

Response ID ANON-C9BS-2SMA-4

Submitted to Proposed reforms to the National Planning Policy Framework and other changes to the planning system
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Respondent details

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Email:
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c What is your organisation?

Organisation:
London Gypsies and Travellers

d What type of organisation are you representing?

Interest group or voluntary organisation

If you answered "other", please provide further details:

Consultation Introduction

1) Do you have any views on how statutory National Development Management Policies could be introduced in the most effective manner, should a future decision be made to progress these?

Answer:

2) Do you agree with the new format and structure of the NPPF which comprises separate plan-making policies and national decision-making policies?

Not Answered

a) Please provide your reasons, particularly if you disagree :

3) Do you agree with the proposed set of annexes to be incorporated into the draft Framework?

Not Answered

a) Please provide your reasons, particularly if you disagree :

4) Do you agree with incorporating Planning Policy for Traveller Sites within the draft Framework?

Strongly agree

a) Please provide your reasons, particularly if you disagree :

On the whole, we are satisfied with the way the government combined the old Planning Policy for Traveller Sites with the new draft NPPF because it did a relatively good job of incorporating the most positive aspects of the old Planning Policy for Traveller Sites, while leaving out the negative aspects. For many years, particularly since the duty on Local Authorities to provide Gypsy and Traveller sites was removed in 1994, the positive aspects of having a dedicated policy were ignored, while the negative aspects were used as excuses for not approving plans for new Gypsy and Traveller pitches. At the end of the day, the separate Planning Policy for Traveller Sites did not aid special consideration of the needs of Gypsies and Travellers, so we should try to improve this NPPF in ways that does give such special consideration, and therefore enables the government's positive obligation to fulfil Gypsies and Travellers' human right to adequate and culturally suitable accommodation. We read planning policies, and indeed local plans, as tools for fulfilling human rights generally, and the judgment of European Court of Human Rights in *Chapman v UK* (2001) particularly, in relation to Gypsies and Travellers. As such, all planning policies should be examined by an Equalities Impact Assessment.

Chapter 1: Introduction

5) Do you agree with the proposed approach to simplifying the terminology in the NPPF where weight is intended to be applied?

Strongly disagree

a) Please provide your reasons, particularly if you disagree :

Weighting should be nuanced so that personal circumstances - other than profit - of the applicant are considered, and the contextual reality of unmet need for Gypsy and Traveller sites, are weighed by decisionmakers who are trained in Equalities Impact.

Chapter 2: Plan-making policies

6) Do you agree with the role, purpose and content of spatial development strategies set out in policy PM1?

Not Answered

a) Please provide your reasons, particularly if you disagree :

7) Do you agree that alterations should be made to spatial development strategies at least every 5 years to reflect any changes to housing requirements for the local planning authorities in the strategy area?

Partly disagree

a) If not, do you think there should be a different approach, for example, that alterations should only be made to spatial development strategies every five years where there are significant changes to housing need in the strategy area?:

We think that there should be an explicit integration of Human Rights and Equalities considerations in every strategy area, with Equalities impact assessments detailing methods for monitoring impact, particularly on people with protected characteristics. There should be built-in periodic points for alterations when negative impacts are evident.

For instance when a Traveller site such as Spring Tide Close in Southwark, SE15 5TR, was closed for refurbishment in 2020, and has since only been used for Council storage and the pitches are empty. Meanwhile other local Gypsy and Traveller sites are overcrowded. Clearly there needs to be a different, planned, allocation for Council storage needs so that Spring Tide Close Traveller Site can be brought back into residential use.

8) If spatial development strategies are not altered every five years, should related policy on the requirements used in five year housing land supply and housing delivery test policies, set out in Annex D of the draft Framework, be updated to allow housing requirement figures from spatial development strategies to continue to be applied after 5 years, so long as there has not been a significant change in that area's local housing need?

Not Answered

a) Please provide your reasons, particularly if you disagree :

9) Do you agree with the role, purpose and content of local plans set out in policy PM2?

Not Answered

a) Please provide your reasons, particularly if you disagree :

10) Do you think that local plans should cover a period of at least 15 years from the point of adoption of the plan?

Not Answered

a) If not, do you think they should cover a period of at least 10 years, or a different period of time. Please explain why. :

11) Do you agree with the principles set out in policy PM6(1c), including its provisions for preventing duplication of national decision-making policies?

Strongly agree

a) Please provide your reasons, particularly if you disagree :

We strongly agree with this proposal. Some LPAs have overly long or onerous Gypsy and Traveller policies which are both too prescriptive and act as a barrier to development. Subject to the amendments set out below, the proposed Decision-Making Policy for Gypsies and Travellers adequately addresses the relevant considerations.

12) Do you agree with the approach to initiating plan-making in PM7?

Not Answered

a) Please provide your reasons, particularly if you disagree :

13) Do you agree with the approach to the preparation of plan evidence set out in policy PM8?

Not Answered

a) Please provide your reasons, particularly if you disagree :

14) Do you agree with the approach to identifying land for development in PM9?

Partly disagree

a) Please provide your reasons, particularly if you disagree.:

As well as the explicit integration of Human Rights and Equalities Considerations into plan making, we recommend prioritising meaningful community engagement in the preparation of plans rather than in their consultation. For socially excluded communities, and in fact for many groups who would have high stakes in successful plan making, such as young people, the planning process is beyond reach. We recommend public awareness raising, designed to be capacity building for some community groups, as well as undertaking specific forms of engagement with members of the public who may struggle with literacy and digital access, and who have needs related to protected characteristics. The results of community engagement should be transparently integrated into plan making.

We applaud the example of the consultancy firm Three Dragons who were hired by Islington Council to identify land for Gypsy and Traveller sites, and who integrated several rounds of community engagement in their method. The engagement became part of Islington's Gypsy and Traveller local plan review.

To identify land for Gypsy and Traveller sites in particular, community engagement is essential. Gypsies and Travellers residing in specific areas have deep knowledge of places and their suitability for communal caravan sites. This knowledge, which stems from lived experience, is not evident to people formed by settled (non-nomadic) culture. Nevertheless, we recommend that community engagement is a valuable source of land identification in general, not only for the development of Gypsy and Traveller sites.

For example, a targeted approach involving visiting sites in an area has been proven to identify sites for Gypsy and Traveller pitches in the emerging South Gloucestershire plan.

We also recommend bringing back unambiguous guidance on identifying land for sites, as was contained in the government circular in 2006:

There are a number of ways in which local authorities can identify specific sites and make land available.

a) Local authorities have discretion to dispose of land for less than best consideration where it will help to secure the promotion or improvement of the economic, social or environmental well-being of the area, as set out in ODPM Circular 06/03.

b) Authorities should also consider making full use of the registers of unused and under-used land owned by public bodies as an aid to identifying suitable locations. Vacant land or under-used local authority land may be appropriate.

c) Authorities should also consider whether it might be appropriate to exercise their compulsory purchase powers to acquire an appropriate site.

d) Cooperation between neighbouring authorities, possibly involving joint DPDs, can provide more flexibility in identifying sites. Such cooperation is particularly important where an authority has strict planning constraints across its area.

15) Do you agree with the policies on maintaining and demonstrating cross-boundary cooperation set out in policy PM10 and policy PM11?

Strongly disagree

a) Please provide your reasons, particularly if you disagree.:

We believe that enabling nomadic ways of life and accommodating families living roadside (as we call nomadic people) should be fundamental elements of cooperative cross-boundary planning, for which plans should be positively prepared. If neighbouring authorities have not coordinated negotiated stopping arrangements, or do not pool resources into developing a network of permanent sites for transiting Gypsies and Travellers, then their plans ought not to be found sound. We look to the model of France's Aires d'accueil et de grand passage des gens du voyage.

16) Do you agree that policy PM12 increases certainty at plan-making stage regarding the contributions expected from development proposals?

Not Answered

a) Please provide your reasons, particularly if you disagree.:

17) Do you agree that plans should set out the circumstances in which review mechanisms will be used, or should national policy set clearer expectations?

