

# Appendix 1

## Response to consultation on proposed reforms to the National Planning Policy Framework and other changes to the planning system

### Chapter 3: Planning for the homes we need

#### **Question 1: Do you agree that we should reverse the December 2023 changes made to paragraph 61?**

Yes. It is important that all areas play their part in meeting the housing needs of the country where it is sustainable to do so. The changes proposed increase the certainty that all areas will seek to contribute. It is also supported that the context provided by paragraph 11 is retained, that needs should be met unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

#### **Question 2: Do you agree that we should remove reference to the use of alternative approaches to assessing housing need in paragraph 61 and the glossary of the NPPF?**

Yes. The added certainty of removing this section should assist with plan making. It will reduce examination time, as plans which have demonstrated how the standard method requirement will be met (taking account of the wider NPPF requirements including paragraph 11) should be able to move forward and adopt a sound plan with reduced uncertainty.

#### **Question 3: Do you agree that we should reverse the December 2023 changes made on the urban uplift by deleting paragraph 62?**

When the urban uplift was introduced the Greater Cambridge Local Planning Authorities responded that there were no direct implications for Greater Cambridge, but our plan making evidence had demonstrated the importance of delivering homes in highly accessible locations, and the country's urban centres have a key role to play in this.

Areas where development will take place will need to be supported by infrastructure in order to make development sustainable, and a key role for government will be to consider how this can be supported and enabled.

**Question 4: Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130?**

In part. The need to support appropriate densification is acknowledged and supported. However, it remains important that any uplift in density considers the character of the area, the impact on the historic environment, and a range of other issues. There may still be circumstances where significant uplift is inappropriate. It is important that the requirements of the framework as a whole are considered when determining what densities would be appropriate in a specific location.

**Question 5: Do you agree that the focus of design codes should move towards supporting spatial visions in local plans and areas that provide the greatest opportunities for change such as greater density, in particular the development of large new communities?**

Yes. Learning from the North Cambridge pilot design code indicates a more area focused approach yields greater benefits. Creating district wide design codes could mean that in order to make it practicable to produce they are high level, and do not fully reflect local variances and circumstances. A more targeted approach to areas experiencing major change will allow more focused use of resources and a greater impact. It should also be noted that a number of neighbourhood plan groups in our area have chosen to include design guidance in their Neighbourhood Plans, so there are a range of ways in which local design guidance can be created.

**Question 6: Do you agree that the presumption in favour of sustainable development should be amended as proposed?**

No, it requires further consideration to ensure it truly delivers sustainable development.

The change to paragraph 11d does provide clarity over which policies may be considered out of date. It should also assist in clarifying which policies are not out of date, and these are likely to include policies regarding design, quality and sustainability standards for developments, which should still be applied even where the presumption is applied.

The change to paragraph 11dii seeks to introduce safeguards to avoid application of the presumption creating poor quality places. This is a positive addition. However, it is not clear how referencing 'in particular those for the location and design of development' will be applied in practice, and where it will make a substantive difference, as they are still caveated by the start of the paragraph - 'would significantly and demonstrably outweigh the benefits'. The wording of this paragraph should be strengthened to ensure issues of location, design quality and sustainability are fully considered, and that it is a presumption in favour of sustainable and high quality development.

**Question 7: Do you agree that all local planning authorities should be required to continually demonstrate 5 years of specific, deliverable sites for decision making purposes, regardless of plan status?**

No. In the NPPF consultation response in 2023 the Greater Cambridge Local Planning Authorities stated that, 'whilst securing delivery of homes that are needed is important, the current test has many negative consequences. The five-year supply requirements have potential to undermine strategic planning and have detrimental impacts upon Greater Cambridge's built environment. They also lead to annual requirement for costly evidence, and uncertainty to local communities. The Councils support the greater certainty that would be provided by this approach'.

We remain concerned about the resource impacts of evidencing a five year supply on an ongoing basis. Producing our annual housing trajectory takes significant officer time. Housing supply statements can be subject to significant scrutiny at appeal, requiring detailed evidence of the delivery on every site relied upon. Our recent trajectory provided detailed information on 130 sites. Creating reports that withstand this level of scrutiny takes significant officer time, running into hundreds of staff hours. We estimate our recent annual statement took around 500 hours of staff time from start to finish. It is also dependent on significant engagement with developers, which can involve work to track who is actually building consented sites, chasing responses, and following up queries.

Paragraph 75 of the NPPF requires a statement to be updated annually. That should meet the requirement for a 'continuously demonstrate' rather than implying anything more frequent.

In addition, to enable this approach, requirements should be placed on developers to submit information regarding their development trajectories to local planning authorities annually as well. A standard data format could be created. There is also an opportunity to digitise this process, both in terms of data gathering and processing. The Greater Cambridge Planning service would be keen to work with and explore these opportunities with the MHCLG digital team.

If the trajectory has been tested through a local plan examination there should be a period where that is given weight, and that will assist authorities as they start the next plan review cycle.

**Question 8: Do you agree with our proposal to remove wording on national planning guidance in paragraph 77 of the current NPPF?**

No.

In the NPPF consultation response in 2023, the Greater Cambridge Local Planning Authorities supported the simplification of the tests including the introduction of the 4 year rule where new plans were at an advanced stage. Such measures reduced the risk of five year supply undermining strategic planning.

Removing the wording on past oversupply needs careful consideration. Local Plans may take a strategic approach to development, such as bringing forward strategic sites which may have a lead in period but deliver higher rates later in a plan period. They may also seek to include stepped trajectories to reflect local circumstances. The NPPF should not undermine strategic planning approaches designed to best secure sustainable development in an area. It should also not undermine the ability to consider cross boundary developments effectively, such as if cross boundary sites will deliver on one side of a boundary early and later on the other.

There are no transitional arrangements proposed before the new standard method goes live, giving no opportunity to take steps to address the higher requirements prior to their implementation. Where there are specific circumstances which have led to it not being possible to prepare an up-to-date local plan, such as for Greater Cambridge, appropriate transition measures should be implemented while the issues blocking plan making are resolved. Without such measures there is a risk that delivery of strategic growth sites is undermined.

Where following independent examination sound plans include a joint strategy approach to housing delivery this should be reflected in the HDT and NPPF should recognise this. We note that MHCLG continue to report Cambridge and South Cambridgeshire requirements and housing delivery test results separately rather than as Greater Cambridge. The adopted plans are clear that housing trajectories will be considered together for the purposes of housing delivery including calculating five year supply. This separate reporting risks undermining strategic planning and the approach to planning in Greater Cambridge supported by ministers and should be changed for Greater Cambridge even if a wider NPPF change is not taken forward.

**Question 9: Do you agree that all local planning authorities should be required to add a 5% buffer to their 5-year housing land supply calculations?**

Whilst we understand the desire to support and enable housing delivery, the use of buffers adds complexity in the five year supply calculations.

**Question 10: If yes, do you agree that 5% is an appropriate buffer, or should it be a different figure?**

If a buffer is to be included then 5% is sufficient.

**Question 11: Do you agree with the removal of policy on Annual Position Statements?**

Yes. The mechanism around creation of Annual Position Statements did not offer a suitable and practical method of demonstrating supply.

