



The
London Forum
of Amenity & Civic Societies

Responses by London Forum of Amenity and Civic Societies to consultation questions on proposed reforms to the National Planning Policy Framework and other changes to the planning system, February 2026

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?

A: The London Forum welcomes the Government's decision not to put national policies for decision-making on a statutory basis at this stage, but to place rules-based policies in the Framework as National Decision Management Policies.

To put these policies at statutory status would increase the rigidity of policies which have to be applied to a broad range of types of places. What works in Cornwall would not necessarily work in a London borough.

We do not think placing NDMPs outside the Framework would be sensible, as it would increase the number of documents a respondent to a planning application or a decision maker would have to consider. There would also need to be cumbersome cross references to the NPPF content.

That would be contrary to the Government's objective to "Ensure national planning policy is accessible and understandable for everyone who uses it".

It is not clear how the national policies for decision making will affect the next London Plan and its strategies, guidance documents and retained supplementary planning documents.

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

A: Partly agree.

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

A: NDMPs cannot cover all unusual situations or variants that would apply in a limited number of locations. That means extra or variant policies may be necessary in Local Plans, to reflect local circumstances.

The draft NPPF has policies useful for both plan-making and decision-making. They will need to be repeated in various chapters, even in a modified form.

The words in the current NPPF for policies and decisions to 'reflect relevant international obligations and statutory requirements' should be restored in the draft NPPF.

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

A: Partly agree.

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

A: Including parts of the Planning Practice Guidance in the Annexes will emphasise key requirements and reduce the need to search elsewhere than the NPPF for them.

Action Needed:

1. Annex B should have added the definition of World Heritage Zone buffer zone now in the PPG.
2. Definition of a heritage asset in Annex B should have the words 'but is not limited to' deleted.
3. The PPG's explanation of substantial harm should be located within the Glossary Annex B.
4. A definition of the term 'sustainable growth' in Annex B would be helpful.
5. Annex C must include all the information required by national policy.
6. Paragraph 12 of the draft NPPF states that National Policy Statements "may, where relevant, be a material consideration in preparing plans and making decisions on planning applications." There needs to be more clarity and references in the NPPF on which of those Statements are applicable and there should be an annex listing them and providing a live link to their current versions.

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

A: Neither agree nor disagree.

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

A: The London Plan has a policy on Gypsy and traveller accommodation which is relevant to conditions and constraints in the capital and it has been examined and approved.

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

A: Partly agree.

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

A: Replacing the words 'great' and 'significant' by 'substantial' is understood for simplification in considering weighting but there is no definition of 'substantial' in the Glossary, although other terms such as 'deliverable' are explained there.

2. Plan-making policies

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

A: Partly agree.

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

A: Spatial Development Strategies are stated in PM1 2. b. to be required to identify "major cross-boundary developments". Explanation of how that should be approached would be useful.

Policy PM1 must incorporate Paragraph 20 d) of the 2024 NPPF to make it clear that heritage is a strategic issue to be addressed through strategic policies.

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?

A: Partly agree.

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?

A: In London this has been fundamental, mainly because the 2012 NPPF was not a spatial planning document, and with successive changes, largely tinkering, the document became increasingly dominated by the housing delivery process and singularly failed to promote more sustainable patterns of urban development.

The new draft NPPF is a great improvement, but its intent to produce universal planning policies, with the aim that these should replace local plan policies, would remove the current “one-stop-shop” that local plans provide, even in London.

Local communities, like our 130 community group members across London, have a sense of ownership of their Local Plan. They may know that the London Plan is the strategic part of the development plan, with which the local plan is in general conformity, but few will have heard of the NPPF - a document that does not paint a picture that they recognise and which they have had no part in agreeing.

Whereas the NPPF has been largely unaltered since 2012 until this new version being consulted upon, the London Plan has changed its strategy and introduced pioneering policies, to meet the challenges of London, which the NPPF still fails to recognise. The London Forum supports the need for a regular, 5-year review, not just for the revised housing requirements.

To achieve that timescale, there must be a limit to the time the Government spends in consideration of the Mayor’s publication of an ‘Intend to Publish’ version of a new plan after examination in public. The current London Plan was delayed far too long at that stage.

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?

A: Partly agree

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

A: Assessment of the London Plan’s review process over the last 25 years shows that the 5-year interval has largely been met - 2004, 2008, 2011, 2016 and 2021. The current hiatus before a replacement London Plan that should have been aimed for 2026 has been in part due to intervention by the Secretary of State in 2020, the 4-year electoral cycle and more recent planning changes, including a new NPPF.

Whilst the London Forum supports having up-to-date housing targets, we strongly believe that they should be an integral part of the review of the London Plan rather than a free-standing exercise.

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

A: Partly agree.

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

A: The requirements for preparing Local Plans in PM2 are supported but should include an additional outcome 'achieves conservation of the historic environment' as PM2 1. a. v.

Action Needed: There should be a cross reference to PM9 for consideration of viability.

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

A: Yes

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.*

There is a difference between the planning horizon for a plan which sets the trajectory and the period that the local plan needs to set out proposals for development.

The period of coverage of a Local Plan could be reduced to 10 years ahead in terms of action, whilst section PM2 a. iii requires that the vision "reflects longer-term expectations extending beyond the plan period where appropriate, including for large-scale development proposals".

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

A: Partly agree

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

A: Although the intention to define general planning policies which will apply across the country is understood, the London Forum suggests there must be sufficient flexibility in order to allow policies in Local Plans that are specific to local circumstances. There will be unusual situations or variants that need to be defined in a Local Plan that would not apply in other locations. There are even strong differences between London boroughs, let alone between London and other parts of the country.

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

A: Partly agree.

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

A: However, PM7 1. d. should include engagement with communities, not only "key stakeholders".

It is better expressed in PM6 1. d.

Local people must feel that they have been part of the Local Plan preparation and understand the reasons for policies and land use, otherwise they could be resentful of proposed development and resist it. They must feel that they own the plan.

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

A: Partly agree

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

A: The use of existing evidence and data is supported.

However, there is a need to recognise that new evidence will be needed in some areas.

Urban design studies and character assessments cannot be left untouched for ten years or more, to give just one example.

We agree to the requirement for cross-boundary liaison, evidence collection and joint working.

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

A: Partly agree

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

A: PM9 2. c. should be amended to read 'An assessment of the amount of development those sites have the potential to accommodate, **particularly for the type and quantities of affordable housing they could supply**, and the potential timescales over which development could be delivered¹⁶; and'

PM9 2. b. requires an assessment of "achievability" of allocated sites for development. That will require viability consideration on a site-by-site basis for which many local authority staff do not have the required knowledge and experience. Nor would they be able to consider accurately the type of development that a developer might offer for any allocated site.

There will need to be training and guidance for planners on viability.

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

A: Partly agree

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

A: It is welcomed that, for the first time, the NPPF specifically requires the Combined Authority Mayors and the Mayor of London to engage proactively with the emerging strategic planning authorities outside their boundary and vice versa.

That will require mutual consideration of which shared areas are 'Grey Belt' under the policies in NPPF Chapter 13 for which there should be a footnote on it in PM 11 or a cross reference within the policy, as the draft NPPF uses in PM12 3. a.

The consultation mentions the use of Statements of Common Ground and that should be included in PM11 or in a footnote for it that links to the definition in the Glossary.