Not Answered

a) Please provide your reasons, particularly if you disagree :

18) Do you agree with policy PM13 on setting local standards, including the proposal to commence s.43 of the Deregulation Act 2015?

Not Answered

a) Please provide your reasons, particularly if you disagree :

19) Do you agree that the tests of soundness set out in policies PM14 and PM15 will allow for a proportionate assessment of spatial development strategies, local plans and minerals and waste plans at examination?

Strongly disagree

a) If not, please explain how this could be improved to ensure a proportionate assessment, making it clear which type of plan you are commenting on?:

We recommend that the test of soundness for local plans ensures that a plan cannot be found to be sound unless, at a minimum, the need for socially provided pitches and for accommodating families living roadside (see under cooperation, above) has been addressed. There have been numerous local

plans that were found sound such as Islington, Hackney and Southwark, where despite Gypsy and Traveller need not being met, the Inspector approved the plan with only a vague commitment to future review, which often does not happen (see Southwark and Hackney).

20) Do you have any specific comments on the content of the plan making chapter which are not already captured by the other questions in this section?

Answer:

Chapter 3: Decision-making policies

21) Do you agree with the principles set out in policy DM1?

Not Answered

a) Please provide your reasons, particularly if you disagree :

22) Do you agree with the policy DM2 on information requirements for planning applications?

Not Answered

a) Please provide your reasons, particularly if you disagree.:

23) Do you have any views on whether such a policy could be better implemented through regulations?

Answer:

24) Do you agree with the principles set out in DM3?

Not Answered

a) Please provide your reasons, particularly if you disagree.:

25) Do you agree that policy DM5 would prevent unnecessary negotiation of developer contributions, whilst also providing sufficient flexibility for development to proceed?

Not Answered

a) Please provide your reasons, particularly if you disagree :

26) Do you have any further comments on the likely impact of policy DM5: Development viability?

Answer:

27) Do you have any views on how the process of modifying planning obligations under S106A, where needed once a section 106 agreement has been entered into, could be improved?

a) Please explain. If so, please provide views on specific changes that may improve the efficacy of S106A and the main obstacles that result in delay when seeking modification of planning obligations.:

28) Do you have any views on how the process of modifying planning obligations could be improved in advance of any legislative change, noting the government's commitment to boosting the supply of affordable housing.

a) Please explain. If so, please provide views on the current use of s73 and, if any, the impact on affordable housing obligations:

29) Do you agree with the approach for planning conditions and obligations set out in policy DM6, especially the use of model conditions and obligations?

Not Answered

Answer:

30) Do you agree that policy DM7 clarifies the relationship between planning decisions and other regulatory regimes?

Not Answered

a) Please provide your reasons, particularly if you disagree :

31) Do you agree with the new intentional unauthorised development policy in policy DM8?

Strongly disagree

a) Please provide your reasons, particularly if you disagree :

The 2015 Written Ministerial Statement on 'intentional unauthorised development' has been subsumed into DM8: Unauthorised development and enforcement. The Written Ministerial Statement had stated:

...intentional unauthorised development a material consideration that would be weighed in the determination of planning applications and appeals. [emphasis added]

This meant that the weight to be afforded against a proposal was a matter of judgment for the decision maker. This allowed for there to be an assessment of the reasons for carrying out the development, which might have included homelessness or other personal circumstances which would fall under the Human Rights Act 1998.

Instead, the revised draft NPPF now states:

In cases of unauthorised development where consideration is being given to an application for retrospective planning permission (or through an enforcement appeal, whether to grant planning permission in respect of a breach of planning control), if it is concluded based on evidence that the unauthorised development was intentional, that fact should be given substantial weight in considering whether to grant planning permission.

The new rule is far too blunt a tool to address the issue of why an unauthorised development may arise intentionally, and takes away the ability of the decision maker to exercise judgment. Instituting a strict rule would not allow for nuance and detail in decision making, and in particular would preclude weighing considerations arising from the Human Rights Act.

32) Are there any specific types of harm arising from intentional unauthorised development, and any specific impacts from the proposed policy, which we should consider?

a) If so, are there any particular additions or mitigations which we should consider?:

There is disproportionate attention paid in planning processes to intentional unauthorised development arising from Gypsies and Travellers making homes in places where they already live, but where no suitable authorised accommodation is available (in violation of Article 8 of the Human Rights Act). Using CLAW, the statistics reveal that: Of 77 appeals have been determined in the past 12 months that mention intentional unauthorised development, 59 of these (76.62%) relate to Gypsy and Traveller sites. In the past 12 months CLAW states 1403 section 174 enforcement notice appeals were determined, of these only 45 (3.2%) mention intentional unauthorised development.

We suggest that Gypsy and Traveller sites be explicitly excepted from the policy on intentional unauthorised development, and point to the weight of human rights considerations alongside planning control considerations.

33) Do you agree with the new Article 4 direction policy in policy DM10?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 4: Achieving sustainable development

34) Do you agree with the proposed approach to setting a spatial strategy in development plans?

Not Answered

a) Please provide your reasons, particularly if you disagree :

35) Do you agree with the proposed definition of settlements in the glossary?

Not Answered

a) Please provide your reasons, particularly if you disagree :

36) Do you agree with the revised approach to the presumption in favour of sustainable development?

Not Answered

a) Please provide your reasons, particularly if you disagree :

37) Do you agree to the proposed approach to development within settlements?

Not Answered

a) Please provide your reasons, particularly if you disagree :

38) Do you agree to the proposed approach to development outside settlements?

Not Answered

a) Please provide your reasons, particularly if you disagree :

39) Do you have any views on the specific categories of development which the policy would allow to take place outside settlements, and the associated criteria?

Not Answered

a) Please provide your reasons:

40) Do you agree with the proposed approach to development around stations, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12?

Strongly disagree

a) Please provide your reasons, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers and other groups with protected characteristics.:

The proposed approach to development around stations should include some conditions or exceptions that would allow Gypsy and Traveller sites to be developed within the one-mile radius around stations, especially where there already are Gypsy and Traveller sites in the vicinity. All but one (Sidcup) of the Gypsy and Traveller sites in London are within the one-mile distance of stations. If the approach were passed without amendment, there would be enormous pressure on Gypsies and Travellers to give up their sites in London, as happened for instance near Kentish Town West station when the area was redeveloped around 2002-2008, as a result of which three Traveller families were evicted from the site in Talacre, NW5 3LN. Had there been more inclusive planning for the area of Kentish Town West, the space around the Overground station could have combined tall building accommodation, green space, community sports amenities as well as a small Traveller site. In fact, most of London is within one-mile of a train or underground station, and so this high-density approach would have the effect of pushing all Gypsy and Traveller development to the outskirts of the outer boroughs. This effect would not align with any human rights and equalities considerations.

London Gypsies and Travellers has collected the views of community members who live on sites near high-use trainlines:

...We've been 40 years in Tower Hamlets, between Bow Road and Devons Road stations. At the start we were bothered by the trains, but we got used to them.

... The trains start at 5 am, and during rush hour there are 8 trains every 30 minutes, and they go until midnight. We got used to it. The Council never put a sound barrier, even though they had said they would. Tall buildings would work as sound barriers.

... They said they couldn't find any other land for us in the whole of London, but then we saw buildings going up all around. I say, each time they build a tower block they should also build 3 pitches minimum next to them. The overlooking isn't a problem now, when everyone is integrated, people don't organise against us like they used to do. We are welcome in the neighbourhood, and since I became a school governor, people say hello. Integration is the best way for safety.

... We know that there aren't lands for big sites in London and anyway smaller sites are easier for families to manage. It doesn't matter if they are near stations or tall buildings, as long as they are well managed.

... If there's a barrier, like a good wall and the distance of two back gardens, or across the road, like the site in Camden [Carol Street site NW1 0HS], that would be enough distance between pitches and a tall building for privacy and safety. Or if the pitches are on the side of the building where there are no windows, that would make it tucked away well enough.

41) Do you agree that neighbourhood plans should contain allocations to meet their identified housing requirement in order to qualify for this policy?