**Question 12: Do you agree that the NPPF should be amended to further support effective co-operation on cross boundary and strategic planning matters?**

Yes. It is important that authorities work together to consider and address needs. Cambridge and South Cambridgeshire are producing a joint local plan, effectively recognising the functioning of the city within a wider rural context. We also continue to cooperate with surrounding authorities. Delivering a plan needs cooperation with a range of statutory bodies, but it also requires those bodies to support plan making efficiently and effectively if development plans are to be more widely adopted. The government should ensure those statutory bodies are also aware of their key role in enabling the roll out of local plans.

**Question 13: Should the tests of soundness be amended to better assess the soundness of strategic scale plans or proposals?**

Yes. Preparing a plan with strategic long term development proposals can be costly, time consuming and risky. The Greater Cambridge Local Planning Authorities have consistently proposed ambitious plans to address needs and bring forward sustainable strategic sites to meet long term needs, but the last local plan examination took four and

a half years. A huge amount of detailed evidence had to be prepared. The process needs to acknowledge that in the early life of such developments the level of detail should be robust but proportionate. Where broad locations for development are identified for the latter part of plan periods, infrastructure evidence may be at an outline level only, to be refined further through future local plans. The planning process includes more detailed processes prior to planning consent that can allow proper engagement and scrutiny as proposals are refined.

**Question 14: Do you have any other suggestions relating to the proposals in this chapter?**

Measures in this consultation are highly focused on the granting of planning permissions. Greater Cambridge has sites with planning permission for over 30,000 homes. The key issue is delivery. In calculating five year supply local authorities are dependent on developers bring forward their sites. Their commercial decisions can be the difference between a council having a five year supply or not. More should be done to set requirements on developers to deliver the sites they gain permission for.

Monitoring delivery of consented sites places a significant burden on local planning authorities. Developers should be required to submit annual returns regarding their delivery and updated trajectories regarding their developments.

The Self Build Register requirements should also be reviewed. Whilst supporting self-build as another mechanism for building homes is desirable, the way the register, which identifies demand rather than need, can trigger the tilted balance is not proportionate.

#### **Chapter 4: A new Standard Method for assessing housing needs**

**Question 15: Do you agree that Planning Practice Guidance should be amended to specify that the appropriate baseline for the standard method is housing stock rather than the latest household projections?**

Yes. The use of the housing stock does provide a simpler baseline approach.

However, there are complexities in making the calculations that the government should consider. The dwelling stock figures appear to be published in late May each year and the affordability figures are published at the end of March each year. There could therefore be uncertainty regarding figures making publishing housing trajectory reports more challenging.

If the government are looking for certainty and clarity, is there a point in the plan making process at which you can 'fix' the answer to the standard method, so you don't have to keep re-calculating? And will this mean that we can make it work so that we only need to calculate once a year after both sets of data have been updated i.e. in June?

As the government have published the results for each area as part of this consultation (after both sets of data have been updated), there may be a benefit in them publishing a complete set of data each year to provide certainty.

**Question 16: Do you agree that using the workplace-based median house price to median earnings ratio, averaged over the most recent 3 year period for which data is available to adjust the standard method's baseline, is appropriate?**

Yes. Use of this data is appropriate.

**Question 17: Do you agree that affordability is given an appropriate weighting within the proposed standard method?**

Yes. The approach does respond to housing affordability challenges, and has a marked impact on standard method requirements in areas where affordability is challenging.

**Question 18: Do you consider the standard method should factor in evidence on rental affordability? If so, do you have any suggestions for how this could be incorporated into the model?**

Rental prices are a concern in many areas, but it is difficult to see how including within the calculation would not double count an uplift that can already be picked up in the affordability element of the formula.

**Question 19: Do you have any additional comments on the proposed method for assessing housing needs?**

No.

## Chapter 5: Brownfield, grey belt and the Green Belt

**Question 20: Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?**

No. The Greater Cambridge Local Planning Authorities fully support the redevelopment of brownfield land in settlements to meet development needs. However, we have concerns about the default of regarding proposals as 'acceptable in principle'. The Local Plan considers the appropriate development strategy and allocations to meet needs and sets out policies to guide windfall developments. Those policies consider a range of issues and seek to curate places to make long term sustainable settlements. This may mean that certain land uses need to be protected, for example the supply of industrial land in Cambridge, or employment land in villages. If alternative uses are acceptable in principle the role of planning could be undermined. This is a particular concern where there are high land values, where important but lower value uses may be lost. It could also undermine housing delivery, as speculative developers may choose to bring forward the most profitable use available, which is not always housing. It could also create problem for managing strategic transport. Therefore, a default position may be 'acceptable in principle', but it should be subject to local plan requirements.

Further clarity is required on brownfield passports, as limited detail is included in the consultation.

**Question 21: Do you agree with the proposed change to paragraph 154g of the current NPPF to better support the development of PDL in the Green Belt?**

There are a number of recent examples of development where the current 154g has been applied to secure successful redevelopment of brownfield sites in Greater Cambridge. The change would favour more intensive use of such brownfield opportunities should they become available in future. Whilst we support best use of appropriately located brownfield land, the requirement to 'not cause substantial harm to the openness of the Green Belt' is a very broad requirement. It will still be important that such sites carefully consider their location and setting, and this should be emphasised in the NPPF.

**Question 22: Do you have any views on expanding the definition of PDL, while ensuring that the development and maintenance of glasshouses for horticultural production is maintained?**



No, it is not clear why glasshouses have been singled out from other forms of agricultural buildings. Some parts of South Cambridgeshire have large areas of glasshouses, covering much larger areas than typical agricultural built development. In other parts of the district there is more scattered glass house developments away from the build-up area of settlements.

The NPPF encourages use of previously development land in various paragraphs, but not all glasshouses will be in suitable locations for other types of development. The change could therefore result in pressure for unsustainable development in the countryside.

The impact on the agricultural sector also needs careful consideration. It has potential to adversely affect the UK's ability to improve sustainable farming practices for high value foods by eclipsing agricultural land uses with "hope values" associated with alternative development.

**Question 23: Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend?**

No, the definition requires further refinement.

The adopted local plans for the Cambridge area recognise specific purposes of the Cambridge Green Belt, and these will continue to remain relevant to any consideration of 'grey belt'. The NPPF revisions should be clear that they do not prevent local Green Belt purposes from being considered when considering 'grey belt'.

It should also be noted that the Cambridge Green Belt does not blanket over villages, meaning that the most significant areas of build development are already excluded.

The recent Cambridge Green Belt Assessment not only considers the impact of development of land parcels on the purposes of the Cambridge Green Belt, but also the additional harm that would result to the remaining green belt. Development of a land parcel could have wider impacts than the site itself, and this harm should be capable of being considered.

**Question 24: Are any additional measures needed to ensure that high performing Green Belt land is not degraded to meet grey belt criteria?**

There is potential for land to be deliberately degraded in order to support an argument that it is grey belt. A test similar to biodiversity net gain could be applied, where the previous state of the land can be considered when determining grey belt criteria.

The recent Cambridge Green Belt Assessment not only considers the impact of development of land parcels on the purposes of the Cambridge Green Belt, but also the additional harm that would result to the remaining green belt. Development of a land parcel could have wider impacts than the site itself, and this harm should be capable of being considered.

