

Town and Parish Council Seminar

**Levelling-up and Regeneration Bill:
Reforms to National Planning Policy 2023**

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**Sandra Ford – Head of Development Services
Ian Bowen – Planning Policy Manager**

Planning Reform and Legislation Update

Michael Gove Written Ministerial Statement 6 December 2022: [Written statements - Written questions, answers and statements - UK Parliament](#) – promised a NPPF “Prospectus”.

NPPF Prospectus consultation duly published 22nd December 2022

This is a wide-ranging consultation on proposals both for immediate implementation and then for a fuller update of the NPPF later in 2023.

Key consultation documents

[The Prospectus - Levelling-up and Regeneration Bill](#): reforms to national planning policy poses 58 Questions.

The [tracked changes NPPF document](#) which is published alongside the Prospectus. It provides wording for changes to be implemented immediately, subject to the results of this consultation.

The consultation closes **2nd March 2023**.

Timetable for implementation

- NPPF tracked changes Spring 2023.
- Royal Assent of Levelling Up and Regeneration Bill Spring 2023.
- Wider NPPF Review later in 2023.
- Changes to Plan-making system in late 2024

Objectives for NPPF Changes

- Building beautiful and refusing ugliness
- Securing infrastructure
- More democratic engagement on Local Plans
- Better environmental outcomes
- Empowering communities
- Overall – to deliver more homes in the right places supported by infrastructure

Key themes

1. Changes to the 5 year housing land supply
2. Standard Method for housing need no longer 'mandatory' now 'advisory'
3. Green Belt Policy
4. Local Plan Examination Tests of Soundness
5. Housing Delivery Test
6. Strengthening Neighbourhood Planning

Key themes

7. Small to Medium Housebuilders
8. Affordable housing and community led development
9. Developer planning history of delivery
10. Design Codes, Density & Beauty
11. Importance of Agricultural Land Value
12. Climate change – community support for onshore wind, re-power support and carbon impact assessments.
13. Wider/parallel changes to NPPF to reflect LURB

1. 5 year Housing Land Supply

- Removing requirement for 5YHLS in up to date Plans
- Removing the need to apply a 'buffer' in addition to 5 years worth of land supply.
- Acknowledging past oversupply (and undersupply)
- 4 year supply for emerging plans

2. Standard Methodology for Housing Need

- No changes proposed to the 'Standard Method' formula for housing targets
- But clarified to be 'advisory' not 'mandatory' (for plan-making)
- Alternative methods of calculation exceptionally allowed
- Planning for less than calculated needs to be allowed where otherwise building densities would be out of character with existing area

3. Green Belt Policy

- Policy change to make clear that Green Belt does not need to be reviewed or altered when making plans if this would be needed to meet housing needs (although they can if LPAs wish)
- Future policy changes to “green” the Green Belt

4. Local Plan Examination 'Soundness'

- Removing the requirement of plans to be 'justified' by evidence. [However, evidence is still required in other parts of the NPPF and legislation].
- Transitional arrangements will be put in place.

5. Housing Delivery Test

- Only relevant to LPAs which have not met delivery targets over the past three years.
- New rules for LPAs where past delivery has fallen below 75% of requirement.

6. Neighbourhood Plans

- Boosting the status of Neighbourhood Plans – increasing the protection against the implications of LPAs not having a 5YHLS.
- Future reforms are proposed which relate to the timeline for preparing Neighbourhood Plans as part of the future planning system.

7. Small to Medium Housebuilders

- Seeking views on how to strengthen existing NPPF policy encouraging SME house builders, alongside wider DHLUC initiatives (e.g. providing development finance)

8. Affordable housing and community led development

- Providing stronger support to ensure older people are offered a better choice of specialist accommodation.
- More weight to be attached to Social Rent in planning policy and decisions.
- Seeking views on whether the definition of “affordable housing for rent” should be amended to make it easier for organisations that are not Registered Providers to develop new affordable homes e.g. community groups
- There are proposals to support community groups bringing forward affordable housing on rural exception sites.

9. Developer planning history of delivery

- Seeking ways to improve developer accountability, including past “irresponsible behaviour”. e.g.
 - making past breaches of planning a material consideration
 - Allowing LPAs to decline to determine applications
... where these can be fair, proportionate and workable.
- Speeding up build out of consented sites through planning policy:
 - a) Requiring developers to report annually on build out and publishing data on developers of sites where they fail to deliver.
 - b) Developers to explain how they propose to increase the diversity of housing tenures to maximise absorption (sales/occupation) rates.
 - c) Making delivery a material consideration in planning applications. This could mean that applications with trajectories that propose a slow delivery rate may be refused in certain circumstances.
- Also financial penalties for slow developers.

10. Design Codes, Density & Beauty

- “Beauty” to be a benchmark for all development to meet and ugliness to be refused. NPPF to emphasise the role of beauty and placemaking
- Requiring planning conditions to refer to plans and drawings
- Embracing “gentle density” by building upwards particularly for mansard roofs to increase densification.
- Wider reforms – District wide Design Codes, density and character considerations of housing need and specific interventions on the use of artificial grass.

11. Importance of Agricultural Land Value

- Seeking initial views on how to recognise food production value of farmland, in addition to current references in the NPPF on best most versatile agricultural land

12. Climate change and Protecting the Environment

- Seeking views on how to ensure Biodiversity Net Gain delivers through combatting potential abuse by developers and through better design
- Review of protections for Ancient Woodlands and ancient and veteran trees promised
- Commitment to carry out a fuller review of the NPPF to ensure it contributes to climate change mitigation and adaptation.
- Govt to consult on Quantifiable Carbon Reductions guidance for Local Transport Plans;
- inviting views on how to embed carbon assessments in planning policy

12. Climate change and Protecting the Environment continued ...

- Reviewing guidance on content of SFRAs
- Significant weight to be given to the adaptation of existing buildings' efficiency improvements through the adaptation of existing buildings
- Delivering a more localist approach to onshore wind, including rewarding supportive communities with benefits such as energy discounts;
- Supporting re-powering of existing wind turbines

Preparing for the new plan-making system

- LURB to introduce major changes to plan-making system.
- Plans to be quicker and simplified, with greater weight and limiting the “tilted balance”.
- Current draft Plans must be submitted by 30th June 2025 under the current legal system; and must be adopted by 31st December 2026.
- New local plans under the reformed system must be commenced immediately
- SPDs to be replaced with Supplementary Plans with equal weight to local plans. Existing SPDs will remain in force until the LPA has a new style local plan in place, but will expire if not prepared within 30 months.

National Development Management Policies

- Development Management Policies – same weight as Local Plans.
- To be set out in a separate document to the NPPF
- Covering only matters that relate to planning applications. Local plans would be precluded from duplicating or being inconsistent.
- Limited to key, nationally important issues commonly encountered in making decisions on planning applications across the country;
- Solely addressing planning issues, in other words that concern the development and use of land. National Development Management Policies would not address subjects which are regulated through other legislation.

Enabling Levelling Up

- More legislation changes to come and final questions seeking views on ...
- Levelling up and boosting economic growth.
- Support for Research & Development.
- Wider initiatives for investing in brownfield land and gentle densification of urban/town centres.
- Safer streets for women, girls and other vulnerable groups and creating safe places.