Not Answered

a) If not, please provide your reasons:

Chapter 5: Meeting the challenge of climate change

42) Do you agree with the approach to planning for climate change in policy CC1?

Not Answered

a) Please provide your reasons, particularly if you disagree :

43) Do you agree with the approach to mitigating climate change through planning decisions in policy CC2?

Not Answered

a) If not, what additional measures could be taken to ensure climate change mitigation is given appropriate consideration? :

44) Do you agree with the approach to climate change adaptation through planning decisions in policy CC3?

Not Answered

a) What additional measures could be taken to ensure climate change mitigation is given appropriate consideration? :

45) Does the policy on wildfire adaptation clearly explain when such risks should be considered and how these risks should be mitigated?

Not Answered

a) Please provide your reasons, particularly if you disagree :

46) How should wildfire adaptation measures be integrated with wider principles for good design, and what additional guidance would be helpful?

Answer:

47) Do you have any other comments on actions that could be taken through national planning policy to address climate change?

Answer:

Chapter 6: Delivering a sufficient supply of homes

48) Do you agree the requirements for spatial development strategies and local plans in HO1 and HO2 are appropriate?

Not Answered

a) Please provide your reasons, particularly if you disagree :

49) Is further guidance is required on assessing the needs of different groups, including older people, disabled people, and those who require social and affordable housing?

Strongly agree

If so, what elements should this guidance cover?:

Guidance is needed for conducting assessments that link needs explicitly to human rights. The components of the right to an adequate standard of living, of which the right to housing is a part, are detailed in covenants and conventions to which the UK is a state party. The problem with assessing needs is when the concept of need is undefined, or not defined in relation to the right to adequate standard of living. Additionally, the needs of different groups, not only those listed but of groups with other protected characteristics such as gender, sexual orientation, religion and race/ethnicity (such as Gypsies and Travellers), should be defined in relation to the right to be free from discrimination. Moreover, these needs need to be considered in intersectional way, so that for instance older or Disabled Travellers will have plans that meet their needs in multiple ways: caring needs, accessibility needs and cultural needs. In sum, guidance is needed that incorporates human rights and equalities considerations into the definitions of the basic terms and methods, and so these assessment methods are standardised across the country. What is more, this guidance should be developed with input from the communities most affected by historical neglect and discrimination, and by plans aimed at reducing social inequalities. As such, assessments of need should identify need for social rented accommodation in particular, and accommodation for Gypsies and Travellers who are stuck in standard bricks & mortar housing but have a cultural need for caravan pitches and for living in a dedicated micro-community.

50) Do you agree with the approach to incorporating relevant policies of Planning Policy for Traveller Sites within this chapter?

Strongly agree

a) Please provide your reasons, particularly if you disagree :

It is positive for sites, defined as micro-communities for Gypsies and Travellers, to be considered alongside all other forms of housing, subject to various specifications formulated with input from Gypsies and Travellers.

We welcome the removal of divisive language that was present in the Planning Policy for Traveller Sites of late, particularly the language that pitched "settled community" and "traveller" [sic] community needs against each other. Nevertheless, we note that the provisions that were carried over from the Planning Policy for Traveller Sites into the new NPPF should still be improved, in particular:

- We welcome the reintroduction of the demonym Gypsy alongside Traveller but we note that there are inconsistencies in the presentation throughout the document. We recommend that all instances of "traveller" be replaced with "Gypsy and Traveller", with the initial letters capitalised, as for all demonyms. Travelling showpeople should properly be considered and referred to separately, as this group does not correspond to an ethnicity but rather an occupation.

- We recommend that social context be provided in the policy for the need to give special consideration to specialist housing for Gypsies and Travellers.

We suggest the reintroduction of wording from government circular of 2006, paraphrased here:

Official statistics show that Gypsies and Travellers experience the worst health and education outcomes of any disadvantaged group in England. Research has consistently pointed to the link between the lack of good quality sites for Gypsies and Travellers and poor health and education. Planning policy should enhance the health and education of Gypsies and Travellers.

- In Policy HO12 "Traveller [and Gypsy] Sites", we recommend that criterion 1d - regarding the enclosure or boundary - be deleted; rather, the consideration of type of boundary be moved to relevant sections among the principles of the Design and Placemaking Guidance.

[Insert here an example of where Gypsy and Traveller sites fit nicely in their neighbourhood regardless of what kind of fencing, wall or hedge is around them.]

- Further in Policy HO12, we recommend that criteria under point 2 be made conditional to the consideration of proposals where criteria under point 1 have not been met, or where there are no designated site allocations for Gypsy and Traveller sites in the plan. Only when one or both of these conditions are met, then criteria under point 2 should be taken into account. Putting both sets of criteria on equal level could lead to proposals for Gypsy and Traveller sites being considered only when local need has not been met.

51) Is further guidance needed on how authorities should assess the need for traveller sites and set requirement figures?

Strongly agree

a) If so, what are the key principles this guidance should establish?:

LPAs and for-hire research companies that undertake assessments and other related documents have been left to develop their own methodologies, which are problematic and underestimate the need for pitches.

The London-wide GTANA 2025 used problematic methodologies despite receiving advice from community experts, which was ignored. These were the main problems:

- The population numbers for Gypsies and Travellers in the 2011 and 2021 Censuses are known to be undercounts, yet they were used without upward correction – the reduced numbers skew the entire calculation of need. There were no reasons given for rejecting alternative reliable sources of more accurate population numbers were not.
- The calculation of cultural need for living on a site rather than in bricks and mortar is restrictive because it sets a high bar for “need”. The method dissociates the need for housing from the need for culturally suitable accommodation, in contravention of the human rights definition of the right to housing. Cultural need to move out of standard housing to live in a micro-community on a dedicated Gypsy and Traveller site is a human right.

We hold up the examples of Gypsy and Traveller Accommodation Needs Assessments conducted by the Sustainable Housing and Urban Studies Unit at the University of Salford as good methodologies, although hampered by the discriminatory planning definitions in force at the time. For example, University of Salford – Manchester, Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment Telford & Wrekin Council, November 2014; and University of Salford – Manchester, Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment Brighton & Hove City Council and the South Downs National Park Authority, November 2014.

The need for culturally suitable accommodation needs assessments to differentiate between social rented, privately owned by Gypsies and Travellers in micro-communities, and other tenures. Friends Families and Travellers, LeedsGATE, London Gypsies and Travellers, and other community-based organisations have published advice on conducting good Gypsy and Traveller Accommodation Assessments. We recommend incorporating these decades of practical experience into the forthcoming guidance.

52) Do you agree the new Annex D to the draft Framework is sufficiently clear on how local planning authorities should set the appropriate buffer for their local plan 5-year housing land supply?.

Not Answered

a) Please provide your reasons, particularly if you disagree :

53) Do you agree the new Annex D to the draft Framework is sufficiently clear on the wider procedural elements of 5-year housing land supply, the Housing Delivery Test and how they relate to decision making?

Not Answered

a) Please provide your reasons, particularly if you disagree :

54) Do you agree the requirements to establish a 5 year supply of deliverable traveller sites and monitor delivery are sufficiently clear?

Partly disagree

a) Please provide your reasons, particularly if you disagree :

We welcome the direction of travel regarding the requirements for a five-year supply of deliverable sites. However, we note that the qualifications of the supply are not the same as for standard housing. We recommend that the requirements are made equivalent by adding the proviso, similarly to HO1: Assessing the need for homes in 1(a) by adding the words “establish the overall number of homes, including permanent and transit pitches, needed to be supplied as a minimum over the plan period” (emphasis added).

The requirements with regards to how a 5-year supply of sites is both identified and monitored comprises 2 sentences:

‘10. Local planning authorities should identify and update annually a supply of specific deliverable traveller sites. This should be sufficient to provide a minimum of 5 years’ worth of pitches and plots, assessed against their pitch and plot requirement in the development plan.’

This should be strengthened in light of the fact that nowhere in London is there a 5 years’ supply of deliverable sites, and in many cases LPAs have not specified even 1 year’s supply.

55) Do you agree the plan-making requirements, for both local plans and spatial development strategies, in relation to large scale residential and mixed-use development are sufficiently clear?