**Question 25: Do you agree that additional guidance to assist in identifying land which makes a limited contribution of Green Belt purposes would be helpful? If so, is this best contained in the NPPF itself or in planning practice guidance?**

Potentially, although there is a risk that this would reduce the ability to reflect local circumstances.

**Question 26: Do you have any views on whether our proposed guidance sets out appropriate considerations for determining whether land makes a limited contribution to Green Belt purposes?**

The proposed additional guidance appears to be repetitive of the national green belt purposes, so further consideration is needed regarding how it can add value.

Any guidance needs to accommodate local circumstances. The Cambridge Green Belt was designated with additional unique purposes such as the need to preserve the special character of Cambridge and to maintain the quality of its setting.

**Question 27: Do you have any views on the role that Local Nature Recovery Strategies could play in identifying areas of Green Belt which can be enhanced?**

Local Nature Recovery Strategies serve as a useful tool within the evidence base for identifying Green Belt which could be enhanced, but should not be solely relied upon. Other evidence such as Green Infrastructure Studies are also important.

**Question 28: Do you agree that our proposals support the release of land in the right places, with previously developed and grey belt land identified first, while allowing local planning authorities to prioritise the most sustainable development locations?**

Yes. It is reasonable for local planning authorities undertaking a green belt review to look first to previously developed land and (if implemented) grey belt. However, we agree that, 'it is right that local planning authorities are empowered to make decisions that best support the development needs and sustainability objectives of their area through the plan-making process.'

The development strategy identified though our emerging local plan has considered a range of environmental, social and economic issues. Sites have been tested through a Housing and Economic Land Availability Assessment which considered around 900 sites, including sites in the Green Belt. Whilst brownfield and 'grey belt' can be considered important factors, it must be also possible for Local Planning Authorities to balance a range of factors in order to deliver a sustainable development strategy.

**Question 29: Do you agree with our proposal to make clear that the release of land should not fundamentally undermine the function of the Green Belt across the area of the plan as a whole?**

Agree.

**Question 30: Do you agree with our approach to allowing development on Green Belt land through decision making? If not, what changes would you recommend?**

No. Without further refinement of the definition of grey belt being as set out in response to the earlier questions this would risk significant harm to the green belt.

The proposals would appear to be very open to interpretation, would generate significant uncertainty and potentially planning appeals.

**Question 31: Do you have any comments on our proposals to allow the release of grey belt land to meet commercial and other development needs through plan-making and decision-making, including the triggers for release?**

The proposed text includes a development not being inappropriate where 'a demonstrable need for land to be released for development of local, regional or national importance'. This would appear to be very open to interpretation, would generate significant uncertainty and potentially planning appeals. It could create a low bar for green belt development. It needs further refinement to ensure it is only used in appropriate circumstances. As a minimum it should be expected that demonstrating the need includes demonstrating that there were no suitable non-green belt sites.

**Question 32: Do you have views on whether the approach to the release of Green Belt through plan and decision-making should apply to traveller sites, including the sequential test for land release and the definition of PDL?**

As another form of residential development, it would be equitable to consider travellers sites in the same way, but equally not all PDL or grey belt would enable sustainable development or provide the best choice of site, and the Local Planning Authority should be able to determine the approach through plan making.

**Question 33: Do you have views on how the assessment of need for traveller sites should be approached, in order to determine whether a local planning authority should undertake a Green Belt review?**

Sufficient guidance is already available on how to carry out assessments.

**Question 34: Do you agree with our proposed approach to the affordable housing tenure mix?**

Yes, agree that tenure mix should be set locally by the local authority but we welcome the expectation that Social Rent delivery should be part of broader affordable housing policies.

**Question 35: Should the 50 per cent target apply to all Green Belt areas (including previously developed land in the Green Belt), or should the Government or local planning authorities be able to set lower targets in low land value areas?**

Whilst affordable housing is likely to be a key priority, there still may be circumstances in the country where Local Authorities need to set lower targets in order to enable the delivery of sustainable development, but this decision should rest with them. However, whichever rate they do identify should be capable of being applied robustly, and it should not be for developers to determine.

**Question 36: Do you agree with the proposed approach to securing benefits for nature and public access to green space where Green Belt release occurs?**

Yes, however, the requirement set out in paragraph 23c of the consultation document should apply to any major development, green belt or otherwise. Para 147 of the NPPF states that when releasing land from the green belt plans ‘... should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.’ It is not clear why a similar measure has not been identified as a golden rule, that would seek to go beyond the standard requirements for openspace. Previous green belt releases around Cambridge have secured new country parks and other countryside access. Enhancement beyond standard policy should be the expectation.

**Question 37: Do you agree that Government should set indicative benchmark land values for land released from or developed in the Green Belt, to inform local planning authority policy development?**

Yes. In order to ensure the golden rules can be achieved a robust mechanism will need to be put in place.

**Question 38: How and at what level should Government set benchmark land values?**

The benchmark will need to be set in order to make the golden rules operate in a range of circumstances. A multiplier based on current use value is an appropriate approach.

**Question 39: To support the delivery of the golden rules, the Government is exploring a reduction in the scope of viability negotiation by setting out that such negotiation should not occur when land will transact above the benchmark land value. Do you have any views on this approach?**

If the golden rules are to be applied robustly then such an approach would be required.

**Question 40: It is proposed that where development is policy compliant, additional contributions for affordable housing should not be sought. Do you have any views on this approach?**

The logic of linking such an approach with a system based on benchmark land values appears reasonable.

**Question 41: Do you agree that where viability negotiations do occur, and contributions below the level set in policy are agreed, development should be subject to late-stage viability reviews, to assess whether further contributions are required? What support would local planning authorities require to use these effectively?**

Yes. If the golden rules are not met this should be kept under review to ensure if circumstances change they are then required to be met. Policy should also address circumstances where developers seek to renegotiate after permission is granted, to ensure that the 50% remains a robust expectation.

**Question 42: Do you have a view on how golden rules might apply to non-residential development, including commercial development, travellers sites and types of development already considered 'not inappropriate' in the Green Belt?**

Whilst the golden rules may not be proportionate or practical for small developments like travellers sites, it is clear that other forms of major development should be required to deliver above normal requirements.

Major commercial developments can increase the demand for housing. As part of the golden rules they should also be required to contribute to affordable housing, most likely through a financial contribution. The government should also give consideration to this for non-green belt sites.

Commercial sites may also present opportunities for targeted and affordable employment space or skills development projects. This is in order to address the creation of healthy mixed communities where local firms can be priced out of business space. It should also be open to local planning authorities to require a mix of units which support the lifecycle of firms in the relevant economic sectors. In particular subsidies or support may need to be secured for start-ups. Greater Cambridge have recently commissioned evidence which highlights the importance of this issue for our high technology sectors.

Opportunities for green belt enhancement and green infrastructure can also be delivered by major commercial schemes as well as residential. Large commercial developments require green space provision, and should be required to consider how the needs of the workers will be met for sport and recreation, and make appropriate contributions.

Local Plans should be able to shape how the golden rules would be applied appropriate to the location and the opportunities presented by the site.

**Question 43: Do you have a view on whether the golden rules should apply only to 'new' Green Belt release, which occurs following these changes to the NPPF? Are there other transitional arrangements we should consider, including, for example, draft plans at the regulation 19 stage?**

Clarity is needed on how requirements would relate to safeguarded land, which was identified through a previous round of plan making but safeguarded until released by a future local plan.

