

RESPONSE OF THE COVENTRY SOCIETY TO THE GOVERNMENT'S NPPF CONSULTATION – FEBRUARY 2023

Question Number	Question Wording	Response
1	Do you agree that local planning authorities should not have to continually demonstrate a deliverable 5-year housing land supply (5YHLS) as long as the housing requirement set out in its strategic policies is less than 5 years old?	No Many sites take over 5 years to develop from inception to build out. It is therefore essential that councils can demonstrate that at least 5 years of readily available housing land is in the land supply pipeline. This will help to ensure that local housing needs are being met and that the government target of 300,000 new homes per year can be achieved.
2	Do you agree that buffers should not be required as part of 5YHLS calculations (this includes the 20% buffer as applied by the Housing Delivery Test)?	Yes.
3	Should an oversupply of homes early in a plan period be taken into consideration when calculating a 5YHLS later on or is there an alternative approach that is preferable?	Yes If there has been a previous oversupply of homes of the appropriate type and tenure to meet local needs, the 5YHLS figure should be reduced. This will help to prevent developers failing to build out sites at an appropriate rate.

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4	What should any planning guidance dealing with oversupply and undersupply say?	Guidance on over supply and under supply of housing land supply should focus on ensuring that local housing needs and demand are met i.e. land is readily available to meet the need for affordable housing and market provision.
5	Do you have any views about the potential changes to paragraph 14 of the existing Framework and increasing the protection given to neighbourhood plans?	In our city there have been no neighbourhood plans. The benefits of neighbourhood plans have not been demonstrated and they do not add significant value to the planning system. Any action that might increase the value of neighbourhood plans would be welcome.
6	Do you agree that the opening chapters of the Framework should be revised to be clearer about the importance of planning for the homes and other development our communities need?	The framework needs to reflect that we have a climate emergency and plans need to reflect a target of net zero carbon. While “the importance of planning for the homes and other development our communities need” is self-evident, so should be the need to secure biodiversity and deliver healthy places. These objectives also need to be reflected, and with equal emphasis in the framework.

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7	What are your views on the implications these changes may have on plan-making and housing supply?	We believe that housing targets should be local and based on properly considered sub regional spatial strategies. Targets should be set for the subregional housing market and not individual local authorities and there should be a duty of collaboration in achieving them.
8	Do you agree that policy and guidance should be clearer on what may constitute an exceptional circumstance for the use of an alternative approach for assessing local housing needs? Are there other issues we should consider alongside those set out above?	Local councils should not have to accept without challenge the assumed continuing growth in student numbers arising from local universities and therefore the need to accommodate this growth. Planning for housing need should not mean accommodating without question the student numbers forecast by universities. National policy and guidance should make this clear.
9	Do you agree that national policy should make clear that Green Belt does not need to be reviewed or altered when making plans, that building at densities significantly out of character with an existing area may be considered in assessing whether housing need can be met, and that past over-supply may be taken into account?	We agree in principle that making clear that if housing need can be met only by building at densities which would be significantly out-of-character with the existing, this may be an adverse impact which could outweigh the benefits of meeting need in full. It is also important to underline that planning for growth should be in a way that recognises places' distinctive character and delivers attractive environments which have local support.

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		We feel that the issue of density needs to be elaborated in greater detail.
10	Do you have views on what evidence local planning authorities should be expected to provide when making the case that need could only be met by building at densities significantly out of character with the existing area?	We feel that the issue of building at densities significantly out-of-character with the existing area needs elaboration. For example, densities vary significantly within urban areas. So evidence on a local authority-wide figure would be too simplistic. However, evidence at a neighbourhood scale would require councils to be better resourced.
11	Do you agree with removing the explicit requirement for plans to be 'justified', on the basis of delivering a more proportionate approach to examination?	We agree with this.
12	Do you agree with our proposal to not apply revised tests of soundness to plans at more advanced stages of preparation? If no, which if any, plans should the revised tests apply to?	We have no view on this matter.