Partly disagree

a) Please provide your reasons, particularly if you disagree :

Policy HO4: Land for large scale residential and mixed-use development states that:

The development plan should identify suitable locations for large scale development, such as new settlements, new urban quarters or significant extensions to existing settlements. These locations should:

... c. Support delivery by setting expectations for an appropriate mix of tenures which would meet the needs of different groups. This can include a mixture of ownership and rental tenures, including Social Rent, other rented affordable housing and build to rent, as well as housing designed for specific groups such as older people’s housing and student accommodation, and plots for custom or self-build.

We recommend that culturally suitable accommodation for Gypsies and Travellers be explicitly included in the mixture, and that targets be set in alignment with evidence of strategic need and with the demographic composition of the region.

There has been a tendency in recent years for LPAs to try and meet some or all of their need for pitches from strategic allocations. This has been the subject of considerable debate and has had very mixed results. For instance, pitches allocated on a strategic allocation in South Worcestershire in 2016 are yet to be delivered. At the other end of the scale, in Runnymede the council has consulted on how pitches on strategic allocations should be allocated to occupants and Mid Devon have approved applications which include Gypsy and Traveller provision on strategic sites. Runnymede in particular have done some detailed work on how section 106 agreements work.

There is also a reported tendency for developers to be very resistant to the provision of pitches on strategic sites. Further reading can be found in a report produced by Professor Jo Richardson for Mid Devon District Council. In order to ensure that delivery on strategic allocations is both realistic and of a high quality, detailed advice should be provided in the PPG.

We would like the delivery of pitches in strategic allocations to be more consistent across the country, for instance by requiring that 1% of all new social rented homes come in the form of pitches in any S106 agreement, or that for every tall building with 50 units, 3 pitches be built alongside.

56) Do you agree our proposed changes to the definition of designated rural areas will better support rural social and affordable housing?

Not Answered

a) Please provide your reasons, particularly if you disagree :

57) Do you agree with our proposals to ask authorities to set out the proportion of new housing that should be delivered to M4(2) and M4(3) standards?

Strongly agree

a) Please provide your reasons, particularly if you disagree :

In light of the high rates of disability, sensory and neurodivergent impairments, and mental illness among Gypsy and Traveller groups, and the prevalent need for social rented homes, we further recommend that the percentage requirements be refined in intersectional ways, particularly in planning the proportions of social rented Gypsy and Traveller pitches that meet mobility and sensory impairments and neurodivergent needs. M4(2) and M4(3) (wheelchair user) standards don't reflect all needs of Disabled people, and we recommend the MHCLG also adopt the recommendations of the BSI standard Design for the Mind - Neurodiversity and the Built Environment (PAS 6463).

58) Do you agree 40% of new housing delivered to M4(2) standards over the plan period is the right minimum proportion?

Not Answered

a) Please provide your reasons, and would you support an alternative minimum percentage requirement?:

59) Do you agree the proposals to support the needs of different groups, through requiring authorities to set identify sites or set requirements for parts of allocated sites are proportionate?

Partly agree

a) Please provide your reasons, particularly if you disagree :

All site allocations should be subject to Equalities Impact Assessments.

60) Do you agree with our proposals to ask authorities to set out requirements for a broader mix of tenures to be provided on sites of 150 homes or more?

Strongly agree

a) Please provide your reasons and indicate if an alternative site size threshold would be preferable? :

61) Do you agree with proposals for authorities to allocate land to accommodate 10% of the housing requirement on sites of between 1 and 2.5 hectares?

Not Answered

a) Please provide your reasons:

62) Are any changes to policy HO7 needed in order to ensure that substantial weight is given to meeting relevant needs?

Answer:

63) Do you agree that proposals to add military affordable housing to the definition of affordable housing, and allow military housing to be delivered as part of affordable housing requirements, will successfully enable the provision of military homes?

Not Answered

a) Please provide your reasons, particularly if you disagree :

64) Do you agree flexibility relating to the size of market homes provided will better enable developments providing affordable housing?

Not Answered

a) Please provide your reasons, particularly if you disagree :

65) Would requiring a minimum proportion of social rent, unless otherwise specified in development plans, support the delivery of greater number of social rent homes?

Strongly agree

a) If so, what would be an appropriate minimum proportion and development size threshold taking into account development viability?:

In London, for example, the greatest need is for social rented accommodation, and we look to the planning policy framework to incentivise the delivery of homes so that the proportion of Londoners overall who live in social rented homes reaches 35%, of which at least 12.5% are accessible to Disabled people, and 0.5% comprise culturally suitable accommodation for Gypsies and Travellers.

66) Are changes to planning policy needed to ensure that affordable temporary accommodation, such as stepping stone housing, is appropriately supported, including flexibilities around space standards?

a) If so, what changes would be beneficial?:

At a minimum, all temporary accommodation should be equipped with access to free, hygienic and safe cooking, washing and laundry facilities, affordable and secure storage space, free wifi and other forms of access to clear and relevant information. Space is less important than clear imparting of information that is specific to each case.

67) Do you agree that applicants should have discretion to deliver social and affordable housing requirements via cash payments in lieu of on-site delivery on medium sites?

Strongly disagree

a) If so, would it be desirable to limit the circumstances in which cash contributions in lieu of on-site delivery can be provided – for example, should it not be permitted on land released from the Green Belt where the Golden Rules apply? Please explain your answer.:

The Green Belt needs protecting, and cash contributions from medium and large developments will not offset the harm done. Gypsy and Traveller sites have often been found to have low impact on Green Belt because of the design possibilities for ecological features that are not possible for other developments. Gypsy and Traveller sites are either wholly Council-run or wholly privately (communally) owned, and most are small developments, with the role of micro-communities, so they are too small to qualify for paying in-lieu of provision of affordable homes.

b) If you do not believe applicants should have blanket discretion to discharge social and affordable housing requirements through commuted sums, do you think cash contributions in lieu of on-site delivery should be permitted in certain circumstances – for example where it could be evidenced that onsite delivery would prevent a scheme from being delivered? Please explain your answer:

CIL have been useful for improving the public realm, for instance improving lighting and mobility access. There are also examples of good use for investing in children's after-school infrastructure.

68) What risks and benefits would you expect this policy to have? Please explain your answer. The government is particularly interested in views on the potential impact on SME housing delivery, overall housing delivery, land values, build out rates, overall social and affordable housing delivery, and Registered Providers (including SME providers).

Answer:

69) What guidance or wider changes would be needed to enable Local Planning Authorities to spend commuted sums more effectively and more quickly? Please explain your answer.

Answer:

70) Would further guidance be helpful in supporting authorities to calculate the appropriate value of cash contributions in lieu?

Not Answered

a) If so, what elements and principles should this guidance set out? Please explain your answer. For example, guidance could make clear that contributions in lieu should be an amount which is the equivalent value of providing affordable housing on site, based on a comparison of the Gross Development Value of the proposed scheme with the Gross Development Value of the scheme assuming affordable housing was provided onsite. :

71) Do you support proposals to enable off site delivery where affordable housing delivery can be optimised to produce better outcomes in terms of quality or quantity?

Strongly agree

a) Please provide your reasons, particularly if you disagree :

As long as the commitment to deliver Gypsy and Traveller pitches is specific and timely, then it could be a good solution for the culturally suitable accommodation to be delivered off site.

72) Do you agree the with the criteria set out regarding the locations of specialist housing for older people?

Not Answered

a) Please provide your reasons, particularly if you disagree :

73) Do you agree with the criteria set out regarding the locations of specialist community-based accommodation, including changes to the glossary?

Not Answered

a) Please provide your reasons, particularly if you disagree :

74) Do you agree with the criteria set out regarding the locations of purpose built student accommodation and large scale shared living accommodation, including changes to the glossary?

Not Answered

a) Please provide your reasons, particularly if you disagree :

75) Do you agree the proposals provide adequate additional support for Rural Exception Sites?

Not Answered

a) Please provide your reasons, including what other changes may be needed to increase their uptake?:

76) Do you agree with proposals to remove First Homes Exception Sites as a discrete form of exception site?