**Question 44: Do you have any comments on the proposed wording for the NPPF (Annex 4)?**

No.

**Question 45: Do you have any comments on the proposed approach set out in paragraphs 31 and 32?**

In the circumstances described, an appropriate mechanism to control hope value and ensure a fair price but one which enables delivery of affordable homes and other necessary infrastructure is supported.

**Question 46: Do you have any other suggestions relating to the proposals in this chapter?**

No.

## **Chapter 6: Delivering affordable, well-designed homes and places**

**Question 47: Do you agree with setting the expectation that local planning authorities should consider the particular needs of those who require Social Rent when undertaking needs assessments and setting policies on affordable housing requirements?**

Yes. The need for Social and Affordable Rent homes as part of the affordable housing mix is already recognised in the Greater Cambridge Housing Strategy 2024-2029, and

through this the Councils are seeking 75% of the 40% affordable housing requirement to be Affordable/Social Rent, with at least 10% (of the 75%) on s106 sites above 15 homes to be for Social Rent.

**Question 48: Do you agree with removing the requirement to deliver 10% of housing on major sites as affordable home ownership?**

Yes. This should be a local decision to meet locally identified need.

**Question 49: Do you agree with removing the minimum 25% First Homes requirement?**

Yes, we agree with the removal of this requirement and see it as a positive change. We had issued a First Homes Interim Statement to accommodate this requirement, but the prescribed model does not work well in Greater Cambridge, and it is not a favoured approach to meeting local need.

**Question 50: Do you have any other comments on retaining the option to deliver First Homes, including through exception sites?**

The current prescribed model for First Homes does not work well in Greater Cambridge, and it is therefore not a favoured approach to meeting local needs. The Councils are however supportive of exploring different tenure types, such as discounted market housing, where it can meet differing needs and create mixed and balanced communities. It is important that Councils have sufficient flexibility to meet local and site-specific needs through the most appropriate mix of affordable housing tenures, and this should be established through locally developed housing strategies.

**Question 51: Do you agree with introducing a policy to promote developments that have a mix of tenures and types?**

Yes. A mix of tenures and types on larger sites is important for developing mixed and balanced communities, and to meet identified needs of specific groups. However, it is important that the policy is not overly prescriptive and that it includes sufficient flexibility to meet local and site-specific needs.



**Question 52: What would be the most appropriate way to promote high percentage Social Rent/affordable housing developments?**

Local authorities could be encouraged to set maximum development sizes, and maximum sizes of property clusters. Better national evidence of what sorts of sizes can work, and examples of best practice around successful management of larger developments would be helpful.

The Councils use Local Lettings Policies/Plans to set out specific criteria on how priority for allocation of social housing should be given, which can help to generate mixed and balanced communities – at least for first lets.

Registered Providers should also be expected to have a local housing management presence to help minimise problems which may arise; although we recognise that this may be difficult to enforce.

The Greater Cambridge Housing Strategy 2024-2029 seeks a small percentage of Social Rented homes to be delivered on new developments as part of the affordable housing contribution, as previously only Affordable Rented homes were being delivered. To increase the provision of Social Rented homes, there needs to be an element of grant funding to make schemes viable in a competitive market.

NPPF Paragraph 65 currently prevents Councils from securing affordable housing on sites of less than 10 dwellings. Many rural communities rarely see developments above this, meaning their only source of affordable housing is rural exception sites which face their own delivery challenges. Local evidence suggests it remains viable for smaller sites to deliver affordable housing. Where this is demonstrated it should be open to local authorities set lower thresholds.

**Question 53: What safeguards would be required to ensure that there are not unintended consequences? For example, is there a maximum site size where development of this nature is appropriate?**

See response to Q.52 above.

**Question 54: What measures should we consider to better support and increase rural affordable housing?**

The government should consider removing the threshold (10 dwellings) at which affordable housing can be required. The combined effect of the threshold effectively stopping the delivery of new affordable housing, together with Right To Buy diminishing

the stock of existing affordable housing, has led to a significant reduction of the proportion of affordable housing in rural communities.

It would also be helpful to strengthen the provision of rural exception sites being brought forward by registered housing providers. We are beginning to see sites being offered to the highest bidder by developers/land agents, which is increasing land values and making schemes less viable and much more commercially driven. This deflects from its original purpose, with a focus on working with the local community to bring forward affordable homes for local people.

**Question 55: Do you agree with the changes proposed to paragraph 63 of the existing NPPF?**

Yes. The needs of looked after children should be reflected in needs assessments and planning policies.

**Question 56: Do you agree with these changes?**

The Councils are supportive of community led housing, as set out in the Greater Cambridge Housing Strategy 2024-2029. However, the main issue locally is the lack of access to land that enables such schemes to be brought forward at a price that makes such projects “viable.” These changes would not help to address this issue.

**Question 57: Do you have views on whether the definition of ‘affordable housing for rent’ in the Framework glossary should be amended? If so, what changes would you recommend?**

Community-led housing and almshouses should be included in the definition of affordable housing, provided the group is officially registered as a community-led housing body or almshouse charity, and the properties are let in perpetuity at sub-market rents (including any service charges). A management plan should be required to be agreed with the local authority.

**Question 58: Do you have views on why insufficient small sites are being allocated, and on ways in which the small site policy in the NPPF should be strengthened?**

There are clear reasons why it is inappropriate and impractical to specify that all plans must allocate 10% of the housing requirement via small sites.

In developing the Greater Cambridge Local Plan First Proposals we gave careful consideration to the issue, and documented this in a Strategy Topic Paper. Through local plan policies and the development management process we anticipated and evidenced that the 10% requirement would be met and exceeded without the need for that level of specific allocations.

Given the scale of housing the plan is seeking to deliver, it would require us to identify well over 100 sites of less than 1 hectare to meet this requirement.

Many small sites come forward through the recycling of brownfield land and intensification. It is not possible to specify these at a single point in time for the 15 years ahead, as they tend to come forward over time when opportunities arise. Some may come forward through a call for sites, but most may simply use the development management process.

A requirement to allocate would lead to pressure to allocate greenfield sites. Even if it were practical to identify and allocate that number of sites, it would significantly compromise the delivery of a sustainable development strategy and lead to local concern. The evidence base for Greater Cambridge, including evidence exploring carbon impacts to meet our responsibilities under climate change legislation, demonstrated that a more focused development strategy around urban areas, transport nodes, and new settlements represented a sustainable development strategy for the area. Allocating that number of sites would require a large number of small allocations in villages, which would undermine that strategy.

The NPPF should support small sites but be flexible to local circumstances and the need to deliver sustainable development.

**Question 59: Do you agree with the proposals to retain references to well-designed buildings and places, but remove references to 'beauty' and 'beautiful' and to amend paragraph 138 of the existing Framework?**

Whilst the Councils previously welcomed the references to beauty in emphasising the importance of good design, we agree that requirements for well-designed buildings and places are sufficient and effective.

**Question 60: Do you agree with proposed changes to policy for upwards extensions?**

The removal of such specific reference to Mansard Roofs is welcomed. There are a number of ways densification appropriate to its surroundings can be achieved. The form should be left to individual authorities to assess dependent on what is appropriate in a particular context.

**Question 61: Do you have any other suggestions relating to the proposals in this chapter?**

No.