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

A: Partly agree.

a) Please provide your reasons, particularly if you disagree

However, the London Forum does not think requirements should be set too generously for development to avoid “the need for viability assessment at the decision-making stage” (PM12 3. b.), as circumstances may have changed by that time, such as reduced build costs.

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?

A: Partly agree

a) Please provide your reasons, particularly if you

The policy PM12 4. for reviews of viability over the lifetime of a development is supported in order, for example, to obtain extra affordable housing if a developer’s profits have increased.

However, national policy should set out clear expectations for the way that should be done.

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

A: Partly agree.

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

A: A key indicator that should influence the choice of sites, particularly for housing, is its accessibility in terms of public transport and a range of local services. Such a standard will support the primary aim of securing a more sustainable pattern of urban development. In terms of London, the public transport accessibility level/connectivity standard should influence both the choice of site and the density of development.

There should be national policies for the way buildings are constructed, for example, to have orientation that reduces wind tunnel effects or the reduction of glare from glazed surfaces.

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?

A: Partly 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?

A: The removal of the ‘justified’ test from paragraph 36 b) of the 2024 NPPF means that there is no reference to evidence in Policies PM14 2. and PM15, even though Policy PM8 deals with evidence for plan making. This neglects the essential role that evidence plays in effective plan-making, and risks poor heritage and environmental outcomes from local plans and from spatial development strategies.

Also, in order to meet the Government's timescales for revision of spatial development strategies, it would be problematic if an Inspector could recommend withdrawal of a plan.

Every effort should be made by the Inspector to improve a draft spatial development strategy, including by making suggestions and supporting changes that were deemed acceptable which were proposed by those attending sessions during the examination in public.

Action needed: The third sentence of PM14 1. should be amended to 'Where the inspector does not consider the spatial development strategy to be sound, the examiner *should* suggest modifications for the strategic planning authority to consider'

The rest of that sentence should be deleted.

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?*

A: There is no question on PM4, but the London Forum suggests that, other than 'Supplementary Plans', a local authority could publish Supplementary Planning Documents (SPD) which might cover, for example, a masterplan or design code for a specific area and design guidelines for densification of existing developed land. The latter were applied successfully in London Borough of Croydon by SPD and the new housing achieved was considerable.

Action Needed: Supplementary plans, i.e. Supplementary Development Plans (SPDs,) should be used to assist the explanation of:

- ☐ energy efficiency measures for listed buildings);
- ☐ new types of development;
- ☐ the development options for windfall sites.

3. Decision-making policies

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

A: Partly agree.

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

NPPF policy should require full publication of the case file of any pre-application advice given to a developer by a local authority case officer, not just for "major developments".

The consultation document for the draft NPPF states "Pre-application engagement is now explicitly focused on major development", but the draft policy DM1 states that "**Pre-application engagement may also be required where proposals raise complex planning matters, such as the potential effect on heritage assets.**"

There must be simplification of the information to be provided with a planning application in the new NPPF to assist the speed of decision making.

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

A: Partly agree.

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

A: Local validation lists should be able to deal with issues that are not common to all local planning authorities.

Action Needed:

Annex C should be extended in its scope, and/or the provisions in DM2 made more flexible, to provide clarity for applicants, as Annex C does not include all the information required by national policy.

The draft new NPPF should endorse the Landscape Institute Technical Guidance Note 6/19 (September 2019) "Visual Representation of Development Proposals" - which is currently under review. It covers visualisations of tall buildings using a 50mm lens, which is what the human eye would see, as opposed to the use of a 24mm wide-angle lens which "shrinks" the building and adversely affects the impact assessment and can influence decisions.

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

A: The London Forum does not think DM2 policy would be better implemented through regulations. It is not necessary to use regulations for this purpose. The flexibility to local authorities offered in DM2. 2. for additional information is supported and regulations could not cover that definitively.

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

Partly agree

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

A: Working with the community is given too little weight throughout the draft NPPF.

We recommend that paragraphs 40 and 41 of the current NPPF for pre-application engagement should be retained in the new draft version.

That is because, as with plan preparation, it is important that local people are fully involved in the proposed development of their locality and in the decisions that will be made on individual planning applications, for which their views should be taken into account.

Actions needed:-

DM3 1. c. should be divided into two with the first part ending after the word "engagement". There should be a new DM3 1. d. 'Take account of comments on planning applications by community groups and individuals.'

The draft parts DM3 1. c, 1. d, 1. e and 1. f. then become e, f, and g.

The words 'consult statutory or internal consultees only where it is necessary to do so' in section DM3 1. d. should be replaced by 'consult statutory consultees in accordance with legislative requirements and policy provisions'.

DM3 1. f. should be changed to "If an application is in accordance with the development plan, the policies in this Framework and any other material consideration, it should be approved."

Paragraph 137 of the current NPPF should be retained, with the following alterations:-,

"Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and **the** local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should, where applicable, provide sufficient information to demonstrate how their proposals will meet the design expectations set out in local and national policy. **Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community.** Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those **which** cannot."

IMPORTANT - The use of the words 'that' and 'which' in the draft NPPF are not consistent nor correct use of the English language, as in the penultimate word of the revised paragraph 137 above. The whole of the document should be examined by staff in MHCLG to see how those words are used and changes must be made in accordance with the rules on whether or not they are related to a restrictive clause [that] or a nonrestrictive clause [which].

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

A: Neither agree nor disagree

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

A: The proposed benefits from DM5 described in the NPPF consultation document are supported but it is noted there that "the government intends to undertake a wider review of the statutory framework for modifying or discharging existing planning obligations." Therefore there may be future changes to this part of the NPPF.

It is noted also that the draft NPPF uses the word 'contributions' elsewhere for 'obligations' in its text.

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

A: The "policy compliance over the lifetime of the project" is important. Profitability should be assessed at various stages of the development and after its completion as units are sold.

Action Needed:

To strengthen Policy DM5, the following references from paragraph 59 of the 2024 NPPF should be reinstated:

"The weight to be given to a viability assessment is a matter for the decision maker"

"All viability assessments should be made publicly available".

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: No views.

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: The use of Section 73 applications may need further clarification.

It is welcomed that the Government recognises the practical constraints associated with the existing, statutory route to modify or discharge planning obligations via section 106A and intends to undertake a wider review of the statutory framework for modifying or discharging existing planning obligations.

The 'cross-subsidy' model of affordable housing obligations on developers for the funding of social and other affordable housing has failed and that must be recognised in developing national policy.

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?

A: Partly agree.

Actions needed:

London Forum considers that the sentence in DM6 3. "Conditions that are required to be discharged before development commences should be avoided." is too restrictive and should be removed or modified because a condition on achieving land decontamination before a development is allowed to proceed would be a reasonable one. It could protect the health of people who will occupy the development in the future.

Also, archaeological conditions by their nature must usually be discharged before development commences.

The reference to planning obligations in Policy DM6 4) is not as clearly worded as paragraph 58 of the 2024 NPPF.

In DM6 1. the word 'only' as a modifier is put with the verb in the sentence, whereas it should be placed immediately before the word or words it modifies. That makes the sentence not only grammatically incorrect but it changes the intended meaning and can be nonsensical or open to various legal interpretations. That unnecessarily complicates decision making.

The correct version of the sentence in DM6 1. should be "Planning conditions should be attached to planning permissions and other associated consents for development **only** where they are:"

The same problem of a misplaced modifier is in the draft NPPF text for S5 4., HC2 2., HC6 2., P5 1 c., F6 1. b., N1 2., N4 2., N6 1. b., N6 1. c., HE7 2., PM6 1. a., PM6 1. b., DM2 2. and DM6 4.