Not Answered

a) Please provide your reasons, particularly if you disagree :

77) Do you agree proposals for a benchmark land value for rural exception sites will help to bring forward more rural affordable homes?

Not Answered

a) If so, which approach and value as set out in the narrative for policy HO10 of the consultation document is the most beneficial for government to set out?:

78) Do you agree the proposals to set out requirements for traveller sites at HO12 adequately capture relevant aspects from Planning Policy for Traveller Sites, whilst ensuring fair treatment for traveller sites in the planning system?

Partly agree

79) Please provide your reasons to Question 78, particularly if you do not agree

Answer:

We welcome the removal of divisive language that was present in the Planning Policy for Traveller Sites of late, particularly the language that pitched “settled community” and “traveller” [sic] community needs against each other. Nevertheless, we note that the provisions that were carried over from the Planning Policy for Traveller Sites into the new NPPF should still be improved, in particular:

- We welcome the reintroduction of the demonym Gypsy alongside Traveller but we note that there are inconsistencies in the presentation throughout the document. We recommend that all instances of “traveller” be replaced with “Gypsy and Traveller”, with the initial letters capitalised, as for all demonyms. Travelling showpeople should properly be considered and referred to separately, as this group does not correspond to an ethnicity but rather an occupation.

- We recommend that social context be provided in the policy for the need to give special consideration to specialist housing for Gypsies and Travellers. We suggest the reintroduction of wording from government circular of 2006, paraphrased here:

Official statistics show that Gypsies and Travellers experience the worst health and education outcomes of any disadvantaged group in England. Research has consistently pointed to the link between the lack of good quality sites for Gypsies and Travellers and poor health and education. Planning policy should enhance the health and education of Gypsies and Travellers.

- In Policy HO12 “Traveller [and Gypsy] Sites”, we recommend that criterion 1d - regarding the enclosure or boundary - be deleted; rather, the consideration of type of boundary be moved to relevant sections among the principles of the Design and Placemaking Guidance.

[Insert here an example of where Gypsy and Traveller sites fit nicely in their neighbourhood regardless of what kind of fencing, wall or hedge is around them.]

- Further in Policy HO12, we recommend that criteria under point 2 be made conditional to the consideration of proposals where criteria under point 1 have not been met, or where there are no designated site allocations for Gypsy and Traveller sites in the plan. Only when one or both of these conditions are met, then criteria under point 2 should be taken into account. Putting both sets of criteria on equal level could lead to proposals for Gypsy and Traveller sites being considered only when local need has not been met.

80) Do you agree the proposals in policy HO13 will help to ensure development proposals are built out in a reasonable period?

Not Answered

a) Please provide your reasons, particularly if you disagree :

81) Do you agree the requirements to take a flexible approach to the consenting framework for large scale residential and mixed-use development is sufficient to ensure the opportunities of large scale development are supported?

Not Answered

a) Please provide your reasons, particularly if you disagree :

82) Are any more specific approaches or definitions needed to support the delivery of very large (super strategic) sites, including new towns?

Not Answered

a) Please provide your reasons:

83) Do you agree with the proposed changes to the Housing Delivery Test rule book?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 7: Building a strong , effective economy

84) Do you agree that more emphasis should be placed on relevant national strategies and the need for flexibility in planning for economic growth, as drafted in policy E1?

Not Answered

a) Please provide your reasons, particularly if you disagree.:

85) Do you agree with the approach to meeting the need for business land and premises in policy E2?

Not Answered

a) Please provide your reasons, particularly if you disagree :

86) Do you agree with the proposed new decision-making policy supporting freight and logistics development in policy E3?

Not Answered

a) Please provide your reasons, particularly if you disagree :

87) Do you agree with the approach to rural business development in policy E4?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 8: Ensuring the vitality of town centres

88) Do you agree with the proposed changes to policy for planning for town centres?

Not Answered

a) Please provide your reasons, particularly if you disagree :

89) Do you agree with the approach to development in town centres in policy TC2?

Not Answered

a) If not, please explain how you would achieve this aim differently :

90) What impacts, if any, have you observed on the operation of planning policy for town centres since the introduction of Use class E?

Answer:

91) Do you believe the sequential test in policy TC3 should be retained?

Not Answered

a) Please provide your reasons, particularly if you disagree :

92) Do you agree with the approach to town centre impact assessments in policy TC4?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 9: Supporting high quality communications

93) Do you agree that the updated policies provide clearer and stronger support for the rollout of 5G and gigabit broadband?

Not Answered

a) Please provide your reasons, particularly if you disagree :

94) Do you agree the requirements for minimising visual impact and reusing existing structures are practical for applicants and local planning authorities?

Not Answered

a) Please provide your reasons, particularly if you disagree :

95) Do you agree the supporting information requirements are proportionate and sufficient without creating unnecessary burdens?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 10: Securing Clean Energy and Water

96) Do you agree with the approach to planning for energy and water infrastructure in policy W1

Not Answered

a) Please provide your reasons, particularly if you disagree, what alternative approach would you suggest?:

97) Do you agree with the amendments to current Framework policy on planning for renewable and low-carbon development in policy W2?

Not Answered

a) Please provide your reasons, particularly if you disagree:

98) Do you agree with the proposed approach to supporting development for renewable and low carbon development and electricity network infrastructure in policy W3?

Not Answered

a) Please provide your reasons, particularly if you disagree, and any changes you would make to improve the policy?:

99) Do you agree with the proposed approach to supporting development for water infrastructure in policy W4?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 11: Facilitating the sustainable use of minerals

100) Do you agree with the proposed prohibition on identifying new coal sites in policy M1, and to the removal of coal from the list of minerals of national and local importance?

Not Answered

a) Please provide your reasons, particularly if you disagree :

101) Do you agree with how policy M1 sets out how the development plan should consider oil and gas?

Not Answered

a) Please provide your reasons, particularly if you disagree :

102) Do you agree with the proposed addition of critical and growth minerals to the glossary definition of 'minerals of national and local importance'?

Not Answered

a) Please provide your reasons, particularly if you disagree :

103) Do you agree criteria b of policy M2 strikes the right balance between preventing minerals sterilisation and facilitating non minerals development?

Not Answered

a) Please provide your reasons, particularly if you disagree :

104) Do you agree policy M3 appropriately reflects the importance of critical and growth minerals?

Not Answered

a) Please provide your reasons, particularly if you disagree :

105) Do you agree with the exclusion of development involving onshore oil and gas extraction from policy M3?

Not Answered

106) Please provide your reasons in response to question 105, particularly if you disagree

Answer:

107) Do you agree policy M4 sufficiently addresses the impacts of mineral development, noting that other national decision-making policies will also apply?

Not Answered

108) Please provide you reasons in response to question 107, particularly if you do not agree

Answer:

109) Do you agree with approach to coal, oil and gas in policy M5?

Not Answered

a) Please provide your reasons, particularly if you disagree :

110) Are there any other exceptional circumstances in which coal extraction should be permitted?

Not Answered

111) If yes in reply to question 110, please outline the exceptional circumstances in which you think coal extraction should be permitted.

Answer:

112) Do you agree policy M6 strikes the right balance between preventing the sterilisation of minerals reserves and minerals-related activities, and facilitating non-minerals development?

Not Answered

a) Please provide your reasons, particularly if you disagree :

113) Does policy M6 provide sufficient clarity on the role of Minerals Consultation Areas?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 12: Making effective use of land

114) Do you agree policy L1 provides clear guidance on how Local Plans should be prepared to promote the efficient use of land?

Neither agree or disagree

115) If not, in response to question 114, what further guidance is needed?

Answer:

We caution against the unmitigated relaxation of restrictions on Green Belt release. Past government policy on the provision of Gypsy and Traveller sites has explicitly accepted that sites will be found in rural areas since 1977. Circular 28/77 stated that:

In certain counties there are areas of open land (including Green Belts, Areas of Outstanding Natural Beauty, etc) where land use policies which apply are severely restrictive to development. It may be necessary, however, to accept the establishment of gypsy sites [sic] in such areas, particularly where they come close to urban fringes.