## **Chapter 7: Building infrastructure to grow the economy**

**Question 62: Do you agree with the changes proposed to paragraphs 86 b) and 87 of the existing NPPF?**

Through the Local Plans in Greater Cambridge, we already carefully consider the needs of key sectors and seek to plan appropriately. The changes proposed to the NPPF are therefore generally supported, although with the caveat that the NPPF should be read as a whole to determine if development is sustainable.

However, we are concerned that the wording of the proposed paragraph 87c on the expansion or modernisation of other key growth industries could have implications for the ability to prioritise key sectors over others if it proved to be necessary.

Use Class E should also be re-examined to allow authorities to effectively consider impact on town centres and protecting lower value employment uses.

**Question 63: Are there other sectors you think need particular support via these changes? What are they and why?**

No.

**Question 64: Would you support the prescription of data centres, gigafactories, and/or laboratories as types of business and commercial development which could be capable (on request) of being directed into the NSIP consenting regime?**

The Councils do not support the prescription of data centres, gigafactories, and laboratories into the Nationally Significant Infrastructure Project (NSIP) consenting regime for a number of reasons, as summarised below:

### Community Engagement and Familiarity with the Planning Process:

Prescribing such developments to the NSIP regime could significantly alienate communities from actively participating in the planning process. Local communities are more accustomed to engaging with Local Planning Authority (LPA) processes, which are familiar and well-established within their areas. The NSIP process, in contrast, is relatively new and unfamiliar to many. It is a centralised process, often perceived as remote and bureaucratic, which can lead to feelings of disempowerment among local residents. This alienation can reduce the level of meaningful community engagement, as local stakeholders may feel less capable or less inclined to influence outcomes that directly affect them.

### Local Decision-Making and Representation:

The NSIP regime involves decisions being made by an external body, rather than within the LPA setting, where elected members are best positioned to represent the interests of their constituents. LPAs have an in-depth understanding of the unique characteristics, needs, and aspirations of their communities. This local insight is crucial in ensuring that developments align with broader local objectives, such as sustainability, economic development, and community cohesion. Shifting decision-making to an external body could undermine this localized approach, leading to outcomes that may not fully reflect or respect the specific context and needs of the area.

### Pre-Application Process and Design Refinement:

The Greater Cambridge Shared Planning service offers a robust pre-application service, which includes design review panels and developer briefings to planning committees. These mechanisms allow for early and constructive dialogue between developers and the LPA, leading to higher quality and more contextually appropriate developments. In contrast, our experience with NSIPs indicates that engagement during the pre-application phase is more limited and can be adversarial and is therefore not always as positive or productive. There is often less opportunity to influence the process and outcomes, which can result in developments that are less aligned with local needs and expectations.

### Timeframe and Efficiency:

Although the NSIP examination period is six months, the lead time before submission to the Planning Inspectorate is often at least two years, during which various consultation activities take place. This lengthy pre-submission phase can be protracted and complex, meaning the overall NSIP process is not necessarily quicker than the traditional LPA route. Given this extended timeline, the NSIP process may not deliver the timely decisions that developers and communities expect, especially when compared to the more streamlined processes available through the LPA. In Greater Cambridge, in the period 2021-24 around 394,000m<sup>2</sup> offices/labs were permitted or had a resolution to grant through the existing planning application process.

### Resource Challenges:

There are also significant challenges associated with resourcing NSIPs. Developers are sometimes reluctant to commit to Planning Performance Agreements (PPAs) that cover the full process, and there is no fee payable to the local authority for handling NSIPs. This creates financial and operational strain on the LPAs involved. In contrast, GCSP is well-resourced and has considerable experience in dealing with complex planning applications. Utilizing this expertise within the existing LPA framework is likely to be more effective and efficient than diverting resources to the NSIP route, which may not offer the same level of local insight or efficiency.

### **Question 65: If the direction power is extended to these developments, should it be limited by scale, and what would be an appropriate scale if so?**

If the direction power to include data centres, gigafactories, and laboratories within the NSIP regime is extended, it should be limited by scale to ensure that only projects with genuinely national or significant regional impacts are included. This approach would strike a balance between addressing large-scale, high-impact developments through the NSIP process while allowing more locally-focused projects to remain within the traditional LPA framework.

Thresholds for Floor Area or Operational Capacity are suggested:

Data Centres: A floor area threshold of 100,000 square meters or more could be appropriate for data centres. This scale would typically indicate a development of national significance, potentially involving critical infrastructure with wide-reaching impacts on data storage and processing capacity.

Gigafactories: A similar threshold of 100,000 square meters or a production capacity of over 10 GWh per year might be appropriate for gigafactories. Such large-scale production facilities for batteries or other significant industrial outputs would warrant the NSIP process due to their extensive environmental, economic, and logistical impacts.

Laboratories: Given GCSP's strong history and extensive experience in working on laboratory developments, no threshold is appropriate for laboratories. The local planning process has proven effective in handling these projects, and GCSP's expertise ensures that even the most complex and large-scale laboratory developments are managed with the necessary precision and care. Therefore, prescribing any size or scale threshold for laboratories within the NSIP

regime would not align with our proven ability to successfully oversee these important projects at the local level.

Strategic Importance:

- Projects that are part of a wider strategic initiative, such as those linked to national infrastructure networks, clean energy transitions, or significant technological advancements, should be prioritised for the NSIP regime. For instance, developments that are integral to national cybersecurity or renewable energy storage.

Environmental Impact:

- Developments that are likely to have a substantial environmental impact, such as those requiring extensive land use changes, high energy consumption, water use, or significant waste generation, might also be appropriate for the NSIP route. The scale could be set based on anticipated carbon emissions, resource use, or habitat disruption, ensuring that the NSIP process is employed for projects where environmental mitigation is critical.

Infrastructure Demand:

- Projects that would create significant demands on local infrastructure—such as road networks, water supply, or power grids—should be considered for the NSIP process. The scale here might be determined by the level of anticipated infrastructure upgrades needed or the expected increase in regional traffic or utility usage.

**Question 66: Do you have any other suggestions relating to the proposals in this chapter?**

No.

## **Chapter 8: Delivering community needs**

**Question 67: Do you agree with the changes proposed to paragraph 100 of the existing NPPF?**

No. The delivery of public service infrastructure is important. The benefits should be clear through any application and given appropriate consideration. However, the term is not defined in the NPPF, only examples are given. It is difficult therefore to confirm if it should be given significant weight given it is not clear how widely the term would be sought to be applied.

**Question 68: Do you agree with the changes proposed to paragraph 99 of the existing NPPF?**

We agree that it is important to ensure that a sufficient choice of early years, school and post-16 places are available to meet community needs. However, we have some concern about giving 'great weight to the need to create, expand or alter early years facilities' as they are often private organisations and fall into the very broad Use Class E. If weight is given which overcomes other negative issues, the LPA will need to apply conditions which reflect the purpose of the consent to ensure it remains for that purpose. There may be a case for re-examining the effectiveness of class E given the importance of protecting this kind of use.

**Question 69: Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?**

We support the proposed changes. The vision led approach to transport planning is already happening locally, using 'trip budget' approaches for example. Nevertheless, we believe that further clarity is required within the proposed NPPF to make clear that visions need to be defined, supported by the LPA and transport authorities, funded by developers, and be capable of being achieved.