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

regulatory regimes?

A: Strongly agree.

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

A:

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

A: Partly agree.

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

Action needed: Paragraph 60 in the 2024 NPPF on enforcement should be retained.

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: The specific type of harm arising from intentional unauthorised development generates mistrust by the local community of the planning system and of local authority enforcement, leading to their disengagement with plan making.

In DM8 2. the words “if it is concluded based on evidence that the unauthorised development was intentional, that fact should be given substantial weight” is not clear. It is hard to imagine if it is concluded based on evidence that the unauthorised development was intentional, planning permission should be refused.”

unintended development (“I didn’t mean to build a house - it was an experiment with bricks”). Therefore, it is usually likely that ‘there was an intention to undertake the development without authorisation’.

Action needed: The last part of DM8 2. should be changed to “33) Do you agree with the new Article 4 direction policy in policy DM10?”

A: Partly agree.

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

A: The restriction that each Article 4 Direction should cover the “smallest area possible” has in the past caused delays in implementation as a result of negotiations between MHCLG and local authorities and should be reconsidered.

It should be recognised in the draft NPPF that Article 4 directions covering the whole of a conservation area are frequent, and have always been seen as legitimate so the NPPF should recognise this.

Action Needed: Article 4 directions apply not only to physical works or loss of buildings through demolition, but also to the loss of valued local facilities. Substitute “demolition” by “loss” in DM10 1. a.

4. Achieving sustainable development

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

A: Partly agree.

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

A: Action Needed:-

In S1 1. The word 'future' should be replaced by 'sustainable'.

The historic environment has "areas and assets of particular importance" which need to be identified in plan-making. These need to be explicitly acknowledged in Policies S1 and S2.

Both Policy S1 and S2 need to include sub-sections that cover the historic environment to mirror the references included in footnote 23, when covering "areas or assets of particular importance" referred to in S1 1. a. i.

S1 1. and Footnote 23 should therefore include those assets referred to in Section 20 of the NPPF relating to the conservation and enhancement of the historic environment. Add additional material to paragraph S1 1. a. i covering the historic environment.

S2 1. c. should have the words 'designated heritage assets such as conservation areas' after the words 'habitat improvement'.

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

A: Strongly agree.

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

A:

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

A: Partly agree.

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

Action needed:: S3 1. C. should have added on the end the words 'unless designated heritage assets would be harmed.'

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

A: Partly agree.

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

A: There should be an extra section for context sensitivity as **S4 2. a. iii the character of the locality.**

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

A: This is not a London issue

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

A: Within Greater London, all land outside settlements is within the Metropolitan Green Belt. The Metropolitan Green Belt extends beyond the boundaries of Greater London into the Counties surrounding London. There is a need for a comprehensive Metropolitan Green Belt review covering the whole of the Metropolitan Green Belt to determine strategically where development outside existing settlements should be promoted.

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?

A: Not applicable to London, so no comment.

a) Please provide your reasons.

A:

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?

A: Partly agree.

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.

A: Policy S5 1. h. should not apply only outside settlements, as the definition of S5 states.

It should be applied for development around stations anywhere that the travel connectivity and access to social infrastructure and services are sufficient (or can be made sufficient before completion) to support the people living in the new housing.

The policy on development near to suitable stations in the draft NPPF should be incorporated into S4 as well as S5.

Some of those stations could be in Green Belt land and there should be a footnote pointing to GB6 and GB7 for evaluation of the sites.

Footnote 26 defines well-connected railway stations but its suggestion that two trains or trams per hour could be acceptable is not supported and would be inadequate for effective travel.

The most efficient use must be made of the area around stations for housing development but there may be limitations based on acceptable building height, as in S5 c.

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

A: Strongly agree.

a) If not, please provide your reasons

A:

5. Meeting the challenge of climate change

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

A: Strongly agree

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

A:

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

Strongly agree

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

A:

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

Strongly agree

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

A:

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

Strongly agree

a) Please provide your reasons

A:

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

No additional proposals

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

Policies should promote consideration of whole-life carbon to support reuse over demolition, reduce embodied emissions, and align housing delivery with net zero.

6. Delivering a sufficient supply of homes

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

A: Partly agree

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

A: This already exists in London. Since 2004 the London Plan has set housing need assessments, originally based on demographic information and forecasts produced by the GLA. The London-wide housing need assessment (SHMA) was reconciled with the Strategic Housing Land Availability Assessment (SHLAA) and distributed between the London boroughs based on their capacity. These were allocated to the boroughs. The latest London Plan that was published in March 2021, contains a London-wide target and individual borough targets following changes recommended by the examining Panel.

Since the aim is to have a plan-led system, the absence of any reference in the draft NPPF to indicating clearly locations where tall buildings would be appropriate is a major oversight. In this section the document portrays planning as development management exercise rather than as positive planning by indicating clearly where tall buildings may be appropriate.

Tall buildings will be needed to provide some of the new homes that are required in London and in some other cities.

In this document, despite specifically referencing the minutiae of “upward development” by apparently advocating additional storeys, especially on corner buildings, the issue of the location and scale of large and tall buildings is the elephant in the room.

The London Plan Policy D9 requires all London local plans to identify locations which might be suitable for tall buildings. This is a positive, plan-led approach, rather than a “development management” approach which provides no certainty for either developers or local communities. In the absence of any process which identifies appropriate locations for tall buildings, the NPPF rejects a positive, plan-led approach in favour of an “every case on its merits” development management approach. Rather than generate consensus it will guarantee confrontation.

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

A: Yes

a) If so, what elements should this guidance cover?

A: The London Plan and some Local Plans attempt to identify the scale of need and propose annual rates of provision for various types of specialised housing. These inform decision-making on planning applications for these types of housing and also to inform decisions about potential losses.

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

A: Yes.

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

A: The London Plan has appropriate policies on this subject.

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

requirement figures?

A: Partly agree.

The London Plan and any associated guidance documents will cover this requirement specifically for the capital.

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

A:

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? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

A: Strongly disagree

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

A: There are areas in London and probably in other cities which were almost entirely built over before 1900. Most parts of them are conservation areas and there are many listed buildings. The rate of redevelopment is extremely low. As a result the concept of a buffer is irrelevant – it is only through a stepped trajectory that the existing opportunities can/could deliver the current target, such as that in the 2021 London Plan. Any higher target as a result of a new London-wide target as proposed by the Standard Method, would be undeliverable. That makes the 88,000 new homes annually in London unlikely to be achieved and the draft NPPF offers no solutions for that.

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?

A: Strongly disagree.

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

A: There are areas in London and probably in other cities which were almost entirely built over before 1900. Most parts of them are conservation areas and there are many listed buildings. The rate of redevelopment is extremely low. As a result the concept of a buffer is irrelevant – it is only through a stepped trajectory that the existing opportunities can/could deliver the current target, such as that in the 2021 London Plan. Any higher target as a result of a new London-wide target as proposed by the Standard Method, would be undeliverable. That makes the 88,000 new homes annually in London unlikely to be achieved and the draft NPPF offers no solutions for that.

This answer applies to both Q52 and Q53.

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

A: Neither agree nor disagree.

This will be covered by policies in the London Plan that are specific to the capital.

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?

A: Partly agree.

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

A: H04 2. should recognise that areas for large-scale development are likely to involve more than one local authority, as for the Opportunity Areas identified in the London Plan. This may apply in circumstances where it overlaps the Greater London boundary.