Whilst the acceptance of sites in rural areas subject to designations was significantly curtailed in 1994, the general acceptance of rural locations was reiterated:

In deciding where to provide for gypsy sites [sic], local planning authorities might, for example, consider locations outside existing settlements but within a reasonable distance of local services and facilities, e.g. shops, hospitals and schools. Sites on the outskirts of built-up areas may be appropriate, provided care is taken to avoid encroachment on the open countryside. Many sites may be found in rural or semi rural settings...

In 2006, Circular 01/06 stated:

Sites on the outskirts of built-up areas may be appropriate. Sites may also be found in rural or semi-rural settings. Rural settings, where not subject to special planning constraints, are acceptable in principle. In assessing the suitability of such sites, local authorities should be realistic about the availability, or likely availability, of alternatives to the car in accessing local services.

There was no requirement in any of the Circulars for there to be unmet need in order for permission to be granted, nor for the development to provide a proportion of social rented or other affordable housing, because it is understood that Gypsy and Traveller sites do not impact the Green Belt in ways that standard housing, particularly medium-to-large scale developments do. We recommend returning to that understanding.

116) Do you agree policy L2 provides clear guidance on how development proposals should be assessed to ensure efficient use of land?

Not Answered

a) Please provide your reasons, particularly if you disagree :

117) Do you agree policy L2 identifies appropriate typologies of development to support intensification?

Not Answered

a) If not, what typologies should be added or removed and why?:

118) Do you agree the high-level design principles provided in policy L2(d) appropriate for national policy?

Not Answered

a) Please provide your reasons, particularly if you disagree :

119) Do you agree policy L2 (d)(i) achieves its intent to enable appropriate development that may differ from the existing street scene, particularly in cases such as corner plot redevelopment and upwards extensions.

Not Answered

a) Please provide your reasons, particularly if you disagree :

120) Do you agree with the proposed safeguards in policy L2 that allow development in residential curtilages?

Not Answered

a) Please provide your reasons, particularly if you disagree :

121) Do you agree policy L3 provides clear guidance on achieving appropriate densities for residential and mixed-use schemes?

Not Answered

a) If not, please explain how guidance could be clearer?:

122) Do you agree with the minimum density requirements set out within policy L3?

Strongly disagree

a) Please provide your reasons, particularly if you disagree :

Though high-density building has advantages for most types of development, it would not be suitable for supported living and nursing facilities for older people and others with impaired mobility. Similarly, the high-density approach would have the effect of pushing all Gypsy and Traveller development to the outskirts of settlements, where they would run against the provisions for restricting development in the Green Belt and elsewhere outside settlements. The effect puts relatively low density accommodation such as pitches or bungalows between a rock and a hard place. This effect would not align with any human rights and equalities considerations. It should be noted that modern designs of Gypsy and Traveller sites include more ecological elements, and that in urban areas in particular, there are suitable pitches of 150 sq m, with street parking acceptable for uninhabited tourers and towing

vehicles. The modern designs of culturally suitable accommodation take the form of micro-sites where the defining elements are not caravans but the relationships of communal living, in a different types of accommodation adapted to nomadic needs.

b) Could these minimum density requirements lead to adverse impacts on Gypsies and Travellers and other groups with protected characteristics? Please provide your reasons, including any evidence.:

123) Do you agree that using dwellings per hectare is an appropriate metric for setting minimum density requirements? Additionally, is our definition of 'net developable area' within the NPPF suitable for this policy?

Partly disagree

a) Please provide your reasons, particularly if you disagree :

Many Gypsy and Traveller sites came about in ad hoc ways on previously undesirable land that had been industrial or storage space for the railways. The location of Gypsy and Traveller sites in areas of industrial and traffic pollution was documented by Katherine Quarmby. The risk of specifying densities within a radius of 1 mile around stations is that it reduces the diversity of neighbourhoods, potentially pushing Gypsies and Travellers to marginal locations. We suggest that the areas around medium-traffic stations, such as those stations that run between 8 and 12 trains per hour, should contain a range of different types of buildings including Gypsy and Traveller sites, perhaps shielded from the noise of traffic by adjacent taller buildings. We recommend that all these policies be subject to Equalities Impact Assessments.

124) Do you agree with the proposed definition of a 'well-connected' station used to help set higher minimum density standards in targeted growth locations? In particular, are the parameters proposed for the number of Travel to Work Areas and service frequency appropriate for defining a 'well-connected' station?

Not Answered

a) Please provide your reasons and preferred alternatives:

The risk of specifying densities within a radius of 1 mile around stations is that it reduces the diversity of neighbourhoods, potentially pushing Gypsies and Travellers to marginal locations. We suggest that the areas around medium-traffic stations, such as those stations that run between 8 and 12 trains per hour, should contain a range of different types of buildings including Gypsy and Traveller sites, perhaps shielded from the noise of traffic by adjacent taller buildings. We recommend that all these policies be subject to Equalities Impact Assessments.

125) Are there other types of location (such as urban core, or other types of public transport node) where minimum density standards should be set nationally?

Yes

a) If so, how should these locations be defined in a clear and unambiguous way and what should these density standards be? :

There are too many golf courses in built-up areas of London. Take for example Highgate and Hampstead Golf Clubs which are in Zones 2-3. Golf players can travel to Zone 8 to play, but families need to live where there are schools and amenities.

126) Should we define a specific range of residential densities for land around stations classified as 'well-connected'?

Not Answered

127) In reply to question 126, if so, what should that range be, and which locations should it apply to?

Answer:

128) Do you agree policy L4 provides clear high-level guidance on good design for residential extensions?

Not Answered

129) Please provide your reasons in response to question 128, particularly if you disagree

Answer:

Chapter 13: Protecting Green Belt land

130) Do you agree that policy GB1 provides appropriate criteria for establishing new Green Belts?

Not Answered

131) Please provide your reasons in response to question 130, particularly if you disagree.

Answer:

132) Do you agree policy GB2 gives sufficient detail on the expected roles spatial development strategies and local plans play in assessing Green belt land?

Not Answered

a) Please provide your reasons, particularly if you disagree.:

133) Do you agree with proposals to better enable development opportunities around suitable stations to be brought forward?

Not Answered

a) Please provide your reasons, particularly if you disagree.:

134) Do you agree the expectations set out in policy GB5 are appropriate and deliverable in Local Plans?

Not Answered

135) Please provide your reasons in response to question 134, particularly if you disagree.

Answer:

136) Do you agree policies GB6 and GB7 set out appropriate tests for considering development on Green Belt land?

Not Answered

a) Please provide your reasons, particularly if you disagree :

137) Do you agree policy GB7(1h) successfully targets appropriate development locations and types in the Green Belt, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12?

Neither agree or disagree

138) Please provide your reasons to your reply to question 137, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers

Answer:

We caution against the relaxation of restrictions on Green Belt release. Past government policy on the provision of Gypsy and Traveller sites has explicitly accepted that sites will be found in rural areas including areas of Green Belt that are not used for its purpose.

139) Do you agree that site-specific viability assessment should be permitted on development proposals subject to the Golden Rules in these three circumstances?

Not Answered

a) Please provide your reasons, particularly if you disagree :

140) With regards to previously developed land, are there further changes to policy or guidance that could be made to help ensure site-specific viability assessments are used only for genuinely previously developed land, and not predominantly greenfield sites?

Answer:

141) Do you agree with setting an affordable housing 'floor' for schemes subject to the Golden Rules accompanied by a viability assessment subject to the terms set out?

Not Answered

142) Please explain your answer to question 141, including your view on the appropriate approach to setting a 'floor', and the right level for this?

Answer:

143) Do you agree with local planning authorities testing viability at the plan-making stage using a standardised Benchmark Land Values scenario of 10 times Existing Use Value for greenfield, Green Belt land?

Not Answered

a) Please explain your answer.:

144) Do you have any other comments on the use of nationally standardised Benchmark Land Values for local planning authorities to test viability at the plan-making stage?