**Question 70: How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity?**

The government should consider if they can give Local Authorities greater powers and resources to implement and monitor standards to achieve the above goals.

Where there is an identified point of causation, it would be helpful if National Planning Policy or Practice Guidance created or identified a relevant standard for Local Authorities to use. For example, a national version of the London Healthier Catering Commitment would be helpful in areas where a link between takeaway proliferation and obesity has been identified. Where justified, Local Authorities could be able to ensure



compliance of Restaurants & Hot Food Takeaways with the Healthier Catering Commitment through use of a planning condition.

We also believe that more weight should be given to active travel infrastructure and walkable neighbourhoods, with a clear remit for this to be in place at the same time as road infrastructure (preferably early delivery), to encourage uptake of active travel at the point of occupation. Transport visions referenced in the previous question also need to consider their impact on supporting healthy communities.

**Question 71: Do you have any other suggestions relating to the proposals in this chapter?**

The Promoting healthy and safe communities chapter should acknowledge and promote a key role for communities in influencing the formation of planning policy and the development proposals that come forward for their area.

Insert “play spaces” in the list of examples given in part (c) of existing paragraph 96, “for example through use provision of safe and accessible green infrastructure, play spaces, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.”

There should be more emphasis on developers to provide community safety strategies. We are seeing more and more reports of anti-social behaviour and more needs to be done by developers at the design stage to prevent this.

## **Chapter 9: Supporting green energy and the environment**

**Question 72: Do you agree that large onshore wind projects should be reintegrated into the NSIP regime?**

GCSP agrees that large onshore wind projects should be reintegrated into the NSIP regime because the NSIP framework is designed to handle projects of national significance. This regime allows for comprehensive consideration of broader impacts, beyond local issues and impacts, including national energy security and environmental benefits, which might be inadequately addressed through standard local planning processes. The NSIP process ensures that the strategic importance of such projects is fully recognised and appropriately managed.

**Question 73: Do you agree with the proposed changes to the NPPF to give greater support to renewable and low carbon energy?**

We are generally supportive of measures to support the delivery of renewable and low carbon energy, and agree that the NPPF should require that this should be given weight in planning decisions.

**Question 74: Some habitats, such as those containing peat soils, might be considered unsuitable for renewable energy development due to their role in carbon sequestration. Should there be additional protections for such habitats and/or compensatory mechanisms put in place?**

Yes, careful consideration needs to be given to these issues.

**Question 75: Do you agree that the threshold at which onshore wind projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50 megawatts (MW) to 100MW?**

Yes, raising the threshold from 50MW to 100MW for onshore wind projects to be considered Nationally Significant could be beneficial. It would allow smaller projects to go through local planning processes, which may be more efficient for less complex cases, while reserving the NSIP regime for larger, more impactful projects that require a national-level review and coordination.

**Question 76: Do you agree that the threshold at which solar projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50MW to 150MW?**

Yes, increasing the threshold from 50MW to 150MW for solar projects to be considered Nationally Significant is appropriate. This change would enable smaller solar projects to be handled locally, which could streamline the process for less complex developments, while the NSIP regime would focus on larger projects with broader national significance and impacts.

**Question 77: If you think that alternative thresholds should apply to onshore wind and/or solar, what would these be?**

The proposed thresholds are acceptable.

**Question 78: In what specific, deliverable ways could national planning policy do more to address climate change mitigation and adaptation?**

The Council responded with a number of points to a similar question in the NPPF consultation of 2023, and these points remain valid:

As part of our emerging Greater Cambridge Local Plan we have prepared a substantial number of policies relating to climate change adaptation and mitigation which seek to provide substantive solutions, often beyond current national requirements: [Climate change | Greater Cambridge Shared Planning \(greatercambridgeplanning.org\)](#)

Whilst ideally national policy would be changed to provide the equivalent or stronger requirements, local planning authorities must have the flexibility to provide their own policy responses which can be adapted to what is needed or what is possible in a local area. There is a concern that National Development Management policies could undermine our local efforts to address climate change. For example, reliance on the Future Homes Standard, which is predicated on grid decarbonisation to achieve true net zero carbon operational emissions and metrics that will not deliver net zero carbon, is a significant concern in areas like Greater Cambridge, where grid capacity constraints are already impacting on decarbonisation projects and restricting the ability of new large scale renewable energy generation to connect to the grid in a timely manner. One should also not overlook the significant pressure on grid decarbonisation that is coming from the need to retrofit the existing building stock. New development cannot be allowed to add to that burden. The NPPF should enable local planning authorities to set higher targets than national standards using metrics that are more appropriate for net zero carbon (space heating demand and energy use intensity) where they have evidence to support such an approach.

Another example of this is water efficiency. Current government policy only allows an alternative water efficiency standard of not more than 110lpd. In Greater Cambridge there is evidence of a need for stronger standards of not more than 80 lpd, and support for this from the local water companies. Some developments can also go further. We will also need to set effective standards for non-residential development. Measures are also needed at the national level to support grey water and rain water recycling, to require measures like use of non-potable water to flush toilets. Such standards are needed to support meeting development needs, and Local Planning Authorities should have the flexibility to set standards where there is local evidence justifying it. Not being able to set stringent water efficiency standards could actually restrict the rate development can coming forward.

It is also important that responding to the twin challenges of climate change mitigation and adaptation are integrated into delivering high quality design and development. This should include addressing issues such as overheating both at a site scale and individual scale, with more focus to nature-based solutions and multi-functional benefits to help address issues such as the urban heat island effect and promotion of tools such as the urban greening factor. It is vital that this takes place in combination with front loading the building design process to ensure that passive design measures are integrated into all development proposals to reduce the overheating risk, prior to schemes being assessed against the Part O requirements. Such an approach will help to speed up the delivery of new homes as it will reduce the risk of amendments being required to permitted schemes in order to address issues identified as part of Part O assessments, which are often undertaken after planning permission has been granted. The National Model Design Code should also be strengthened in relation to promoting design solutions to mitigate overheating risk and addressing the urban heat island effect as well as wider climate risks. This should include re-examining the guidance on single aspect dwellings as effective passive ventilation can be difficult or impossible to achieve.

**Question 79: What is your view of the current state of technological readiness and availability of tools for accurate carbon accounting in plan-making and planning decisions, and what are the challenges to increasing its use?**

As part of the evidence for the emerging Greater Cambridge Local Plan, we have commissioned consultants to undertake a carbon assessment of the various spatial strategy and growth options to help inform decision making around the location of growth. This has involved the development of a tool to enable the analysis of the carbon emissions associated with building's operational emissions (e.g. comparing the Future Homes Standard with more ambitious net zero carbon standards that take account of all energy used), transport related emissions and embodied carbon. This assessment has enabled us to direct our spatial strategy towards more sustainable locations, where priority can be given to more sustainable forms of transport. This assessment could be replicated for other local authority areas as much of the data used is taken from nationally available data sets.

**Question 80: Are any changes needed to policy for managing flood risk to improve its effectiveness?**

The sequential approach would still benefit from further guidance and clarification.

**Question 81: Do you have any other comments on actions that can be taken through planning to address climate change?**

The review of the building regulations on water is still awaited to enable greater water efficiency. This should be brought forward as soon as possible. There are a range of other measures that are needed to enable the efficient uses of water, such as regulations to support water reuse, water efficiency labelling, and smart water meters in every residential unit (in particular in all residential flats rather than a single meter for a block) and in other buildings.