In London, over 40 Opportunity Areas have been identified for large-scale residential and mixed-use developments. Their status and progress are being monitored and will be reviewed for the next London Plan.

Such areas are likely to be identified in other Combined Authorities. It is not clear what arrangements are to be put in place to resolve the allocation of land for new settlements across the boundaries of Greater London and the existing counties and new combined authorities. This is particularly important in the Metropolitan Green Belt.

Action Needed: In H04 1. a. the words "Be capable of being supported" are much too weak. There must be real evidence required that there will be adequate schools, surgeries, recreation facilities and other social infrastructure.

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

A: Not applicable in London, so no comment.

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?

A: Neither agree nor disagree.

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

A: Partly agree.

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

A: The standards may reduce the viability of some developments.

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

A: Strongly agree.

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

A:

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?

A: Partly agree.

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

A: Paragraph HO5 1. a. i should end after the words "Social Rent homes required." The remaining part of that paragraph seems to be an additional policy for section HO5 1. a.

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?

A: Strongly agree.

a) Please provide your reasons

A: Small sites policies can provide opportunities for SME builders and can be published with invitations to bid, as is done in London.

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

A: No.

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?

A: No comment, as new military homes are unlikely in London.

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

A:

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

A: No

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

A: Following consultation for the current London Plan, it was agreed that individual London boroughs should be able to use their Local Housing Need Assessment to influence the housing mix of new market housing. This enables the supply to better reflect housing need in their local authority where, left to the market, the mix delivered would exclude smaller households

There are some parts of London where the market sector is producing a disproportionately high proportion of large units in relation to the Local Housing Need Assessment, often through amalgamation. Left to the market it would reduce the supply of housing.

The draft NPPF should take this into account in its content to cover any densely developed urban area.

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?

A: Strongly agree

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

A: Given the recent difficulties with housing associations being able to take up the ownership of affordable homes produced by private house builders there must be greater opportunity for the direct development of social rent homes by local authorities or other responsible public bodies.

The percentage should be a minimum of 20% but should be over 30% on publicly owned land.

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: No comment.

a) If so, what changes would be beneficial?

A:

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?

A: Strongly disagree.

A: It is unclear what “medium sites” are. If measured in terms of hectares, such as 1 hectare the density of housing developments in some locations, such as in London would deliver a large number of new homes, or is it the size of the schemes in terms of the number of homes, such as between 10 and 49 homes?

We support the Local Plan policy for social and affordable housing which requires that it “must be provided on-site unless exceptional circumstances justified by robust evidence supports the provision off-site within the borough or by providing a payment in lieu to be used for the provision of new community housing in the borough.”

In addition, the funds resulting from these S106 agreements are seldom taken up due to rising construction costs, lack of sites and a shortage of willing registered social housing providers.

Action Needed: Clarify what is a “medium site” in different situations - in London a 1 hectare site would be relatively large, whilst in low density areas this would be relatively small.

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.

A: Yes, but the funds resulting from these S106 agreements are seldom taken up due to rising construction costs, lack of sites and a shortage of willing registered social housing providers.

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

A: No. The cash in lieu should be a last resort.

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).

A: The risks are that the required amount of social homes that are needed to reduce homelessness will not be delivered due to increasing build costs and the reluctance of Registered Providers to take any social housing that is built. That would result in yet higher costs for local authorities for temporary accommodation and increased deprivation for the families of those in such 'homes'.

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.

A: LPAs should be able to raise funds at low interest rates to supplement commuted sums if they have sites that could deliver more social housing.

Consideration should be given to increasing local authority powers to use cash contributions to acquire small plots of under utilised land for the direct development of social rent housing.

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

A: London Forum has strong reservations about taking this route.

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.

A:

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?

A: **Strongly disagree.**

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

A: We consider that wherever possible affordable housing should be provided on-site. Cash in lieu has often remained unspent. However, we recognise that there have been difficulties securing registered social housing providers.

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

A: Partly agree.

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

A: The addition in the draft NPPF of a new policy on this subject is supported.

HO9 1. a. I. should be amended to:

*'being located where residents will be able to access frequently-used services easily and safely **within a reasonable distance** by walking, wheeling (including mobility scooters) and public transport, including taxi schemes for the elderly, **or by the provision of on-site services and facilities** where applicable; and'*

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

A: Partly agree.

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

A: The definition of 'community-based specialist accommodation in the Glossary of "housing for criminal justice purposes that provide structured support for individuals charged with or convicted of an offence, transitioning from custody, or serving community-based sentences' suggests that the location of such accommodation could be sensitive and should be considered carefully by local authorities and not imposed by the Justice Department on any area. The management plan for this type of housing should be of the highest quality and fully resourced.

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?

A: Partly agree.

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

A: **Action Need:** Local authorities must be allowed to specify in their Local Plan where student accommodation would, and would not, be suitable and the NPPF should make that clear.

Student accommodation should not be built in locations that are prime areas for social and other affordable housing.

75) Do you agree the proposals provide adequate additional support for rural exception sites?

A: **No comment.**

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

A: These responses to questions are being made for urban areas only.

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

A: Strongly agree.

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

A: Yes, because of the reasons for the unsuitability of 'First Homes' in London and the adverse effect they would have on the supply of affordable housing. reported by the Mayor Sadiq Khan in his response to the Government in April 2020 on their intended introduction.

It included the comment that "GLA analysis suggests the number of social rented homes which could be lost under the First Homes policy equates to around a fifth of the social housing delivered in London in 2018/19."

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

A: No comment - not relevant for London

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 the government to set out?

A: These responses to questions are being made for urban areas only.

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

A: Partly agree.

79) Please provide your reasons, particularly if you disagree.

A: The London Plan and any associated guidance documents will cover the requirements on planning policy for Traveller sites specifically for the capital.

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

A: Partly agree

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

A: The main determinant of the build-out rate of sites is the developer's view of the likely market absorption rate of the properties the developer is building at the prices the developer requires in order to maintain a reasonable level of profitability. General economic conditions are likely to be the biggest input into that calculation.

Action Needed: HO13 1. The word 'capable' is too weak. The policy should be amended after the words 'mixed-use development' to state 'should demonstrate that the housing will be brought forward within a reasonable period.'

Permissions may cease to be required to start within 3 years if a material start is made. Where there is phasing, such as for hybrid proposals for building out in areas of major development, a new approach may be needed to secure delivery.

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?

A: Strongly agree.

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

A:

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

A: Yes.

a) Please provide your reasons.

A: The Government should have published its policy or recommendations following the consultation on a 'Build Out working paper' published in May 2024.

There will need to be a PPG to propose the approach that should be taken on speeding up delivery of approved large developments and the NPPF should point to that.

A consistent approach should be defined, but with consideration allowed for local authorities to have their own policies on 'Use It or Lose It' for developments they have approved, as was debated during the Planning and Regeneration Bill stages.

83) Do you agree with the proposed changes to the Housing Delivery Test rule book? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

A: Partly agree.

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

A: It is regrettable that the Government, in its publications and in the explanation in the consultation document on the new NPPF, places the modifier word 'only' in a sentence with the verb, **whereas it should be placed immediately before the word or words it modifies**. That poor use of English makes the sentence not only grammatically incorrect but it changes the intended meaning and can be nonsensical or open to various legal interpretations. That unnecessarily complicates decision making and allows unnecessary and various interpretations when commenting on Government statements or applying them.