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13	Do you agree that we should make a change to the Framework on the application of the urban uplift?	<p>The urban uplift (35%) is unevidenced and arbitrary. It is in effect the creation of a two-tiered planning system - of LPAs that have some flexibility in how to meet their housing needs as against the twenty LPAs that have the additional burden of a 35% uplift in their target. The need therefore (particularly in conurbations) is to have sub regional spatial strategies.</p> <p>Local authority boundaries do not reflect local housing markets – meeting needs / demand should reflect the geography of real housing markets rather than administrative boundaries.</p>
14	What, if any, additional policy or guidance could the department provide which could help support authorities plan for more homes in urban areas where the uplift applies?	Linked to our response to Q13, we suggest that sub-regional spatial strategies should be a statutory requirement to resolve issues of meeting housing needs / demand (and housing land supply).
15	How, if at all, should neighbouring authorities consider the urban uplift applying, where part of those neighbouring	See our responses to Qs 13 & 14.

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	<p>authorities also functions as part of the wider economic, transport or housing market for the core town/city?</p>	
16	<p>Do you agree with the proposed 4-year rolling land supply requirement for emerging plans, where work is needed to revise the plan to take account of revised national policy on addressing constraints and reflecting any past over-supply? If no, what approach should be taken, if any?</p>	<p>We have no comment on this matter.</p>
17	<p>Do you consider that the additional guidance on constraints should apply to plans continuing to be prepared under the transitional arrangements set out in the existing Framework paragraph 220?</p>	<p>We have no comment on this.</p>
18	<p>Do you support adding an additional permissions-based test that will 'switch off' the application of the presumption in favour of sustainable development where an authority can</p>	<p>Yes Measuring local authority performance on housing delivery has been unfair where developers have (i) not acted on granted planning permissions and (ii) slow build out rates.</p>

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	demonstrate sufficient permissions to meet its housing requirement?	
19	Do you consider that the 115% 'switch-off' figure (required to Yes turn off the presumption in favour of sustainable development Housing Delivery Test consequence) is appropriate?	
20	Do you have views on a robust method for counting deliverable homes permissioned for these purposes?	No comment.
21	What are your views on the right approach to applying Housing Delivery Test consequences pending the 2022 results?	No comment.

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22	Do you agree that the government should revise national planning policy to attach more weight to Social Rent in planning policies and decisions? If yes, do you have any specific suggestions on the best mechanisms for doing this?	Yes Guidance on planning agreements should be modified to include a target of 25% of homes on sites should be for social rent. The definition of social rented homes should be clear ie rents at approximately 50% of market rents.
23	Do you agree that we should amend existing paragraph 62 of the Framework to support the supply of specialist older people's housing?	Yes Guidance should include a focus on, for example, including extra care schemes on sites over a specific size as well as support for innovative projects such as co-housing. We would also urge that the guidance should be extended to include provision of schemes, such as supported housing, for other under-provided groups e.g. people with mental health issues, care leavers etc..
24	Do you have views on the effectiveness of the existing small sites policy in the National Planning Policy Framework (set out in paragraph 69 of the existing Framework)?	The policy only appears to be successful where councils take a pro-active enabling role eg identifying public and private sites, resolving land ownership issues such as ransom strips, providing design guidance and supporting funding applications by SMEs.

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		Councils need to be better resourced to enable them to be more pro active in this respect.
25	How, if at all, do you think the policy could be strengthened to encourage greater use of small sites, especially those that will deliver high levels of affordable housing?	See our response to Q24 – encourage all councils to be pro-active and adopt an enabling framework.
26	Should the definition of “affordable housing for rent” in the Framework glossary be amended to make it easier for organisations that are not Registered Providers – in particular, community-led developers and almshouses – to develop new affordable homes?	<p>In our experience, successful community-led developers address this issue through (i) partnership working with registered housing providers (eg housing association) to access Homes England funding etc and (ii) benefitting from the enabling activities of councils (eg identification of rural exception sites, supporting village needs surveys etc.).</p> <p>We suggest, therefore, that these two actions should be highlighted in guidance.</p> <p>This response also relates to Qs 27-29.</p>

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27	Are there any changes that could be made to exception site policy that would make it easier for community groups to bring forward affordable housing?	See above.
28	Is there anything else that you think would help community groups in delivering affordable housing on exception sites?	See above.
29	Is there anything else national planning policy could do to support community-led developments?	Resource and support local authorities to have a proactive enabling role in support of community-led developments.
30	Do you agree in principle that an applicant's past behaviour should be taken into account into decision making?	Yes 'Irresponsible behaviour' should include failure to: <ul style="list-style-type: none"><li data-bbox="1189 1265 2011 1329">• Develop sites with planning permission within an agreed timescale.