Further consideration should also be given to post occupancy requirements, to ensure that standards being set are being implemented effectively and having the impacts that were intended.

Whilst much can be achieved through the planning process in relation to new buildings, there is also a need to address the efficiency of existing buildings. Further consideration should be given to how retrofitting can be required when existing buildings are being modified.

**Question 82: Do you agree with removal of this text from the footnote?**

Yes. The footnote does not appear to be necessary as the issue is already addressed elsewhere in the NPPF.

**Question 83: Are there other ways in which we can ensure that development supports and does not compromise food production?**

The proposed inclusion of glasshouses as previously developed land must be given careful consideration in this context, as there is a risk it could compromise food production if it results in the loss of active production facilities.

**Question 84: Do you agree that we should improve the current water infrastructure provisions in the Planning Act 2008, and do you have specific suggestions for how best to do this?**

We are pleased to see water infrastructure and the growing challenge of water supply availability highlighted as a key issue within this consultation.

Significant new water infrastructure is needed across the east of England in order to meet future water needs sustainably. A review of processes to enable projects to be planned effectively is supported, and the use of the NSIP regime for large scale schemes would be appropriate.

**Question 85: Are there other areas of the water infrastructure provisions that could be improved? If so, can you explain what those are, including your proposed changes?**

No response.

**Question 86: Do you have any other suggestions relating to the proposals in this chapter?**

As highlight in our responses to previous questions, climate change standards could be strengthened. The Written Ministerial Statement by the previous government restricted how local authorities can set local standards, and has resulted in significant inconsistency in its application. Flexibility for Local plans to respond to local opportunities should be reinstated.

## **Chapter 10: Changes to local plan intervention criteria**

**Question 87: Do you agree that we should replace the existing intervention policy criteria with the revised criteria set out in this consultation?**

We do not have direct experience of intervention, but as an authority that seeks to invest in plan making and maintain up to date plans when at all practical, we would wish to ensure that interventions are only made when absolutely necessary and appropriately consider local circumstances

**Question 88: Alternatively, would you support us withdrawing the criteria and relying on the existing legal tests to underpin future use of intervention powers?**

No comment.

## **Chapter 11: Changes to planning application fees and cost recovery for local authorities related to Nationally Significant Infrastructure Projects**

**Question 89: Do you agree with the proposal to increase householder application fees to meet cost recovery?**

Yes. In order to operate an effective and efficient planning system it is vital that Local Planning Authorities are able to resource their services effectively and it is appropriate to recover the costs for the services they provide from those who benefit from the increased value of land that arises from the grant of planning permission.

**Question 90: If no, do you support increasing the fee by a smaller amount (at a level less than full cost recovery) and if so, what should the fee increase be? For example, a 50% increase to the householder fee would increase the application fee from £258 to £387.**

**If Yes, please explain in the text box what you consider an appropriate fee increase would be.**

N/A Fees should be increased to enable cost recovery.

**Question 91: If we proceed to increase householder fees to meet cost recovery, we have estimated that to meet cost-recovery, the householder application fee should be increased to £528. Do you agree with this estimate?**

**If No, please explain in the text box below and provide evidence to demonstrate what you consider the correct fee should be.**

The estimate is reasonable, but there is also a need to allow authorities to reflect local circumstances.

**Question 92: Are there any applications for which the current fee is inadequate? Please explain your reasons and provide evidence on what you consider the correct fee should be.**

None of the current application fees are considered to cover the costs of officer time. This includes discharge of conditions, prior approvals and lawful development certificates.

**Question 93: Are there any application types for which fees are not currently charged but which should require a fee? Please explain your reasons and provide evidence on what you consider the correct fee should be.**

There are a number of areas where LPA's cost recovery does not reflect the work they are required to carry out. This includes applications for works to trees (including works to Trees subject to TPO and s211 Notifications of proposed works to trees in Conservation Areas), and Listed Buildings applications.

**Question 94: Do you consider that each local planning authority should be able to set its own (non-profit making) planning application fee? Please give your reasons in the text box below.**

Yes. This would recognise that local planning authorities will have different levels of income and expenditure, and as such the cost of officer time spent on a project will not be fixed.

The setting of planning application fee rates means that the circumstances of the particular authority can be fully accounted for, and all elements of the application process are fully charged for. It will also ensure that the LPA knows how the fee calculation has made, to justify it to its community and enables control should further improvements/efficiencies be required.

**Question 95: What would be your preferred model for localisation of planning fees?**

**Full Localisation – Placing a mandatory duty on all local planning authorities to set their own fee.**

**Local Variation – Maintain a nationally-set default fee and giving local planning authorities the option to set all or some fees locally.**

**Neither**

**Don't Know**

**Please give your reasons in the text box below.**

There are many variables that could influence the response to this question, but Local Variation would appear the best fit. In particular major applications may need local variation. Therefore a national uplift in fees, where local variation could be implemented if justified, would be the best approach.



**Question 96: Do you consider that planning fees should be increased, beyond cost recovery, for planning applications services, to fund wider planning services?**

**If yes, please explain what you consider an appropriate increase would be and whether this should apply to all applications or, for example, just applications for major development?**

Potentially, but it would need to be carefully documented and justified.

**Question 97: What wider planning services, if any, other than planning applications (development management) services, do you consider could be paid for by planning fees?**

In our previous responses to government consultations on national planning policy changes in 2023, we highlighted that the Greater Cambridge area is under significant development pressure, and its plans are heavily scrutinised including by promoters of high value sites. The volume and complexity of evidence needed for plan making is therefore very high, creating significant costs for the authorities and extending the plan making period. Therefore, we believe that other mechanisms should also be considered to assist with cost recovery. For example, could LPAs charge for a site to be submitted and tested through local plan process as this would reduce the funding shortfall experienced by planning policy teams.

In Greater Cambridge Local Plans have brought forward major urban extensions and new towns like Cambourne and Northstowe. Our local plan review is currently exploring developments at North East Cambridge, Cambridge East and at the Cambridge Biomedical Campus. Supporting pro-active plan making around strategic scale proposals is a significant exercise. Recognising that it is appropriate for costs incurred in developing or reviewing evidence to be recovered through PPA's or similar memorandum which maintain the integrity of the plan making process will help LPA's to engage and plan more effectively.

**Question 98: Do you consider that cost recovery for relevant services provided by local authorities in relation to applications for development consent orders under the Planning Act 2008, payable by applicants, should be introduced?**

Planning agreements can be complex to establish, therefore a standardised, specific cost recovery mechanism could simplify and speed up the process. Cost recovery for relevant services provided by local authorities in relation to applications for

Development Consent Orders (DCOs) under the Planning Act 2008 is absolutely essential, and it should be introduced as a matter of priority.

#### Long-Term Expert Resourcing Needs:

- Extended Project Duration: NSIP projects typically require a significant level of expert resourcing that must be dedicated for a much longer period than standard planning applications. From the project inception stage through to post-consent activities, these projects involve a complex and prolonged process that demands sustained involvement from highly skilled professionals. Without cost recovery, local authorities would struggle to allocate the necessary resources over this extended timeframe, risking delays.