The draft NPPF consultation document should have explained the Housing Delivery Test rule book as 'Currently, the rule book sets out that a spatial development strategy should be used ONLY as the source of the housing requirement in instances where the relevant borough/district plan is out-of-date and the spatial development strategy is in-date.'

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?

A: Neither agree nor disagree

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

A: We have no objection to policy E1, which provides a general framework for plan-making at the regional and local level.

For London, the Mayor's Economic Development Strategy for London of December 2018 or any updated version should form the basis for the London Plan and the London borough local plans. The Government's Industrial Strategy provides a context, the SDS (i.e. the London Plan) should articulate what is needed within London to play London's role within a national strategy.

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

A: Strongly agree

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

A: The London Plan and borough local plans already cover this.

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

A: Strongly agree

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

A: This is an issue in London, where there appears to have been a lack of proposals or, if there were any, they have been aspirational and not implemented. The new London Plan will be the next opportunity to improve that.

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

A: Not relevant to London

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

8 Ensuring the vitality of town centres

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

A: Partly agree

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

A: **Diversification:** If diversification means replacing main town centre uses by other uses, it should not be encouraged unless it would “support the overall vitality and viability of the centre”. The presumption should be in favour of retaining main town centre uses first and only if these are not viable should non-town centre uses be encouraged. Diversification should not be presented as the universal panacea. In fact, the reclassification of a large number of uses as in the E Use Class, has resulted in a proliferation of uses, especially food and beverage uses, displacing other uses.

Markets: Since markets, whether in buildings or street market or in railway arches, will be a vital ingredient in maintaining the vitality and viability of town centres, these should be an integral part of a town centre strategy. It is not just a licensing issue.

Article 4 Directions: The use of Article 4 Directions which could deal with overconcentration of uses (Policies DM10 and TC1) could be useful in circumstances such as dealing with hot-food takeaways (Policy HC5) or adult gaming centres, where current proposals for assessing the cumulative effects is the only other option for tackling the issue.

Looking ahead: Forecasting the need for town centre uses is difficult enough, so changing a ten-year time horizon to the time horizon of the local plan (10-15 years) is unlikely to be an improvement.

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

A: Partly agree

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

A:

Offices: A further policy is needed to retain offices on the upper floors of town centres. Apart from identifying offices as a “main town centre use”, the draft NPPF is totally silent about one of the main economic drivers of city and town centres, and, because of the amount of economic activity that they contribute, their loss to housing reduces the vitality and viability of city and larger town centres.

The location of offices is a major gap in the NPPF. As a main town centre use and a significant contributor to the vitality and viability of town centres, there needs to be a clear policy for retaining offices in town centres as this is also the most sustainable location, because other locations are inherently car-dependent.

Residential development in town centres: Since town centres are identified as locations for higher-density residential development, the focus should be on making the housing additional rather than merely replacing offices where residential land values are used to justify a change of use. Where redevelopment is proposed it should be mixed-use development which retains the office uses whilst adding the residential element. It should be part of increasing the density of town centres, not displacing economic activities which complement the other main town centre uses.

Action Needed:

There should be a policy TC2 2. for ‘Consideration should be given to conflict with policies on amenity space; conservation areas, noise and biodiversity.

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

A: In town centres with major offices and/or underground stations, there has been a significant change of use to food and beverage outlets, displacing other retail outlets. Banks and post offices have moved out, health and beauty (including hairdressers and nail bars) and gyms have moved in.

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

A: Yes, strongly agree

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

A: Whilst the E Use Class includes a wide range of non-retail uses, these are almost all “main town centre uses”. The sequential test is still required to ensure that E Use Class uses do not move out of town centres.

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

A: Strongly agree

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

A: Large-scale retail and leisure developments outside town centres are likely to divert trade and economic activity from the town centre.

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?

A: **Strongly agree.**

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

A: The redrafted policy makes clear that existing sites should be considered before new infrastructure is proposed on undeveloped sites. It also emphasises that infrastructure should be sited and designed to minimise adverse impacts. Those are supported.

94) Do you agree the requirements for minimising visual impact and reusing existing structures are practical for applicants and local planning authorities? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

A: Partly agree.

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

A: The content of CO1 should protect areas from proliferation of masts and achieve digital coverage.

If there could be problems with a mast near a school or college, as in policy CO2, then there should be pre-submission consultation also with those living underneath a mast or masts on the roof of their building or near to it. The NPPF policy CO2 should be amended to include that.

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

A: Neither agree nor disagree.

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

10. Securing clean energy and water

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

A: Partly agree.

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

A: The development plan content required by policy W1 for avoiding constraints on the "operation or future expansion of renewable and low carbon energy development and

electricity network infrastructure and water supply” must not be undermined by any Government decisions on appeal for the location of Data Centres for which high electricity requirement could prevent the delivery of additional housing nearby.

Policy W1 should have an additional section 3. stating that ‘The Secretary of State will consider any adverse impact on the potential delivery of new homes in a location proposed for Data Centres and other National Infrastructure Projects.

At the point in Policy W1 where a link to footnote 38 is placed, there should be the words ‘particularly for Drainage and Waste Water Management Plans and the use of SuDS.’ That is because high levels of rain in Winter are forecast in future and harm to farming and prevention of the building of additional homes should be avoided.

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

A: Strongly agree.

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?

A: Partly agree.

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

A: It will be a big task for all Local Plans to contain defined and allocated areas for all the types of development for which the draft new NPPF requires local authorities to make provision. There could be competing demands for land use and additional housing must be the priority.

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

A: Partly agree.

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

A: Policy W4 2. should have added on the end of it the words ‘but should demonstrate that they have researched with the local authority the best location for the development’.

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?

A: Not applicable in London.

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

A:

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

A: Not applicable in London.

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

A:

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

A: Not applicable in London.

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

A:

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

A: Not applicable in London.

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

A:

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

A: Not applicable in London.

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

A:

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

A: Not applicable in London.

106) Please provide your reasons, particularly if you disagree.

A:

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

A: Not applicable in London.

108) Please provide your reasons, particularly if you disagree.

A:

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

A: Not applicable in London.

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

A:

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

A: Not applicable in London.

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

A:

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?*

A: Not applicable in London.

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

A:

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

A: Not applicable in London.

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?*

A: Partly agree

We strongly support the proposal in L1 1. a. iii. to use accessibility/connectivity for identifying locations for higher densities - this would reinstate the London Plan density matrix, which identified the suitability of potential development areas in terms of public transport accessibility levels.

Local Plans would then use that in their location policies.

Action Needed: This needs to be rectified by removing the more specific guidance, such as in policies L1 (1. a. ii) and L2 (1. d.).

We strongly support a policy that directly relates density (in terms of dwellings/hectare) to transport accessibility, which reduces the need to travel, the need for off-street parking and supports opportunities for active travel.

However, this is said in the Government's explanatory consultation document, but not provided as justification in the NPPF itself.

115) *If not, what further guidance is needed?*

A: L1 1. a. ii confuses policies for making more effective use of land with design issues that do not contribute to more effective use. Indeed, there is considerable confusion between policies and guidance, such as design codes. Design codes are **not** policies, but guidance as to how some of the policies might be articulated. Design codes are place-specific guidance. Whilst it might be policy that local planning authorities should produce design codes, most of the specific

proposals will be guidance about appropriate forms of development in a specific location, not a universal applicable policy. The document strays from policy into detailed guidance.