Answer:

145) Do you agree that proposed changes to the grey belt definition will improve the operability of the grey belt definition, without undermining the general protections given to other footnote 7 areas?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 14: Achieving well-designed places

146) Do you agree that policy DP1 provides sufficient clarity on how development plans should deliver high quality design and placemaking outcomes?

Not Answered

a) Please provide your reasons, particularly if you disagree :

147) Do you agree with the approach to design tools set out in policy DP2?

Not Answered

a) Please provide your reasons, particularly if you disagree.:

148) Do you agree policy DP3 clearly set out principles for development proposals to respond to their context and create well-designed places?

Not Answered

a) Please provide your reasons, particularly if you disagree.:

149) Do you agree with the proposed approach to using design review and other design processes in policy DP4?

Not Answered

a) If not, what else would help secure better design and placemaking outcomes?:

Chapter 15: Sustainable transport

150) Do you agree that policy TR1 will provide an effective basis for taking a vision-led approach and supporting sustainable transport through plan-making?

Not Answered

a) Please provide your reasons, particularly if you disagree :

151) Do you agree that policy TR2 strikes an appropriate balance between supporting maximum parking standards where they can deliver planning benefits, and requiring a degree of flexibility and consideration of business requirements in setting those standards?

Not Answered

a) Please provide your reasons, particularly if you disagree :

152) Do you agree with the changes proposed in policy TR3(1a), including the reference to proposals which could generate a significant amount of movement, and the proposed use of the Connectivity Tool?

Not Answered

a) Please provide your reasons, particularly if you disagree :

153) Do you agree that proposed policy TR4 provides a sufficient basis for the effective integration of transport considerations in creating well-designed places?

Not Answered

a) Please provide your reasons, particularly if you disagree :

154) Do you agree with policy TR5 as a basis for supporting the provision and retention of roadside facilities where there is an identified need?

Not Answered

a) Please provide your reasons, particularly if you disagree :

155) Do you agree that the amended wording proposed in policy TR6 provides a clearer basis for considering when transport assessments and travel plans will be required, and for considering impacts on the transport network?

Not Answered

a) Please provide your reasons, particularly if you disagree :

156) Do you agree the proposed text in policy TR7 provide an effective basis for assessing proposals for marine ports, airports and general aviation facilities?

Not Answered

a) Please provide your reasons, particularly if you disagree :

157) Do you agree with the additional policy on maintaining and improving rights of way proposed in policy TR8?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 16: Promoting healthy communities

158) Do you agree with the approach to planning for healthy communities in policy HC1, including the expectation that the development plan set local standards for different types of recreational land, drawing upon relevant national standards?

Not Answered

a) Please provide your reasons, particularly if you disagree :

159) Do you agree that Local Green Space should be 'close' to the community it serves?

Not Answered

a) Please provide your reasons, particularly if you disagree :

160) Do you agree that the proposed policies at HC3 and HC4 will support the provision of community facilities and public service infrastructure serving new development?

Not Answered

a) Please provide your reasons, particularly if you disagree :

161) Do you have any views on whether further clarity is required to improve the application of this policy, including the term 'fast food outlets', and the types of uses to which it applies?

Answer:

162) Do you agree with the proposed approach to retaining key community facilities and public service infrastructure in policy HC6?

Not Answered

a) Please provide your reasons, particularly if you disagree :

163) Do you agree with the approach taken to recreational facilities in policy HC7, including the addition of 'and/or' with reference to quantity and quality of replacement provision?

Not Answered

a) Please provide your reasons, particularly if you disagree :

164) Do you agree with the clarification that Local Green Space should not fall into areas regarded as grey belt or where Green Belt policy on previously developed land apply?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 17: Pollution, Public Protection and Security

165) Do you agree with policy P1 as a basis for identifying and addressing relevant risks when preparing plans?

Not Answered

a) Please provide your reasons, particularly if you disagree :

166) Are any additional tools or guidance needed to enable better decision-making on contaminated land?

Answer:

167) Do you agree with the criteria set out in proposed policy P3 as a basis for securing acceptable living conditions and managing pollution?

Not Answered

a) Please provide your reasons, particularly if you disagree :

168) Do you agree policy P4 makes sufficiently clear how decision-makers should apply the agent of change principle?

Not Answered

a) Please provide your reasons, particularly if you disagree :

169) Do you agree policy P5 provides sufficient basis for addressing possible malicious threats and other hazards when considering development proposals?

Not Answered

a) Please provide your reasons, particularly if you disagree :

170) Do you agree that substantial weight should be given to the benefits of development for defence and public protection purposes?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Chapter 18: Managing Flood Risk and Coastal Change

171) Do you agree with the proposed changes set out in policy F3 to improve how Coastal Change Management Areas are identified and taken into account in development plans?

Not Answered

a) Please provide your reasons, particularly if you disagree :

172) Do you agree with the proposed clarifications to the sequential test set out in policy F5?

Not Answered

a) Please provide your reasons, particularly if you disagree :

173) Do you agree with the proposed approach to the exception test set out in policy F6?

Not Answered

a) Please provide your reasons, particularly if you disagree :

174) Do you agree with the proposed requirement in policy F8 for sustainable drainage systems to be designed in accordance with the National Standards?

Not Answered

a) Please provide your reasons, particularly if you disagree :

175) Do you agree with the proposed new policy to avoid the enclosure of watercourses, and encourage the de-culverting and re-naturalisation of river channels?

Not Answered

a) Please provide your reasons, particularly if you disagree :

176) Do you agree with the proposed changes to policy for managing development in areas affected by coastal change?

Not Answered

a) Please provide your reasons, particularly if you disagree :

177) The National Coastal Erosion Risk Map sets out where areas may be vulnerable to coastal change based on different scenarios. Do you have views on how these scenarios should be applied to ensure a proportionate approach in applying this policy?

Answer:

178) Do you agree with the proposed new additions to Table 2: Flood Risk Vulnerability Classifications?

Not Answered

a) Should any other forms of development should be added? Please give your reasoning and clearly identify which proposed or additional uses you are referring to:

Chapter 19: Conserving and enhancing the natural environment

179) Do you agree that the proposed approach to planning for the natural environment in policy N1, including the proposed approach to biodiversity net gain, strikes the right balance between consistency, viability, deliverability, and supporting nature recovery?

Not Answered

a) Please provide your reasons, particularly if you disagree:

180) In what circumstances would it be reasonable to seek more than 10% biodiversity net gain on sites being allocated in the development plan, especially where this could support meeting biodiversity net gain obligations on other neighbouring sites in a particular area?

Answer:

181) Do you agree policy N2 sets sufficiently clear expectations for how development proposals should consider and enhance the existing natural characteristics of sites proposed for development?

Not Answered

a) Please provide your reasons, particularly if you disagree :

182) Do you agree the policy in Policy N4 provides a sufficiently clear basis for considering development proposals affecting protected landscapes and reflecting the statutory duties which apply to them?

Not Answered

a) Please provide your reasons, including how policy can be improved to ensure compliance:

183) Do you agree policy N6 provides clarity on the treatment of internationally, nationally and locally recognised site within the planning system?

Not Answered

a) Please provide your reasons, particularly if you disagree:

184) Are there any further issues for planning policy that we need to consider as we take forward the implementation of Environmental Delivery Plans?

Answer:

Chapter 20: Conserving and enhancing the historic environment

185) Do you agree the government should implement the additional regard duties under Section 102 of the Levelling-Up and Regeneration Act?

Not Answered

a) Please provide your reasons:

186) Do you have any evidence as to the impact of implementing the additional regard duties for development?

Answer:

187) Do you agree with the approach to plan-making for the historic environment, including the specific requirements for World Heritage Sites and Conservation Areas, set out in policies H1 – H3?

Not Answered

a) Please provide your reasons, particularly if you disagree :

188) Do you agree with the approach to assessing the effects of development on heritage assets set out in policy H5?

Not Answered

a) Please provide your reasons, particularly if you disagree :

189) Do you agree with the approach to considering impacts on designated heritage assets in policy HE6, including the change from "great weight" to "substantial weight", and in particular the interactions between this and the statutory duties?

