilities.

10.3 It is proposed that there is support for the following industries and their growth (including sites identified): laboratories, gigafactories, data centres, digital infrastructure, freight and logistics. Where these are considered to have a significant economic impact or are important for driving growth the Secretary of State may ask for them to be considered under the NSIP regime.

10.4 The Government is also considering amending the Planning Act, 2008 to ensure water infrastructure projects of national importance are captured within the NSIP regime.

10.5 The consultation asks how the Government can support healthy communities and tackle childhood obesity.

10.6 The consultation proposes a move towards a vision-based approach to transport planning where we decide what sustainable transport outcome we would like to achieve and then plan for it. This is a shift away from current practice which is to manage the impact of development on the highway by predicting it and then providing the infrastructure required.

10. Local Plans

11.1 To ensure local plans are in place to facilitate the growth planned, the Government has proposed transitional arrangements to the new plan-making system (Levelling Up and Regeneration Act, LURA). These are based on what stage a local plan is at in its preparation and how well it aligns with the number of dwellings the Government expects to be planned for using the new standard method.

11.2 As we have not reached Regulation 19 stage (submission), we will need to plan in accordance with the new NPPF, taking account of any changes made from this consultation. The proposed deadline for submitting a local plan under the current planning system (not the new one as introduced by the LURA) is December 2026. After this date, we will prepare a plan under the new plan-making process.

11. Changes to planning fees

12.1 There is a £262 million shortfall in local authority development management services. To address this the government is proposing to increase planning application fees, introduce fees for services that were previously free (such as Listed Building Consent), and allow LPAs to recover costs related to development orders.

12.2 It is suggested that LPAs could follow a national or localised fee-paying system.

12. Proposed changes to the NPPF

Old Paragraph No.	New Paragraph No.	Notable Changes
6.	6.	Omission of Written Ministerial Statement on Affordable Homes.
11.	11.	d) Inclusion of policies 'for the supply of land', which set an overall requirement and/or make allocations and allowances for windfall sites for the area and type of development concerned. dii) Inclusion of adverse impacts that outweigh the benefits for the location and design of development (as set out in chapters 9 and 12) and for securing affordable homes.
20.	20.	Omission of '(to ensure outcomes support beauty and placemaking)'. Amendment to wording of 'are' to 'continue to be'.
24.	24.	Inclusion of 'Effective strategic planning across local planning authority boundaries will play a vital and increasing role in how sustainable growth is delivered and key spatial issues, including meeting housing needs, delivering strategic infrastructure, and building economic and climate resilience, are addressed'. Amendment to wording of 'are' to 'continue to be'.
25.	25.	Omission of 'Local Enterprise Partnerships'.
//	27.	New paragraph: 'strategic policy-making authorities should make sure that their plan policies are consistent with those of other bodies where a strategic relationship exists on these matters, and with the relevant investment plans of infrastructure providers, unless there is clear justification to the contrary.'
27.	28.	Amended to include: 'Plans come forward at different times, and there may be a degree of uncertainty about the future direction of relevant development plans or plans of infrastructure providers. In such circumstances strategic policy-making authorities and Inspectors will need to come to an informed decision on the basis of available information, rather than waiting for a full set of evidence from other authorities.□'
60.	61.	Amendment to omit 'as much of' and 'as possible'.
61.	62.	Omittance of exceptional circumstance in the standard method

62.	//	Omission.
63.	63.	Amendment to include 'social housing' and 'looked after children'.
64.	64.	Amendment to include social rent homes.
66.	66.	Omission of text on affordable homes at 10%. Replaced with 'mix of affordable housing required meets identified local needs, across both affordable housing for rent and affordable home ownership tenures.
//	69.	New paragraph to include mixed tenure sites.
75.	76.	Omission of 'monitor their deliverable land supply against their housing requirement, as set out in adopted strategic policies'. Omission of Part b regarding 10% buffer of deliverable sites for 20%.
76; 77; 78.	//	Omission.
86.	84.	Omission of 'or. Inclusion of 'sites for commercial development which meet the needs of a modern economy should be identified, including suitable locations for uses such as laboratories, gigafactories, data centres, digital infrastructure, freight and logistics.'
87.	85.	85a) Inclusion of additional text regarding facilities and infrastructure for new facilities. 85b) Inclusion of text for storage 85c) Inclusion of text for the expansion or modernisation of other industries of local, regional or national importance to support economic growth and resilience.
96.	94.	Omission of 'and beautiful building's'.
99.	97.	Inclusion of early years, post-16 places.
100.	98.	Inclusion 'Significant weight should be placed on the importance of new, expanded or upgraded public service infrastructure when considering proposals for development.'
114.	112.	Inclusion of 'A vision led approach'.
115.	113.	Inclusion of 'in all tested scenarios.'
124.	122.	122c) Inclusion 'proposals for which should be regarded as acceptable in principle', in regards to weight attributed to brownfield sites. 122e) Inclusion of Mansard roofs.
130.	//	Omission
Title 12.	Title 12.	Omission of beautiful places. NOTE: Retention of beautiful in para 128.
138.	135.	Inclusion of the National Design Code as the primary basis for local design codes.
145.	142.	Changes to the paragraph to include to note Greenbelt boundaries should be altered where exceptional circumstances are justified. Text added to outline the exceptional circumstances.
147.	144.	Addition of text to include provision of grey belt sites and release of sustainable greenbelt locations.

150.	147.	Addition of 'Where Green Belt land is released for development through plan preparation or review, development proposals on the land concerned should deliver the contributions set out in paragraph 155.'
154.	151.	Amendment to 'limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.'
//	152.	New paragraph regarding housing, commercial and other development in the Green Belt and where it is not considered inappropriate.
//	155.	New paragraph outlining conditions where major development takes place in the greenbelt.
//	156.	New paragraph regarding the provision of greenspace. It outlines development proposals should meet local standards where these exist in local plans, for example local planning policies on access to green space and or urban greening factors.
//	157.	New paragraph on viability considerations for greenbelt development.
160.	161.	Amends to infer a more proactive approach for identifying areas for renewable and low carbon energy sources.
161.	//	Omission.
163.	163.	Amends to note Local Planning Authorities should also give significant weight to energy efficiency in existing buildings.
164.	164.	Amends to include text 'Local planning authorities should support planning applications for all forms of renewable and low carbon development.' Amends to include significant weight to be attributed to renewable energy generation and net-zero.
165.	165.	Two paragraphs of same number.
181.	181.	Note that agricultural land for food production is omitted.
182.	182.	Note that Paragraph 182 remains.
226.	226 – 233.	New heading and paragraphs on 'For the purposes of decision making' guidance.
//	226.	Exclusion of local plans prepared before the publication date and criteria.
//	227.	In relation to local plans under Regulation 22.
//	228.	In relation to Pre-Regulation 19 plans.
229.	229.	In relation to Spatial Development Strategies.
227.	231.	Explanatory for pre- 2019 development plans.
228.	232.	In relation to withdrawn plans.