For example, "Proposals to fill gaps in the prevailing roof line" may be a design issue, which is dealt with elsewhere in the NPPF, but it is not a policy requirement. Indeed, it is seldom about making more effective use of the site in terms of additional homes if it merely adds a room or, often, just value, to the property.

Action Needed: This detailed guidance such as in policies L1 1. a. ii and L2 1. d. should be removed from the NPPF.

If the NPPF is about policy, then the only policy issue is whether to produce guidance, not its detailed content. The NPPF may propose guidance but not specify the detailed content which will be place-specific.

In terms of housing, it should be totally clear that intensification should be measured in terms of additional homes, not merely additional rooms. NB: Policy L2 (1d) refers specifically to "creating additional homes", not floorspace or filling "airspace".

L1 1. b. is almost the only reference to optimising the use of sites. L2 3. mentions optimising a site's development potential.

The concept of optimising the density in relation to location needs to be much clearer - it is not limited to stations and town centres. The consultation's explanatory note for the questions is a lot clearer than the NPPF itself.

L1 1. c. policy would encourage the loss of social and community uses as a result of increasing the "hope value" of a more valuable use, such as housing. This is dangerous in areas where housing land values are significantly higher than those of social and community uses.

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

A: Strongly agree

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

A:

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

Partly agree

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

A: Unlike the explanatory document, policy L2 is almost silent with regard to redevelopment, of housing, even L2 1. d. iii. only talks about the use of residential curtilages.

It is not clear what the purpose of some of the measures are - increasing the number of homes, enlarging existing homes or, just for sake of conformity, replicating existing rooflines.

Some of the detailed design suggestions, whilst they may increase building bulk, they have little to do with intensification that would significantly increase the density of housing as measured by the number of dwellings per hectare. They appear to be silent about redevelopment, which may present opportunities for intensification.

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

A: Partly agree

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

A: As national decision-making policy some of this seems excessively detailed - they are not "high-level design principles", but the kind of detail that should be left to local decision-making in terms of design codes.

Action Needed: Delete the detailed design guidance issues.

We do, however, welcome the caveats in L2 (1d i and ii) which relate to the street scene and acceptable living conditions for residents and neighbours. Nevertheless, there does need to be a clearcross-reference to conservation areas and listed buildings in Chapter 20 of this draft NPPF.

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.

A: Disagree

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

A: This is a matter of detail that will depend on the local streetscape. It is not sufficiently important to be a matter of "national decision-making policy". It is not, and should not be a universal panacea. Every corner site does not need an extra storey for providing an additional dwelling nor for creating a "landmark feature" - it is disingenuous and/or fanciful.

Action Needed: Delete everything in brackets - lines 3-5 - and provide a reference to National Design Guidance

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

A: Partly agree

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

A: Policy L2 d) iii) is of concern as a change in policy, which risks unforeseen consequences. Giving substantial weight to proposals that could double the size and footprint of the building threatens to take a major step away from the commitment to conservation and enhancement of the historic environment outlined in Chapter 20. There may also be flood risk issues unless there are requirements for sustainable urban drainage to avoid surface water run-off.

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

A: Neither agree nor disagree.

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

A: Whilst Policy L3 2. refers to an increase in density within urban areas and L3 3. refers to areas within reasonable walking distance of a railway station of at least 40d/ha and 50d/ha for “well-connected” stations, more detailed policy should be left to SDSs and to Local Plans.

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

A: Partly agree

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

A: What is the evidence for choosing these figures as the minimum density requirements? It should be for SDSs and local plans to test what should be the appropriate densities if higher than the minima specified in L3.

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

A: We have no view.

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?*

A: Partly agree

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

A: It is essential to specify all built densities for the net developable area. However, it is then possible to specify the appropriate density. This is what Policy L3 (3) and the definition in the Glossary does.

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 we’re using for the number of Travel to Work Areas and service frequency appropriate for defining a ‘well-connected’ station?*

A: Strongly agree

a) Please provide your reasons and preferred alternatives.

A: Whilst the concept is valid, it needs to recognise that it applies more widely. The principle also applies in London and other major cities, where stations and city/town centres should have higher densities specified in local plans. The London Plan already has policies to focus development in such locations.

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?*

A: Yes. The principle also applies in London and other major cities, where stations and city/town centres should have higher densities specified in local plans. The London Plan already has policies to focus development in such locations.

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

A: This is a matter for the London Plan and London borough local plans.

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

A: No. Whilst the principle is right, the strategic policies should come forward through Spatial Development Strategies, such as the London Plan, and a range of higher densities should come forward through Local Plans. The NPPF should not and cannot prescribe detailed policies for all circumstances. A one-size-fits-all detailed policy is inappropriate.

127) If so, what should that range be, and which locations should it apply to?

A: The NPPF should give firm guidance on the direction of travel, the definition of the ranges should be a matter for SDSs and local plans, which must conform generally to the NPPF.

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

A: Partly agree

129) Please provide your reasons, particularly if you disagree.

A: This is not "high level", but there should be cross-reference to conservation issues.

Action Needed:

Policy L4 1. a. should include a reference to materials, as one of the factors enabling new development to blend effectively with existing buildings.

13, Protecting green belt

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

A: Not applicable in London

131) Please provide your reasons, particularly if you disagree.

A:

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

A: Partly agree

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

A: The Mayor of London will work with London boroughs on a review of Green Belt.

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

A: Partly agree

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

A: Few proposals are likely within Greater London in the Green Belt where supporting infrastructure would be inadequate.

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

A: Agree

135) Please provide your reasons, particularly if you disagree.

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

A: Yes.

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

A: Achieving “affordable housing for local community needs”, as in GB7 1. d. is the priority use.

137) Do you agree policy GB7(1h) successfully targets appropriate development types and locations in the Green Belt, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

A: Partly agree

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

A: The height of any building in Green Belt land that is released for development in accordance with GB7 and GB8 needs to be acceptable for the local context and character.

The absence in the draft NPPF of any reference to tall buildings is a serious omission and should lead to appropriate additional policies.

139) Do you agree that site-specific viability assessment should be permitted on development proposals subject to the Golden Rules in these three circumstances? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

A: Strongly agree.

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

A:

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?

A: No suggestions..

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?

A: Partly agree.

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

A:

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? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

A: Strongly agree.

a) Please explain your answer.

A: The approach to the release of Green Belt land should be plan-led.

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?

A: No.

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? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

A: Yes.

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

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?

A: Strongly agree

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

A: Policy DP1 provides a clear policy framework for The Design and Placemaking Planning Practice and Guidance, which is currently out to consultation and which provides clear guidance for delivering well-designed places.

Action needed:

There is a requirement to distinguish clearly between what is guidance and what is policy. The example of tall buildings on corners, in Policy L1 1a ii and Policy L2 1d ii are presented as if they were policy, whereas they are examples/guidance **not policy**.

All guidance should be omitted from this policy document.

147) Do you agree with the approach to design tools set out in policy DP2? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

A: Strongly agree

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

A:

148) Do you agree policy DP3 clearly sets out principles for development proposals to respond to their context and create well-designed places? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

A: Strongly agree

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

A:

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

A: Strongly agree

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

A:

15. Promoting 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?

A: Partly agree

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

A: Integrating sustainable transport considerations into plan making with early engagement with local communities is supported and essential. At the strategic level this must ensure the locations of major development will ensure a sustainable pattern of development.