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		<ul style="list-style-type: none"> • Meet planning agreement requirements. • Meet planning permission conditions. <p>In addition, irresponsible behaviour should include actions that affect local amenities / neighbourhood eg felling trees without consulting the local authority.</p>
31	Of the two options above, what would be the most effective mechanism? Are there any alternative mechanisms?	<p>We believe that both options would be unsatisfactory because planning applications apply to the site not the applicant. For example, a landowner may successfully apply for planning permission, and then subsequently sell the site to an 'irresponsible' developer. It would be difficult and hugely expensive to then revoke the planning permission.</p> <p>We, therefore, suggest that non-planning actions are required eg preventing irresponsible developers gaining access to public subsidies (including grants and loans) and excluding them from bidding for local and national contracts.</p>

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32	Do you agree that the 3 build out policy measures that we propose to introduce through policy will help incentivise developers to build out more quickly? Do you have any comments on the design of these policy measures?	<p>We consider that these three measures are insufficient e.g.</p> <ul style="list-style-type: none">• Publishing data does not by itself address poor build out rates.• Tenure diversification is an interesting idea to boost absorption rates – but it needs to be included as an action that developers are required to take.• Material planning consideration – see our response to Q31. <p>Instead, sanctions should be in place to address poor build out rates e.g. implement a previously agreed tenure diversification plan.</p> <p>More broadly, the government should consider the detailed recommendations in the Letwin Review (2018).</p>

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33	Do you agree with making changes to emphasise the role of beauty and placemaking in strategic policies and to further encourage well-designed and beautiful development?	<p data-bbox="1184 451 2033 619">Yes. We welcomed the changes to the NPPF in 2021 to strengthen design of homes and neighbourhoods and we support the proposed alterations to emphasise the strategic nature of design and placemaking ie it is not just a detailed planning consideration after the granting of outline planning permission.</p> <p data-bbox="1184 683 2033 778">It should be clear that these changes particularly apply to the 20 largest towns and cities which are currently subject to the 35% uplift.</p>
34	Do you agree to the proposed changes to the title of Chapter 12, existing paragraphs 84a and 124c to include the word 'beautiful' when referring to 'well-designed places', to further encourage well-designed and beautiful development?	We support these amendments.
35	Do you agree greater visual clarity on design requirements set out in planning conditions should be encouraged to support effective enforcement action?	Yes

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36	Do you agree that a specific reference to mansard roofs in relation to upward extensions in Chapter 11, paragraph 122e of the existing framework is helpful in encouraging LPAs to consider these as a means of increasing densification/creation of new homes? If no, how else might we achieve this objective?	We believe that the NPPF should not be engaged in such detailed and local matters.
37	How do you think national policy on small scale nature interventions could be strengthened? For example, in relation to the use of artificial grass by developers in new development?	Yes we agree. Plastic grass is an abomination and should be resisted in all ways possible (except in play areas and in sports facilities in new developments).
38	Do you agree that this is the right approach making sure that the food production value of high value farm land is adequately weighted in the planning process, in addition to current references in the Framework on best most versatile agricultural land?	Yes we support this approach.

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39	What method or measure could provide a proportionate and effective means of undertaking a carbon impact assessment that would incorporate all measurable carbon demand created from plan-making and planning decisions?	National Govt needs to provide a broad form of carbon assessment which can be applied to local plans to help steer choices about development location, travel mode and development mix, and which can give an indication of the carbon emissions likely from their Local Plan strategy. In this way there can be an assessment of the consistency of any Local Plan with national policy on climate change and, in aggregate, whether local plan making is helping or hindering the achievement of national emissions targets.
40	Do you have any views on how planning policy could support climate change adaptation further, specifically through the use of nature-based solutions that provide multi-functional benefits?	This area is crucial to the future development of the NPPF and we would support a more detailed analysis of what is possible.
41	Do you agree with the changes proposed to Paragraph 155 of the existing National Planning Policy Framework?	We support this amendment.