Not Answered

a) Please provide your reasons, particularly if you disagree :

190) Do you agree with the new policies in relation to world heritage, conservation areas and archaeological assets in policies HE8 – HE10?

Not Answered

a) Please provide your reasons, particularly if you disagree :

191) Do you have any other comments on the revisions to the heritage chapter?

Answer:

Further questions

192) Do you agree with the transitional arrangements approach to decision-making?

Not Answered

a) Please provide your reasons, particularly if you disagree :

193) Do you have any further thoughts on the policies outlined in this consultation?

Answer:

194) Do you agree with the list of Written Ministerial Statements set out in Annex A to the draft Framework whose planning content would be superseded by the policies proposed in this consultation?

Not Answered

a) Please provide your reasons, particularly if you disagree :

Annex A - Data Centres / Onsite Generation

195) Do you consider the planning regime, including reforms being delivered through the Planning and Infrastructure Act, provide sufficient flexibility for energy generation projects co-located with data centres to be consented under either the NSIP or TCPA regime?

Not Answered

a) Please provide your reasons:

196) Would raising the Planning Act 2008 energy generation thresholds for renewable projects that are co-located with data centres in England (for the reason outlined above) be beneficial?

Not Answered

a) If so, what do you believe would be the appropriate threshold? Please provide your reasons. :

197) Do you have any views on how we should define 'co-located energy infrastructure'? Please provide your reasons.

Answer:

198) Do you think the renewable energy generation thresholds under Section 15 of the Planning Act 2008 for other use types of projects should be increased, or should this be limited to projects co-located with data centres?

Not Answered

a) Please provide your reasons:

199) What benefits or risks do you foresee from making this change? Please provide your reasons.

Answer:

Annex B - Viability: Standardised inputs in viability assessment

200) Would you support the use of growth testing for strategic, multi-phase schemes?

Not Answered

a) Please explain your answer.:

201) Would you support the optional use of growth testing for regeneration schemes?

Not Answered

a) Please explain your answer.:

202) Do you agree greater specificity, including single figures, which local planning authorities could choose to diverge from where there is evidence for doing so, would improve speed and certainty?

Not Answered

a) Please explain your answer. If you agree, the government welcomes views on the appropriate figure – for example, whether 17.5% would be an appropriate reflection of the industry standard for most market for sale housing:

203) Are there any site types, tenures, or development models to which alternative, lower figures to 15-20% of Gross Development Value might reasonably apply?

a) Please explain your answer. The government is particularly keen for views on whether clarifying the appropriate profit on Gross Development Value for affordable housing tenures would make viability assessments more transparent and speed up decision making. :

204) Are there further ways the government can bring greater specificity and certainty over profit expectations across landowners, site promoters and developers such that the system provides for the level of profit necessary for development to proceed, reducing the need for subjective expectations?

a) Please explain your answer:

205) Existing Viability Planning Practice Guidance refers to developer return in terms a percentage of gross development value. In what ways might the continued use of gross development value be usefully standardised?

a) Please explain your answer:

206) Do you agree there circumstances in which metrics other than profit on gross development value would support more or faster housing delivery, or help to maximise compliance with plan policy?

Neither agree nor disagree

a) Please explain your answer:

The focus on profit as a single metric is short-sighted. The focus on profit has driven up housing costs as a proportion of income in London, which has caused an exodus of children from the capital. The recent London Councils report "Managing school rolls and maintaining educational standards in London", which drew on data from all 32 London boroughs, forecast a decline of 3.8% in Year 7 places and 2.5% in reception places between 2025/6 and 2029/30. Inner London faces the sharpest drop, as demand for Year 7 places is expected to fall by 7.6% and reception places by 6.4% over the next four years. Families find accommodation in all owned or privately rented tenures unsustainable, and accommodation in social rented properties insufficient in quantity, resulting in decades-long waiting lists. Analysis by the National Housing Federation found that families with young children needing social rented properties with three bedrooms would have to wait 27 years on average across London. The flight of children will mean that fewer households of the next generation will reside in London in the longer term, leading to reducing the pool of available skills and economic activity, and thence to decline of profits on housing developments. We suggest that the planning policy framework also measure the social impact of development projects, for instance following the methods of the Office for the Impact Economy (part of the Cabinet Office).

207) Are there types of development on which metrics other than profit on gross development value should be routinely accepted as a measure of return e.g. strategic sites large multi-phased schemes, or build to rent schemes?

a) Please explain your answer:

As well as human rights and equalities considerations, we recommend using social impact as a metric of return on developments.

208) Do you agree that guidance should be updated to reflect the fact a premium may not be required in all circumstances?

Not Answered

a) In what circumstances might a premium, or the usual premium, not be required?:

b) What impact (if any) would you foresee if this change were made?:

209) Do you agree that extant consents should not be assumed to be sufficient proof of alternative use value, unless other provisions relating to set out in plans are met?

Not Answered

a) Please explain your answer:

210) If extant consents were not to be assumed as sufficient proof of alternative use value, should this be at the discretion of the decision-maker, or should another metric (e.g. period of time since consent granted) be used?

Not Answered

a) If another metric, please set out your preferred approach and rationale:

211) What further steps should the government take to ensure non-policy compliant schemes are not used to inform the determination of benchmark land values in the viability assessments that underpin plan-making?

a) Please explain your answer:

212) Do you agree that the residual land value of the development proposal should be cross-checked with the residual land values of comparable schemes; to help set the viability assessment in context?

Not Answered

a) Please explain your answer:

Annex C - Reforming Site Thresholds

213) Do you agree that a 2.5 hectare threshold is appropriate?

Not Answered

a) Please provide your reasons, particularly if you disagree :

214) Do you agree that a unit threshold of between 10 and 49 units is appropriate?

Not Answered

a) Please provide your reasons, particularly if you disagree :

215) Do you foresee risks or operability issues anticipated with the proposed definition of medium development?

Not Answered

216) In relation to question 215, if so, please explain your answer and provide views on potential mitigations.

Answer:

217) Do you have any views on whether the current small development exemption should be extended to cover a wider range of sites – indicatively to sites of fewer than 50 dwellings, or fewer than 120 bedspaces in purpose-built student accommodation?

a) Please provide your reasons, particularly if you disagree :

218) If the exemption were to be extended, do you have any views on whether the development of 120 purpose-built student accommodation bedspaces is an appropriate equivalent to a development of 50 dwellings for the purposes of the levy exemption?

a) Please provide your reasons, particularly if you disagree :

219) If the exemption were to be extended, do you have any views on whether the exemption should be based solely on the existing metrics (dwellings/bedspaces) or whether there should also be an area threshold.

a) Please explain your answer:

220) If you do have views on possible changes to the small developments levy exemption, please specify the potential impact of the possible change of the levy exemption on people with protected characteristics as defined in section 149 of the Equality Act 2010.

Answer:

221) What do you consider to be the potential economic, competitive, and behavioural impacts of possible changes to the levy exemption? Please provide any evidence or examples to support your response.

Answer:

222) Do you agree with the proposal to extend the Permission in Principle application route to medium development?

Not Answered

a) Please provide your reasons, particularly if you disagree :

223) Do you have views about whether there should be changes to the regulatory procedures for these applications, including whether there should be a requirement for a short planning statement?

Answer:

Public Sector Equality Duty

224) Do you have any views on the impacts of the above proposals for you, or the group or business you represent and on anyone with a relevant protected characteristic?

Yes

a) If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how. :

Gypsies and Travellers, as people with cultures of nomadism, are poorly accommodated by LPAs. All wording in the NPPF should be as explicit and precise as possible to prevent interpretation that will be detrimental to the provision of culturally suitable accommodation. The absence of culturally suitable accommodation of decent standards and sufficient quantity has caused and continues to cause the cultural erasure of communities and groups with protected characteristics that have been part of the rural and urban landscapes for centuries.

225) Is there anything that could be done to mitigate any impact identified?

a) Please explain your answer:

We recommend the return to legislation of the duty to provide Gypsy and Traveller sites in every LPA, as existed in the UK prior to 1994, and which has since been replicated and applied in France.