Action needed: TR1 1. C. should be altered. After the word “journeys” add ‘especially by car’ and after “activities” insert ‘which should be within easy walking distance’.

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?

A: Strongly agree

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

A: In London the London Plan provides a strategic approach in which parking standards are set for different uses - residential, offices, retail, hotel and leisure uses and for disabled persons- for different areas of London and, for residential parking, in relation to public transport accessibility.

The NPPF could also identify the importance of controlled parking zones, especially where densities are high.

London Forum strongly supports the use of maximum parking standards - we advocated their retention at a previous examination of the London Plan when there were attempts by the Government to challenge their retention.

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?

A: Partly agree

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

A: This policy should refer specifically to the use of public transport accessibility and connectivity, and provide a clearer explanation

After "limiting the need to travel" add ", especially by car"

We strongly support TR3 1. a. that high trip-generating uses should be in locations which limit the need to travel, especially by car, and offer a choice of transport modes.

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

A: Partly agree

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

A: We strongly support the new, more cohesive approach of Policy TR4.

We would, however, comment that cycle movement priority should not be at the expense of bus movement and should not displace buses into the main traffic flow which is usually in a single lane.

Parking should not compromise the flow of traffic and never block pedestrian access to pavements.

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?

A: This refers to facilities located outside settlements - not a London issue.

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

A:

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?

A: Strongly agree

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

A: However, there is a prior requirement of choosing the right location. It is not just a question of limiting the impact of a poor choice of location.

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

A: Neither agree nor disagree

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

A: Expansion of the capacity of airports, especially a third runway at Heathrow, relates to policy TR7 1. d.

We agree that this lists the main considerations, although we have concerns about how these tests are addressed in decision making.

Action Needed: Reference to the historic environment should be made in Policy TR7 1. d.

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

A: Strongly agree.

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

A:

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?

A: Partly agree

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

A: It is essential that not only the type, quantity and quality of the land is specified, but, most importantly, its accessibility in direct relation to the user group. The catchment /walking distance will vary from facility to facility, such as those for primary schools or GP surgeries within easy walking distance, and with population density which will influence the size of the catchment area needed to support these local services.

The key factors in this policy are accessibility and density. This is the key policy which depends on accessibility to local services and facilities as part of walkable neighbourhoods.

The spatial dimension is missing from this policy and should be built into Policy HC1 2.

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

A: Partly agree

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

A: The expression “close proximity” is vague. ‘Within easy walking distance’ is less complicated, or even quite simply ‘close to the community it serves’.

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?

A: Partly agree

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

A: This will depend on the scale and density of development needed to support the facilities.

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?

A: Three quarters of London boroughs have policies for managing fast-food outlets and hot-food takeaways, such as within 400m walking distance of both primary and secondary schools.

This policy needs to be extended to cover adult gaming centres, where concentrations of such outlets need to be avoided, in relation to the cumulative and social impact needs to be controlled.

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

A: Partly disagree

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

A: In London high residential land values can result in the loss of valued social and community uses, as described in successive versions of the NPPF. The difference in land values can result in these uses being displaced and the developer is happy to “wait” a year! This has been the case with many pubs that have been lost.

We strongly **object** to the last sentence on HC6 (2) - referring to “last of its type in the area”. Local facilities - shops, public houses, places of worship, etc - are not always interchangeable as they may serve very different social groups. This applies to pubs in particular.

Action Needed: The last sentence of Policy HC6(2) should be omitted.

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?.

A: Partly disagree

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

A: It is not just a question of quantity and/or quality, but also about location, accessibility and easy walking distance.

In HC7 1. after the words ‘play space,’ insert the words ‘golf courses,’

They should not be protected as privately managed land if there are many of them in the Local Authority area. They should be subject to the assessment in HC7 1. a.

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?

A: Agree.

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?

A: Strongly agree.

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

A:

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

A: Contaminated land where there were previously gas holders in London has proven difficult to decontaminate and caused delay to an approved development that had commenced and then odours were detected.

The requirement in P2. 3. that “site investigation information, prepared by a competent person, should be available” is supported, but there should be published guidance on the sources and qualifications for that role.

Contaminated land where there were previously gas holders in London has proven difficult to decontaminate and caused delay to an approved development that had commenced and then odours were detected.

Actions needed:

1. The requirement in P2. 3. that “site investigation information, prepared by a competent person, should be available” is supported, but there should be published guidance on the sources and qualifications for that role.
2. Guidance is needed on information needed as part of the validation of an application on such sites.
3. In policy P2 1. a., the words ‘gas storage,’ should be put after ‘such as’.

167) Do you agree with the criteria set out in proposed policy P3 as a basis for securing acceptable living conditions and managing pollution? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

A: Partly agree.

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

A: Actions needed:

1. In policy P3 there should be a footnote referring to the RICS ‘daylighting and sun lighting’ professional standard (2023). However, that is advisory and the Government should publish

rules for 'Right to Light' incorporating the recommendations of the Law Commission which was asked to investigate this subject and made its recommendations in December 2014.

See the following report:-

https://assets.publishing.service.gov.uk/media/5a7dac39ed915d2acb6ed74c/44872_HC_796_Law_Commission_356_WEB.pdf

2. In P3 1. b. the word 'damp' should be inserted after "levels of" as it can be a significant problem which was covered by the introduction of Awaab's Law.'

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

A: Partly agree.

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

A: How "new development may interfere with the operation of electronic communications networks" is not clear and there is no footnote pointing to advice on it. That needs clarification plus a footnote.

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

A: Strongly agree.

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

A: Partly agree.

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

A: It is unlikely that defence establishments would be in London due to the high demand on space for affordable housing. Any sites that exist should be moved outside the capital.

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?

A: Not applicable for London.

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

A:

172) Do you agree with the proposed clarifications to the sequential test set out in policy F5? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

A: Partly agree.

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

A: The Flood Map for Planning should be updated for any new Thames Barrage to deal with the eventual inadequacy of the Thames Barrier.

173) Do you agree with the proposed approach to the exception test set out in policy F6? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

A: Strongly agree.

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

A: The new annex F in the draft NPPF is helpful.

However, any new Thames Barrage to deal with the eventual inadequacy of the Thames Barrier should be mentioned.

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

A: Strongly agree.

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

A:

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? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

A: Strongly agree.

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

A: The words in the policy of “unless to do so would increase flood risk or result in other environmental harm.” are supported.

176) Do you agree with the proposed changes to policy for managing development in areas affected by coastal change? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

A: Not applicable for London

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

A:

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?

A: Not applicable for London

178) Do you agree with the proposed new additions to Table 2: Flood Risk Vulnerability Classifications? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

A: Partly agree.

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

A: In Annex F, hydrogen production facilities are the first of the “essential items” in the infrastructure category, but the NPPF lacks reference to the purpose and application of the need for hydrogen.

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?

A: Partly disagree

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

A: The Government must clarify Marine Management Plans for which it published MMO guidance for local Councils.

MMO in London covers the tidal Thames and, together with the PLA, influences the current lack of facilities for boats, such as boatyards, piers, slipways, steps and stairs and marinas. Local people are paying for their own facilities which are the PLA responsibilities and the price of moorings is another consideration.

The MMO states that “public authorities are responsible for implementing the relevant Marine Plans for their area, through existing regulatory and decision-making processes”. That is not clarified in the draft new NPPF.

The Government must decide and publish its revised approach to River Basin Management Plans (RBMP) following the Pickering case, otherwise the application of RBMP in London and other locations is not sound :-

<https://www.theoep.org.uk/news/oep-welcomes-decision-pickering-fishery-association-case-water-quality-laws>

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?