#### High Costs of Specialist Expertise:

- Technical Expertise Requirements: The complexity of NSIP projects often necessitates the involvement of specialists who provide critical technical expertise, such as environmental consultants, transport engineers, and legal advisors. These specialists command high fees due to their specialized knowledge and the intricate nature of the projects. Effective and thorough assessment of DCO applications cannot be achieved without adequately resourcing these experts, making cost recovery vital to ensuring that local authorities can secure and maintain the necessary technical capabilities.

#### Volume and Complexity of Work:

- Workload Challenges: The significant volume of work associated with NSIPs means that it is not feasible for local authorities to manage multiple DCOs simultaneously without compromising the quality of service if not adequately resourced. Each DCO represents a complex, multi-faceted process that demands dedicated attention. To handle these applications in the very best way, local authorities need to focus substantial resources on each case. Without a mechanism for cost recovery, the financial strain on local authorities would be unsustainable, leading to potential delays, reduced service quality, and increased risks of legal challenges.

#### Challenges with Planning Performance Agreements (PPAs):

- PPA Difficulties: While Planning Performance Agreements (PPAs) have been an important tool for managing complex planning applications in GCSP, they have proved challenging with some developers in the context of NSIPs. The scale and complexity of NSIP-related work far exceed that of standard planning applications, making the need for comprehensive cost recovery even more

critical. The absence of reliable PPA arrangements exacerbates the financial and operational burdens on local authorities, making it difficult to justify the level of effort required without a clear and guaranteed mechanism for recouping costs.

**Question 99: If yes, please explain any particular issues that the Government may want to consider, in particular which local planning authorities should be able to recover costs and the relevant services which they should be able to recover costs for, and whether host authorities should be able to waive fees where planning performance agreements are made.**

In considering the issue of cost recovery for local planning authorities, it's essential to recognise the distinct responsibilities and technical assessments carried out by different tiers of local government, particularly district councils and county councils. Each plays a vital role in the development consent order process, addressing different but equally important aspects of development that require specific expertise and resources.

District Councils typically focus on environmental constraints, ensuring that developments are sensitive to local biodiversity, heritage, landscape, and lighting considerations. These assessments are crucial in preserving the character and ecological balance of local areas, and they require significant investment in skilled personnel, environmental surveys, and consultation processes.

On the other hand, County Councils are primarily responsible for more technical and infrastructure-related matters, such as highways, transport, and flood risk management. These areas demand specialized technical evaluations, detailed modelling, and often, engagement with broader regional and national bodies to ensure that developments do not compromise public safety or infrastructure integrity.

Given the distinct and complementary roles of these two types of authorities, both should have the ability to recover costs associated with their specific responsibilities. The technical assessments conducted by each authority are different in nature, but both are necessary for a comprehensive and balanced planning process. Therefore, the ability to recover costs should not be limited to one type of authority but should extend to all local planning authorities involved in the decision-making process.

To ensure fairness and transparency in cost recovery, it would be more effective to establish fees that reflect the baseline cost of reviewing DCO documents and engaging with the applicant, covering the fundamental assessments required by both district and county councils. However, given the diversity and complexity of NSIP projects, there should be flexibility built into the system. A Planning Performance Agreement (PPA) could then be considered on a case-by-case basis, allowing for the adjustment of fees where additional work or expedited timelines are agreed upon. This approach ensures

that authorities are adequately compensated for their work while also providing developers with a clear and predictable fee structure.

Moreover, the possibility for host authorities to waive fees under PPAs could be beneficial in certain situations. However, this should be done with careful consideration to ensure that the waiver does not undermine the authority's ability to cover its costs and deliver a high-quality planning service.

**Question 100: What limitations, if any, should be set in regulations or through guidance in relation to local authorities' ability to recover costs?**

Key points that should be considered in setting these limitations include:

Proportionality of Costs:

Regulations should ensure that the costs recovered by local authorities are proportionate to the level of service provided. Local authorities should only recover costs that directly relate to the work they undertake in connection with an NSIP. This means that charges should reflect the actual time, expertise, and resources expended by the authority on the project, rather than being based on a standard fee that may not accurately represent the complexity or scale of the project.

Transparency and Accountability:

There should be clear guidance requiring local authorities to provide a transparent breakdown of the costs they seek to recover. This could include a detailed account of the specific activities, staff time, and external consultancy fees involved. Such transparency will help ensure that costs are justified and prevent any perception of arbitrary or inflated charges.

Standardisation of Cost Recovery:

The Government could provide standardized guidance or a framework for calculating recoverable costs for each stage of NSIPs. This framework would help ensure consistency across different local authorities and prevent significant disparities in cost recovery practices. Such standardization would also assist developers in understanding the likely costs associated with NSIP applications across various jurisdictions.

Limitation on Indirect Costs:

Regulations should clearly define what constitutes recoverable direct costs versus non-recoverable indirect costs.

Time Limitations on Cost Recovery:

Guidance could also specify a time limit within which local authorities must submit their cost recovery claims. This would encourage timely invoicing and avoid situations where developers are faced with unexpected costs long after the project has progressed.

**Question 101: Please provide any further information on the impacts of full or partial cost recovery are likely to be for local planning authorities and applicants. We would particularly welcome evidence of the costs associated with work undertaken by local authorities in relation to applications for development consent.**

No response.

**Question 102: Do you have any other suggestions relating to the proposals in this chapter?**

In addition to funding, finding staff with appropriate skills and experience remains challenging for planning departments. The Government should continue to support programmes providing training and apprenticeship opportunities.

Statutory consultees play an important role in the planning process. The government needs to ensure they are also resourced appropriately in order to respond in a timely and effective manner if the planning application process is to deliver timely outcomes.

## **Chapter 12: The future of planning policy and plan making.**

**Question 103: Do you agree with the proposed transitional arrangements? Are there any alternatives you think we should consider?**

For reasons set out in our published Local Plan Timetable, the Greater Cambridge Local Planning Authorities have been unable to take their plan forward to regulation 19 at this point. Therefore, these transitional arrangements would not apply.

**Question 104: Do you agree with the proposed transitional arrangements?**

Greater Cambridge have expressed a desire to be a front runner in the new plan making system. This partly reflected the challenges we have faced in plan making, but also the opportunities to explore new methods such as digital local plans.

We will be reviewing our programme in light of the newly proposed deadline. Our plan making process has been delayed by a number of external factors. We still need the government's Cambridge Water Scarcity Group to deliver long term solutions to the water issues facing the Cambridge area.

There may need to be a degree of flexibility to enable local authorities facing particular issues to deliver their plans expediently, particularly those specific factors facing Greater Cambridge.

**Question 105: Do you have any other suggestions relating to the proposals in this chapter?**

The Greater Cambridge Shared Planning Service have sought to engage with a range of MHCLG projects exploring digital planning opportunities. We continue to explore opportunities where they can make our plans more accessible and help make our processes more efficient. This includes looking data driven templates for plan making and evidence, links to GIS, making data accessible, and standardised processes for call for sites and site testing. We would be interested in working further with MHCLG on such issues.

**Chapter 13: Public Sector Equality Duty.**

**Question 106: Do you have any views on the impacts of the above proposals for you, or the group or business you represent and on anyone with a relevant protected characteristic? If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how. Is there anything that could be done to mitigate any impact identified?**

No response.