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42	Do you agree with the changes proposed to Paragraph 158 of the existing National Planning Policy Framework?	We support the additional clause.
43	Do you agree with the changes proposed to footnote 54 of the existing National Planning Policy Framework? Do you have any views on specific wording for new footnote 62?	We have no comment on this.
44	Do you agree with our proposed Paragraph 161 in the National Planning Policy Framework to give significant weight to proposals which allow the adaptation of existing buildings to improve their energy performance?	We support the proposed change in policy to support energy efficiency. We would also suggest borrowing from the 2012 NPPF and reinserting the language of the deleted policy that local planning authorities should actively support energy efficiency improvements to existing buildings. We agree that sympathetic improvements to the energy efficiency of historic buildings should be encouraged.

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45	Do you agree with the proposed timeline for finalising local plans, minerals and waste plans and spatial development strategies being prepared under the current system? If no, what alternative timeline would you propose?	We have no comment on this matter.
46	Do you agree with the proposed transitional arrangements for plans under the future system? If no, what alternative arrangements would you propose?	We have no comment on this matter.
47	Do you agree with the proposed timeline for preparing neighbourhood plans under the future system? If no, what alternative timeline would you propose?	We have no comment on this matter.
48	Do you agree with the proposed transitional arrangements for supplementary planning documents? If no, what alternative arrangements would you propose?	We have no comment on this matter.

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49	Do you agree with the suggested scope and principles for guiding National Development Management Policies?	<p>We have serious reservations about the proposed National Development Management Policies. Whilst we can see the value of having a set of policies that local authorities can draw from, we do not believe that local plan making should be dictated by national policies. We believe that such policies should be developed and amended to meet local contexts, needs and ambitions.</p> <p>We are cautious about the implied narrow definition of planning issues as excluding “subjects which are regulated through other legislation, for example the building regulations or acts relating to public health, pollution...”. Matters addressed through building regulations and other regulatory regimes can be the essence of good spatial planning. National regulation can be coarse in granularity, dictated by the pace of the slowest (e.g. energy efficiency standards) and brought to the table too late (e.g. embodied carbon). These are all matters of relevance to place and Government advice should not stifle local initiatives in securing zero carbon cities.</p>
50	What other principles, if any, do you believe should inform the scope of National Development Management Policies?	See above.

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51	Do you agree that selective additions should be considered for proposals to complement existing national policies for guiding decisions?	We have no comment on this.
52	Are there other issues which apply across all or most of England that you think should be considered as possible options for National Development Management Policies?	No
53	What, if any, planning policies do you think could be included in a new framework to help achieve the 12 levelling up missions in the Levelling Up White Paper?	We think that you should map the proposed NPPF changes against 12 levelling up missions.
54	How do you think that the framework could better support development that will drive economic growth and productivity in every part of the country, in support of the Levelling Up agenda?	It is of great concern that the Consultation has so little regard to economic development, and in the planning context, the need for the designation in Local Plans of an appropriate provision of new

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		land and buildings for employment uses and the protection of existing employment sites from alternative development.
55	Do you think that the government could go further in national policy, to increase development on brownfield land within city and town centres, with a view to facilitating gentle densification of our urban cores?	<p>Yes This will contribute to delivering the scale of housing required at local level as well as the national target.</p> <p>Measures should also include encouraging councils to facilitate / enable:</p> <ul style="list-style-type: none"> • Good quality conversion of empty commercial and retail premises • Living over shops
56	Do you think that the government should bring forward proposals to update the framework as part of next year's wider review to place more emphasis on making sure that women, girls and other vulnerable groups in society feel safe	We feel that it is more important to address this issue through resource allocation, rather than policy change.

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	in our public spaces, including for example policies on lighting/street lighting?	
57	Are there any specific approaches or examples of best practice which you think we should consider to improve the way that national planning policy is presented and accessed?	It appears to us that the NPPF is growing in volume and complexity and “nationalising” what should be local matters. We would favour a proper consideration of the principle of subsidiarity.
58	We continue to keep the impacts of these proposals under review and would be grateful for your comments on any potential impacts that might arise under the Public Sector Equality Duty as a result of the proposals in this document.	This is a Government duty and cannot be delegated to consultees.