A: It would be reasonable to seek more than 10% biodiversity net gain on sites being allocated in the development plan in locations which can be demonstrated to lack biodiversity.

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?

A: Partly agree.

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

A: N2 1. needs an extra section h. stating "Development proposals submitted must include how the requirements above have been assessed and explain the results."

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?

A: Partly agree.

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

A: In London there is a Views Management Framework which protects views from defined locations and of significant buildings or Thames vistas. Such strategic policies should be acknowledged in the NPPF for use in any location as examples to be used elsewhere.

183) Do you agree policy N6 provides clarity on the treatment of internationally, nationally and locally recognised site within the planning system? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

A: Strongly agree.

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

A:

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

A: There should be a footnote in the NPPF at an appropriate place in chapter 19 to policy P32. e. for protection of chalk streams.

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?

A: Partly agree

a) Please provide your reasons.

A: Although the powers in S102 of the Levelling-up and Regeneration Act are new and therefore need to be formally recognised in the NPPF, in practice both the London Plan and various London borough local plans already contain policies which recognise these as heritage assets whose significance needs to be protected, preserved and enhanced. We welcome the recognition of these heritage assets in the NPPF and the recognition of local heritage lists.

Action needed: The Government should implement soon the provisions relating to HERs

outlined in section 230 of LURA 2023.

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

A: The London Plan and London borough local plans (e.g. City of Westminster and Kensington and Chelsea local plans) have policies to protect, preserve and enhance these World Heritage Sites (London Plan), Registered Parks and Gardens and Scheduled Monuments.

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 HE1 – HE3?

A: Partly agree

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

Impact of tall buildings

Since the aim is to have a plan-led system, the absence of any reference in the new NPPF to indicating clearly locations where tall buildings would be appropriate is a major oversight. In this section the document portrays planning as development management exercise rather than as positive planning by indicating clearly where tall buildings may be appropriate.

In this document, despite specifically referencing the minutiae of “upward development” by apparently advocating additional storeys, especially on corner buildings, the issue of the location and scale of large and tall buildings is the elephant in the room. They can cause significant harm to historic settings and views.

The London Plan Policy D9 requires all London Local Plans to identify locations which might be suitable for tall buildings. This is a positive, plan-led approach, rather than a “development management” approach which provides no certainty for either developers or local communities. In the absence of any process which identifies appropriate locations for tall buildings, the NPPF rejects a positive, plan-led approach in favour of an “every case on its merits” development management approach. Rather than generate consensus it will guarantee confrontation.

According to the London Plan (Chapter 7: Heritage and Culture), London has:

- ☒ 4 World Heritage Sites
- ☒ 150 Registered parks and gardens
- ☒ 160 scheduled monuments
- ☒ 1 battlefield
- ☒ 1,100 conservation areas
- ☒ Nearly 20,000 listed buildings

As a result of this rich heritage, the London Plan 2021 (Figure 7.1: Listed Buildings, Scheduled Monuments and World Heritage Sites; Figure 7.2 London’s Conservation Areas and Figure 7.3: London’s Registered Historic Parks and Gardens) maps these major heritage assets. Indeed, the 2011 London Plan (i.e. 25 years ago) had policies to protect these heritage assets.

Actions needed:

1. Some definitions from PPG need to be brought into the NPPF because terms such as “public benefit”, “substantial harm”, “sustainable growth” and “archaeological asset” need clarity.

2. HE1 should propose specific evidence-based policies or measurable outcomes, which is of particular concern given the changes to policy in Chapter 2 regarding the evidence required in support of plan-making.
3. Amend HE1(b) as: "...consider the wider social, cultural, economic and environmental benefits that conservation **and understanding** of the historic environment can bring".

188) Do you agree with the approach to assessing the effects of development on heritage assets set out in policy HE5?

A: Partly agree

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

A: London Forum is concerned that the draft NPPF says nothing about tall buildings. This is particularly strange given the emphasis on increasing the density of development and building upwards. The London Plan, as amended by the last Government, required the location of tall buildings to be plan-led through local plans. The same approach should be applied nationally to ensure that appropriate locations are identified through local plans. Even if these locations are identified by appraisals that inform design codes, the local plan should provide positive guidance on the location and height of tall buildings. There are no references to tall buildings or build height. In terms of London, this could be left to the London Plan and borough local plans.

London Forum supports the proposals in HE3 (2) for conservation areas to be reviewed periodically, amendments made accompanied by an appraisal and a management plan. We welcome the encouragement given to local planning authorities following through from the Conservation Area appraisal to a management plan to deliver the enhancement required in the legislation.

Most of Policy HE5 (1) and (2) is acceptable. **However, Policy HE5 3. is not** – it is not only too bald, but the term “rather than the scale” fails to recognise that the scale of development can exacerbate the harm to an asset’s significance. A 100m tall building could increase the harm to the asset’s significance.

Actions needed:

- Improve HE5.1 as: “Development proposals affecting heritage assets should be accompanied **and informed** by an assessment of significance...”
- ❓ HE5 4. considers the accuracy of the assessment. **This is oblique and needs improving.** Experience from assessing the impact of tall buildings, is that the use of visualisations created with a wide-angle lens (the equivalent of a 24mm lens) considerably distorts the accuracy of the assessment.
- ❓ The Landscape Institute’s guidance advises the use of a 50mm lens, which is the equivalent of what the human eye sees. The standard approach of using wide-angle lens views is a distortion of what buildings, especially those that are tall or large buildings, would look like. We strongly support the need for accurate assessments – more advice will be needed to secure it, as many assessors will see the wording of Policy HE5 2. 4. as support for “business as usual”. See also HE6 1: “The accuracy of the assessment of the impact of a development proposal involving tall buildings is critical.”
- ❓ In HE5 2. d.: total loss could usefully be clarified as being a form of harm (as is the case within the 2024 NPPF).

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?

A: Agree, but dependent on the meaning of "exceptional".

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

Action Needed:

Does the use of the word "exceptional" in paragraph HE6 5. mean "unusually good" or that it is the "exception"? Is it a technical/legal term rather than common usage? Most readers might think it is the former. **There should be an explanation of 'exceptional' in Annex B.**

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

A: Partly agree

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

A: Actions needed:

- ☐ Add to HE10 1. a paragraph 'This may involve a pre-commencement condition'.
- Annex C which refers to HE5 should refer also to HE10.

There has been huge pressure on heritage assets from major developments, such as tall buildings, on World Heritage Sites, Registered Parks and Gardens (such as the Royal Parks, Kew Gardens, Battersea Park and major Grade 1 listed cemeteries), as well as on strategic views (see London Plan's View Management Framework). Formally recognising the value of these heritage assets in national policy will give extra support to the specific policies in the London Plan and London borough local plans.

London Forum supports the statement in Policy HE9 (1) which puts an emphasis not just on conserving but also enhancing buildings by seeking the retention and restoration of features which would make a positive contribution to the character or appearance of the conservation. This will bring greater emphasis on the duty to seek to enhance buildings in conservation areas.

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

A: No

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

A: Strongly agree.

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

A:

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

A: No.

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? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

A: Strongly agree.

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

A:

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? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

A: Strongly agree.

a) Please give reasons.

A: It is essential that Data Centres have new and additional power generation with them so that there will not need to be refusals of developments for new homes based on a lack of local electricity capacity.